

The Register of Wills. . .

Provides you with the necessary information and documentation that will make the transfer of assets as easy and as quick as possible.

Services that we provide include:

- Documentation to assist in transferring motor vehicle titles, mobile homes, trailers and boats
- Probating of estates
- Registration of Wills after death
- Transfer title to real estate, after a death has occurred
- Filing of Wills for safekeeping (while maker is alive)
- Genealogy assistance

Our office is located in the Louis L. Redding City/County Building, 2nd floor at 800 N. French Street, Wilmington (at the corner of 8th and French Streets). Our telephone number is (302) 395-7800.

Directions:

From I-95 North or South: Take Delaware Avenue exit and turn east towards downtown. Continue for 1/4 mile, when road splits, take either street. Continue east going past Rodney Square. Turn right at French Street, the next light. Drive south to 800 French Street.

From Rt. 13: Continue into Wilmington (Route 13 becomes Walnut Street). Turn left at 8th Street and next right at French Street.

Parking is available, for a fee, at the Colonial Parking Authority on 9th near French Street or the Double Tree Hotel (formerly the Spencer Hotel), access on French Street. There is also limited metered parking.



Louis L. Redding
City/County Building
800 N. French Street, 2nd Floor
Wilmington, DE 19801
Hours of Operation
8:30 a.m. to 4:45 p.m.
Closed from 12:00 -1:00pm

Phone: (302) 395-7800

Fax: (302) 395-7801

Website: www.nccde.org/wills

Compliments of
the Office of the Register of
Wills for New Castle County

How to contact the DMV:

New Castle—(302) 326-5000
Greater Wilmington—(302) 434-3200
www.dmv.de.gov

How to contact DNREC:

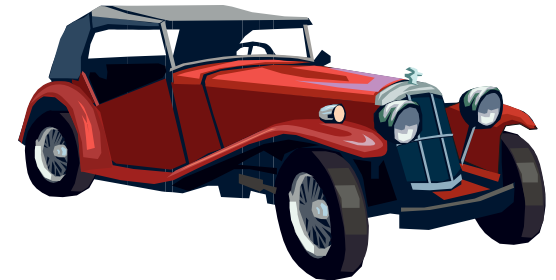
(302) 739-9000
www.dnrec.delaware.gov

July 2010

New Castle County Register of Wills

**What happens to a motor
vehicle when someone dies?**

Has a loved one died and left
a car, truck, motorcycle,
boat, trailer or mobile
home?



**How do you transfer title
of this vehicle?**

**You need to contact the Register
of Wills office before you go to the
Division of Motor Vehicles (DMV).**

Why do I need to go to the Register of Wills?

The Register of Wills office, located in Wilmington, is a New Castle County office serving as a Clerk for the Chancery Court. We provide families with the necessary documentation to allow access to their deceased family member's assets.

Small Estate Affidavits

If the deceased's assets are less than \$30,000, and there is no real estate in his/her name alone, the Register of Wills office issues a "Small Estate Affidavit" to transfer the assets of your loved one. An **original** small estate affidavit or short certificate is required by the Division of Motor Vehicles for the transfer of a motor vehicle title or by the Department of Natural Resources and Environmental Control (DNREC) for the transfer of a deceased person's boat.

A small estate affidavit is a document issued by the Register of Wills office. It allows you to take possession of a deceased person's solely owned personal property, provided that these assets are less than \$30,000 and there is no real estate. The small estate affidavit also allows you to transfer titles of motor vehicles, trailers, and boats from the deceased's name to another person.

Who can get a Small Estate Affidavit?

Small estate affidavits are issued to the named executor in the original, valid, self-proven will. If there is no valid will, the small estate affidavit may be issued to a deceased person's closest next of kin (blood relatives) in the following order: Spouse, Children (must be at least 18 years), Parents, Siblings, Grandparents, etc.

What do I need in order to obtain a Small Estate Affidavit?

First, you need to wait 30 days from the date of death. After that period, you may come into the Register of Wills office to petition for the small estate affidavit. You will need to bring a **CERTIFIED** copy of the death certificate* and your picture I.D. (preferably a valid driver's license). The affidavit cannot be used before 30 days from the date of death.

Is there a fee for this service?

There is a \$10.00 fee for the first affidavit and \$5.00 for each additional affidavit processed at the same time.

Do I need an appointment?

An appointment is not required. You may come into our office, located on the 2nd floor of the City/County Building, at 800 N. French Street in Wilmington, on Monday through Friday from 8:30 a.m. to 4:30 p.m. (except from 12:00-1:00pm).

Can I request the affidavit by mail?

Yes. When requesting the affidavit(s) by mail, you will need to provide us with a copy of your photograph identification (front and back), the certified death certificate, payment for the fees, and a Small Estate Affidavit Mail-In Request Form available at www.nccde.org/wills.

Are there any exceptions?

Yes, the Register of Wills may grant a restricted affidavit to out-of-state next of kin.

*Death certificates can be obtained at the Office of Vital Statistics—(302)995-8586.

What is a Restricted Affidavit?

A restricted affidavit allows next of kin to transfer title of a motor vehicle without waiting for 30 days to elapse from the time of death. The Register of Wills may grant the restricted affidavit to out-of-state next of kin.

When do I need a Short Certificate to transfer the title?

Short certificates are issued when a deceased's personal assets are \$30,000 (or more) or if the deceased had solely owned real estate. If this is your situation, please contact the Register of Wills office to schedule an appointment to open an estate for probate at (302) 395-7800. If this is not your situation, a small estate affidavit may be sufficient.



We are here to help!