



ST. LOUIS ESTATE  
PLANNING LLC  
ATTORNEYS AT LAW

## WHAT IS PROBATE?

Probate is a court supervised process to transfer the assets of a deceased person if those assets did not have a beneficiary designation (also called Transfer-on-Death or Pay-on-Death) or were not in a trust.

### HOW LONG DOES IT TAKE?

Full probate in Missouri generally takes **8–14 months**.

### IS THERE A STREAMLINED PROCESS?

If the total value of probated assets is **less than \$40,000**, a **“small estate probate”** can be followed which takes approximately 3–4 months.

### DOES A WILL SKIP PROBATE?

It's the opposite — a **Will is the deceased person's instructions** of how they want their probate court case administered.

### DO I NEED AN ATTORNEY?

**Yes.** Probate courts in Missouri **will not allow** individuals to handle probate without an attorney.

### HOW DO I KNOW WHEN I NEED TO START A PROBATE FOR A LOVED ONE?

If someone at a bank, financial institution, title company, or insurance company, tells you that you need **Letters Testamentary, Letters of Administration or a Small Estate Affidavit** before they will release a deceased person's assets to you, then you likely need to open a probate case.

## HOW EXPENSIVE IS PROBATE IN MISSOURI?

Missouri law sets the fees for probate. It is based upon the value of the assets passing through probate. Reasonable estimates of legal fees and costs are:

PROBATED ASSET VALUE	EXECUTOR FEE	ATTORNEY FEE	COURT COSTS/ NOTICE/BOND	APPROXIMATE COST
100,000	3,300	3,300	400	7,000
500,000	14,050	14,050	900	29,000
1,000,000	26,550	26,550	1,900	55,000

### HOW TO AVOID PROBATE

Ensure that all of your loved one's investment accounts, bank accounts, and life insurance policies have **beneficiary designations** (also called transfer-on-death). The most frequently probated assets are homes. This can be planned for by having the owner file a beneficiary deed while they are alive.

**St. Louis Estate Planning can assist with probate.** If you find yourself in a situation where probate is your only option to collect your deceased loved one's assets, we are here to help.

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### ST. LOUIS ESTATE PLANNING, LLC

2705 Dougherty Ferry Road, Suite 200  
St. Louis, MO 63122

**314.858.9799 / [scott@stlestate.com](mailto:scott@stlestate.com)**  
**[stlestate.com](http://stlestate.com)**

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