

Cereta A. Lee
Prince George's County
Register of Wills



"Assisting the Families of Prince George's County
in their Time of Need"

5303 Chrysler Way, Suite 300
Upper Marlboro, MD 20772
www.registers.state.md.us

Phone: 301-952-3250
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Directions

From 95, take exit 17 to Route 202/
Landover Road towards Upper
Marlboro. Make a left onto Old Marlboro
Pike Road, then bear to the right onto
Route 301 South, Crain Highway. Make
a right onto Chrysler Drive (after the
Wendy's restaurant), then drive to the
end of the road until you see the
building.

From Route 4/ Pennsylvania Avenue,
take exit Route 301 North/ Crain
Highway towards Baltimore. Make a left
onto Chrysler Drive (before the Wendy's
restaurant), then drive to the end of the
road until you see the building.

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The Register of Wills offers free speaking  
engagements to your community or church group. If  
you are interested in scheduling a speaker for your  
group, please contact us.

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**Administration  
of Estates in  
Maryland**

[www.registers.state.md.us](http://www.registers.state.md.us)



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*"Our Will is to Serve."*

Every year a vast majority  
of Americans die without a Will.  
They lose the opportunity to  
determine how to leave their  
assets to their loved ones.  
However, you can avoid the  
same mistake. Creating a  
plan is the first step to  
protecting your family, and the  
assets you have accumulated  
over a lifetime.

As your Register of Wills,  
I believe "Preparation is the  
Best Protection." It is important  
for you to know what to do  
before and after a loved one  
passes away. The Register of  
Wills Office provides seminars  
and information booths to  
assist in the process of settling  
an estate. So when the time

comes to use our office, your  
pre-planning will reduce  
some of the stress and  
burden to your family.

The Register of Wills  
Office takes pride in serving  
the families of Prince  
George's County with  
professionalism,  
compassion, dignity and  
respect. Please feel free to  
contact us with your  
questions or concerns.

Sincerely,

*Cereta A. Lee*

Register of Wills  
Prince George's County



All required forms may be obtained  
from the Register of Wills Office or  
online at [www.registers.state.md.us](http://www.registers.state.md.us).

## Administration of Estates in Maryland

Whether you have a Will or not, everyone may have an estate— all of your property owned in your name alone. Administration of Estates, also known as probate, is required to settle the business matters for the loved one who has passed away. Administration of Estates includes collection of property; payment of any debts, fees and taxes; and distribution of assets to the heirs. Any assets in a decedent's name alone (including interests held as tenants-in-common) must be reported to the Register of Wills.

A Personal Representative should be named in the Will to conduct any business on behalf of the decedent. If you do not have a Will, a Personal Representative will be appointed by the Register of Wills or the Orphans' Court. Once appointed, Letters of Administration will be issued to the Personal Representative.

Maryland law also requires that the Last Will (including Codicils, if any) of the decedent must be filed promptly with the Register of Wills in the county where the decedent resided at the time of death, even if it is not to be offered for probate.

### SMALL ESTATES

A Small Estate is when the decedent's assets are valued at \$30,000 or less (\$50,000 if the spouse is the sole legatee or heir).

### REGULAR ESTATES

A Regular Estate is when the decedent's assets are in excess of \$30,000 (\$50,000 if the spouse is the sole legatee or heir).

***Note: If the decedent died prior to July 1, 2000, consult the Register of Wills to determine if you should proceed with a regular estate or a small estate, since the value of each type estate and the method used for valuing them are determined by the date of death of the decedent.***

A Small or Regular Estate Petition for Administration must be filed with the Register of Wills Office. Required forms may be obtained from the office. Once the Register of Wills determines that the Petition is accurate, all necessary forms are complete, and a bond (if required) has been executed, the Personal Representative is appointed, and issued Letters of Administration.

For a Regular Estate, the Personal Representative must also file the following documents with the Register of Wills Office: Inventory and Information Report and the First Account. Additional accounts must be filed until the estate is closed.

### Small Estate Fee Schedule

There is a graduated fee schedule based on the gross value of the small estate. Payment of fees is required at the time of filing the estate.

| If the value of the probate estate is at least: | But less than: | The fee is:                         |
|-------------------------------------------------|----------------|-------------------------------------|
| \$0.00                                          | \$200          | \$2.00 (minimum fee)                |
| \$200                                           | \$5,000        | 1% of the value of the Small Estate |
| \$5,000                                         | \$10,000       | \$50.00                             |
| \$10,000                                        | \$20,000       | \$100.00                            |
| \$20,000                                        | \$50,000       | \$150.00                            |

### Regular Estate Fee Schedule

Fees are to be paid at the filing of the first account based on the gross assets. Adjustments to fees will be made on subsequent accounts, if applicable. Probate fees will be assessed at the following rates:

| If the value of the probate estate is at least: | But less than: | The fee is:                                  |
|-------------------------------------------------|----------------|----------------------------------------------|
| \$20,000                                        | \$50,000       | \$150.00                                     |
| \$50,000                                        | \$75,000       | \$200.00                                     |
| \$75,000                                        | \$100,000      | \$300.00                                     |
| \$100,000                                       | \$250,000      | \$400.00                                     |
| \$250,000                                       | \$500,000      | \$500.00                                     |
| \$500,000                                       | \$750,000      | \$750.00                                     |
| \$750,000                                       | \$1,000,000    | \$1,000.00                                   |
| \$1,000,000                                     | \$2,000,000    | \$1,500.00                                   |
| \$2,000,000                                     | \$5,000,000    | \$2,500.00                                   |
| \$5,000,000                                     | —              | \$2,500 plus .02% of excess over \$5,000,000 |

### Distribution of Property If You Die Without A Will

#### **If the Decedent is survived by:**

1. **Spouse and minor children of the decedent:** Spouse receives one-half, children share remaining one-half
2. **Spouse and children (all adult) of the decedent:** Spouse receives \$15,000 plus one-half of remaining estate, children divide balance (the interest of a predeceased child passes to issue of that child)
3. **Children only of the decedent:** Children (does not include step-children) divide entire estate (the interest of a predeceased child passes to issue of that child)
4. **Spouse and parents of the decedent:** Spouse receives \$15,000 plus one-half of remaining estate, both parents divide balance or surviving parent takes balance
5. **Spouse of the decedent without other heirs listed above:** Spouse receives entire estate
6. **Parents of the decedent without other heirs listed above:** Both parents divide entire estate or surviving parent takes all
7. **Brothers/sisters of the decedent without heirs listed above:** Brothers and sisters divide estate equally (share of deceased sibling goes to their issue-nieces and nephews of the decedent)
8. **Grandparents without other heirs listed above:** Grandparents divide entire estate or, if deceased, to their issue (see applicable law for details)
9. **Great-grandparent without other heirs listed above:** Great-grandparents divide entire estate or, if deceased, to their issue (see applicable law for details)
10. **Step-children:** If there are no heirs listed above
11. **No living heirs or step-children:** If decedent was a recipient of long-term care benefits under the Maryland Medical Assistance Program at time of death, net estate is paid to Department of Health and Mental Hygiene. Otherwise, the net estate is paid to the Board of Education.

**Check out our other brochures for more information about a Personal Representative, Foreign Personal Representative, and Modified Administration.**