

**NEW CASTLE COUNTY REGISTER OF WILLS  
REQUEST FOR SMALL ESTATE AFFIDAVIT VIA MAIL**

**REQUIREMENTS:**

**To be eligible for a small estate affidavit by mail:**

1. **The decedent must NOT solely own any real estate.**
2. **The decedent must have less than \$30,000 in assets** (if date of death is since 2004. Please call 302-395-7800 for information about dates of death prior to 2004).
3. **The requestor must be the named executor in the valid, self-proven, original will. If there is no valid will, the requestor must be the closest next of kin to the decedent** (according to Delaware law).
4. **The requestor must have a valid reason why they cannot obtain the affidavit in person.**
5. **The requestor cannot be a convicted felon.**

**NOTE: The affidavit cannot be notarized or used until 30 days from the date of death.**

**Instructions:**

1. If there is a Will, include the original along with this request form (if it has not been previously filed). If the Will has been previously filed, please provide us with the ROW File # \_\_\_\_\_.
2. Mail with a check made out to "Register of Wills" and mail to Register of Wills, 2<sup>nd</sup> Floor, 800 N. French Street, Wilmington, DE 19801
3. Mail with an original or certified copy of the death certificate (Unfortunately, we cannot return the death certificate if it is being filed with an original will.)
4. Include a copy of the **front** and **back** of the requestor's driver's license (or other acceptable photo ID).

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**PLEASE COMPLETE ALL ITEMS BELOW: (not filling out each item will delay the processing of this Affidavit)**

1. Name of decedent: \_\_\_\_\_
  2. Relationship between requestor and decedent: \_\_\_\_\_ (Must be the named executor or the closest next of kin if there is no will)
  3. Name of requestor: \_\_\_\_\_
  4. Address of requestor: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Phone number: \_\_\_\_\_
  5. Is there a valid Will?  Yes  No. *If yes, mail the original Will to file in Register of Wills.*
  6. Number of small estate affidavits: \_\_\_\_\_ Amount enclosed: \_\_\_\_\_  
*(\$10 for the first small estate affidavit, plus \$5 for each additional affidavit requested at the same time, plus \$1 for postage. Please make check payable to "Register of Wills").*
  7. Number of Affidavit requested: # \_\_\_\_\_
  8. **State reason and dollar amount** for each Affidavit: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  8. State reason the affidavit must be obtained through the mail instead of at the office:  
\_\_\_\_\_  
\_\_\_\_\_
- Has the requestor ever been convicted of a felony?  Yes  No

Date \_\_\_\_\_

\_\_\_\_\_  
Requestor (signature)

**NOTE: Please take note that an affidavit received by mail will NOT be able to be used until it is properly notarized and 30 days have passed since the date of death.** Upon receipt of the affidavit, you must take it to a notary and sign the affidavit in front of them. Failure to fill out this form correctly or to supply all necessary materials will delay your receipt of the affidavit. If you have any questions, please call (302) 395-7800.

