

General Information for Completing an Application of
Spouse for Refusal of Letters – No Attorney
Rev. 08-2021
Probate Form No. D1

Please read the attached instructions carefully to determine if the Application of Spouse for Refusal of Letters is the document needed for your situation.

This form should be used when the applicant meets the following criteria:

1. Applicant was married to the deceased person at the time of death;
2. Deceased person lived in St. Louis County at the time of death;
3. The value of the property in the deceased person's sole name without a living beneficiary is less than \$24,000.00. *If the assets exceed \$24,000, please provide your tax returns and an affidavit as to your annual expenses; and
4. There are no minor children of the deceased person of which the applicant is not the parent OR consent of the parent/guardian of the minor children is attached.

Once completed, please mail the original signed Application, a copy of the deceased person's death certificate, the documents required to verify the assets and values, and a check or money order for \$75.50 made payable to St. Louis County Circuit Clerk. Mail everything to St. Louis County Probate Division, 105 South Central Avenue, Clayton, MO 63105. Once approved, a certified copy of the Order will be mailed back to you. The typical processing time for this matter is 60 days. If you would like to confirm receipt of your Application, you can visit <https://www2.courts.mo.gov/casenet/base/welcome.do> and type in the name of the deceased person into the Litigant Name Search category.

Additional certified copies of the Order can be purchased – they are \$2.50 each.

If you have questions, please visit our website at <https://wp.stlcountycourts.com/probate-court/> and click on Refusals. Most questions can be answered via our website. If you are unable to complete the necessary documents with the assistance provided via this packet and our website, you should contact an attorney for further assistance.

Table of Contents

You may click on the green underlined text below to take you to each of the forms.

1. [Instructions for Completing Application of Spouse for Refusal of Letters – No Attorney](#). This document provides instructions to determine if this is the proper proceeding, how to complete the Application along with what types of property was owned by the decedent and what documentation is needed to support the assets and values.
2. [Confidential Filing Information Sheet – No Attorney](#). Pursuant to Missouri Supreme Court Rule 4, this form must be completed with the information requested. It must contain your full social security numbers and date of birth. If the assets exceed \$24,000 AND you are also claiming support for children under the age of eighteen, you must also complete the filing information sheet found in the Application of Minor.
3. [Application of Spouse for Refusal of Letters – No Attorney](#). You should complete this form with the requested information. Do not leave any question blank.

NOTE: A copy (does not need to be a certified copy) of the decedent's death certificate must be filed with the petition.

Instructions for Completing Application of Surviving Spouse for Refusal of Letters

The following are circumstances when this type of proceeding can be used. If all of these do not apply to you, it may be necessary to complete an Application of Creditor for Refusal of Letters or call an attorney:

1. The deceased person lived in St. Louis County at the time of his or her death.
2. You must have been married to the deceased person at the time of his or her death.
3. All children of the deceased person under the age of eighteen must also be your children.

Confidential Filing Information Sheet:

1. Pursuant to Missouri Supreme Court Rule 4, this form must be completed with all of your information. **It must contain your full social security number and date of birth.**
2. In the event the total value of the assets exceeds \$24,000 **and** you are also claiming allowances for your minor children, you must complete the Confidential Filing Information Sheet contained in the Application of Unmarried Minor Children for Refusal of Letters.

Completing the Application:

1. Type or print the name of the deceased person in the blank after "In the Estate of".
2. **Description of Property and Value:** In this section, type or print a list of the assets of the deceased person and the current value of each asset. Use Appendix A if you need additional space to list all of the assets. Please check the box for Appendix A if you have completed and attached it.
3. Please review the listing of items included in the **Property Owned by Decedent** section to ensure that you have included all of the deceased person's assets.
4. **Total \$** - type or print the total value of all of the deceased person's assets.
5. List the names of any children of the decedent under the age of eighteen.
6. Sign the application.
7. Type or print your name; address and telephone number in the spaces provided.
8. Documentation of all assets and values. See the list of **Documents Required** shown below.

Property Owned by Decedent:

- Vehicles: Automobiles; Trucks; Tractors; Boats; Motors; Trailers; Motorcycles; Mobile Homes - Include the year; make and model; the Vehicle Identification Number; loan information including the balance due; appraised value using KBB.com or NADA.com.
- Bank/Credit Union/Investment Accounts: Checking; Savings; Certificates of Deposits; Investments, and Retirement Accounts. Include the bank (or financial institution) name, account or certificate number; the current balance of each account type.
- Checks: Pay Checks; Vacation Pay; Dividend Checks; & Refunds Checks; etc. Include the check number; date of the check; who the check is from; and the amount of the check.
- Safe Deposit Box: Include the name of the bank; the address of the branch; the box number; and inventory and value of the contents according to the appraisal.
- Insurance Policies without a living beneficiary or which name the estate as the beneficiary: Include the name of the insurance company; the number of the policy; the face value of the policy; and the cash surrender value (if transferring ownership due to the insured being someone other than the deceased person).

- Real Estate: Include a full description of the real estate as shown on the deed; the address of the property; if there is a mortgage include the name and address of the mortgage company and the loan amount.

Documents Required:

1. Copy of the deceased person's death certificate showing the deceased person lived in St. Louis County at the time of his or her death.
2. Copies of the Certificate of Title for any titled vehicles – must include the Vehicle Identification Number.
3. Documentation to support the value of the vehicle – loan statement; print out from KBB.com or NADA.com using the Average Trade-In; current offer of purchase from a car dealer on dealer letterhead.
4. Copies of the most current statement for bank, credit union, certificates of deposit, or investment accounts.
5. Copies of the checks.
6. For safe deposit boxes: an inventory or listing of the contents; and appraisal of the contents.
7. Copies of the life insurance policies; and if the beneficiary has died before the deceased person, a copy of the death certificate for the pre-deceased beneficiary.
8. Print-out from the county assessor's office of the appraised value of the real estate, a broker's price opinion, or an appraisal of the real estate.

Cost:

- a. Include a money order or check for \$75.50 made payable to St. Louis County Circuit Clerk.
- b. If you require more than 1 copy of the order, the cost is \$2.50 for each additional copy.
- c. Mail check/money order along with all required documents to St. Louis County Probate Division, 105 South Central Avenue, 5th Floor, Clayton, MO 63105.

Upon approval of your application (typically within sixty to ninety days), a certified copy of the Order of Refusal of Letters to Spouse will be mailed to you. If you have requested additional certified copies, they will be included also.

**CONFIDENTIAL CASE FILING INFORMATION SHEET – REFUSALS
PROBATE DIVISION, ST. LOUIS COUNTY MISSOURI**

INSTRUCTIONS:

NOTE: Your Name; address; DOB; and Social Security Number must be listed in order to process your Court Order. The **full** Social Security Number (SSN) is **required** pursuant to Missouri Supreme Court Operating Rule 4.07. This is a confidential document. This information is needed to open a case in the court's case management system. This information is not deemed public under Missouri statutes so it cannot be accessed through Case.net.

In the Estate of: _____

Applicant

Your Name: (Last) _____ (First) _____ (Middle) _____

Address: _____

City: _____ State: _____ Zip: _____

Contact Telephone Number: _____ E-mail: _____

DOB: _____ SSN: _____

- If the total value you are claiming exceeds \$24,000 and you are claiming additional amounts for your minor children with the deceased person, you will need to complete the Confidential Case Filing Information Sheet contained in the Minor Refusal Packet instead of this one.



IN THE PROBATE DIVISION, CIRCUIT COURT,
SAINT LOUIS COUNTY, MISSOURI

In the Estate of: _
Deceased.

Application of Surviving Spouse for Refusal of Letters

The Applicant states that the decedent died residing in St. Louis County and was married to Applicant at the time of the decedent’s death. The assets of decedent do not exceed the value of allowed by law as exempt property and maintenance of applicant and any minor children. The decedent had no minor children of which Applicant is not the parent or legal guardian.

The decedent owned the following property described and of a value as follows:

Description of Property	Value
Total:	

See Appendix A.

At the time of the deceased person’s death, he or she had the following unmarried children under the age of eighteen of which I am also the parent or legal guardian (mark N/A if appropriate):

Wherefore, applicant prays the court order that no letters be granted on said estate unless on the application of creditors or other interested parties, the existence of other or further property is shown.

This Application of Surviving Spouse for Refusal of Letters and the documents attached hereto are signed and submitted by Applicant under oath or affirmation and its representations are trued to correct to the best knowledge and belief of the Applicant, subject to the penalties of making a false affidavit or declaration.

Applicant’s Signature

Applicant’s Name (Typed or Printed)

APPENDIX A

Deceased Person's Name: _

Description of Property	Value
Real Estate (include legal description from deed):	
Assets (Bank accounts, cars, life insurance, etc.):	
Total:	