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Maine Small Estate Affidavit | Form AF 102

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AF-102
(Rev. 06/08/20)
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STATE OF MAINE

Estate of _____ SMALL ESTATE AFFIDAVIT FOR
COLLECTION OF PERSONAL
PROPERTY¹

I, _____, residing at _____, duly sworn,
depose and say: _____, Decedent, formerly of the Town/City of
_____, County of _____, State of Maine, died on
_____, _____.

I claim a legal right to collect personal property and/or any instrument(s) evidencing a debt,
obligation, stock or chose in action, including the proceeds of any bank account(s) and/or investment
account(s) of the above-named Decedent pursuant to 18-C.M.R.S. § 3-1201.

The value of the entire estate, wherever located, less liens and encumbrances, does not exceed
the amount provided in 18-C.M.R.S. § 3-1201, adjusted for inflation as provided in 18-C.M.R.S. § 1-
108; thirty (30) days have elapsed since the death of the Decedent; no application or petition for the
appointment of a personal representative is pending or has been granted in any jurisdiction; and I am
entitled to payment or delivery of the property pursuant to the Maine Probate Code.

Dated: _____
Signature of Affiant

STATE OF _____
COUNTY OF _____

_____, the Affiant, personally appeared on this ____ day of
_____, and made oath that the foregoing is true to the best of Affiant's
knowledge, information and belief and, to the extent it is based upon Affiant's information and belief, that
Affiant believes the same to be true.

Notary Public/Attorney-at-Law

MARP

¹ 18-C.M.R.S. § 3-1201.

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Updated September 13, 2023

Support

A **Maine small estate affidavit** is a document permitting an individual to file a claim on the estate of a deceased person. It is used when the deceased, also known as the decedent, has a “small estate” that is valued at less than \$40,000. The individual who is filing the affidavit, or affiant, utilizes this form to claim any property in the decedent’s estate that they believe is rightfully theirs.

Laws

- **Days After Death** – Thirty (30) days ([18-C M.R.S.A. § 3-1201\(B\)](#))
- **Filing Fee** – For filing a will for no probate, the fee is \$15 ([18-C M.R.S.A. § 1-602](#)).
- **Maximum Amount (\$)** – \$40,000 ([18-C M.R.S.A. § 3-1201\(A\)](#)) This figure may fluctuate depending on the adjustments made by inflation when the Consumer Price Index exceeds or is less than the reference base index. [18-C M.R.S.A. § 1-108](#).
- **Signing** – The affidavit must be signed by the affiant and acknowledged by a [notary public](#).
- **Statutes** – [Collection of Personal Property by Affidavit and Summary Administration Procedures for Small Estates](#)

How to File (3 steps)

1. [Wait Thirty \(30\) Days](#)
2. [Complete Required Documents](#)
3. [File With Probate Court](#)

1. Wait Thirty (30) Days

Wait at least thirty (30) days after the decedent’s death before filing.

2. Complete Documents

Gather and complete the following required documents:

- Copy of the Decedent’s Death Certificate
- Small Estate Affidavit for Collection of Personal Property ([AF-102](#))

3. File With Probate Court

File all documents listed above with the decedent's [local probate court](#). [Online filing](#) is also available in Maine (instructions [here](#)).

Video

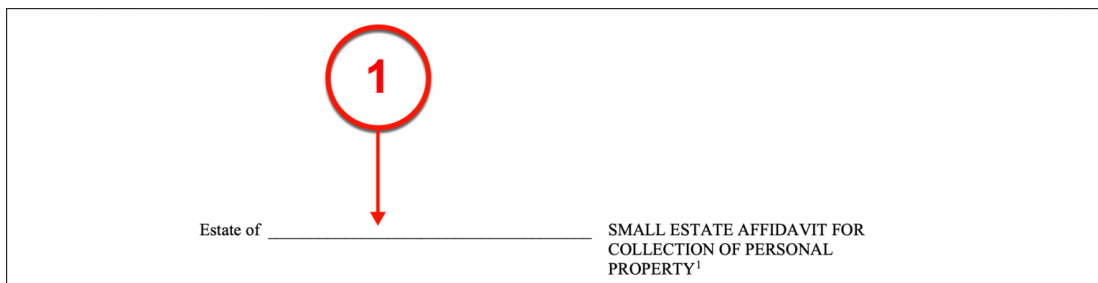
Maine Small Estate Affidavit: Everything You Need to Know



How to Write

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(1) Maine Decedent Name. The Maine Decedent must be identified. To this end furnish his or her name to the beginning of this petition. Make sure it is written as recorded on his or her official death certificate.

A diagram illustrating the first step in writing the affidavit. It features a red circle with the number '1' inside, and a red arrow pointing down from the circle to a horizontal line. To the left of the line is the text 'Estate of' and to the right is the text 'SMALL ESTATE AFFIDAVIT FOR COLLECTION OF PERSONAL PROPERTY¹'.

Estate of _____ SMALL ESTATE AFFIDAVIT FOR
COLLECTION OF PERSONAL
PROPERTY¹

(2) Affiant To Maine Decedent Estate. The Petitioner or the Maine Affiant will need to be identified as well. This is the Surviving Party of the Maine Decedent who has a legal and unattested claim to the remaining estate of the Deceased.

(3) Address Of Affiant.

(4) Maine Decedent Name. The full name of the Maine Decedent is required to complete the declaration this document makes.

(5) Location Of Maine Decedent Residence. The town or city, as well as the county where the Maine Decedent lived and maintained a home address, should both be supplied to this statement.

(6) Formal Date Of Death. Complete the identification process of the Maine Decedent by supplying the official date of his or her death.

The diagram illustrates the completion of the Maine Decedent statement. It features a text template with several blank lines for information. Numbered callouts in red circles point to specific fields:
 - Callout 2 points to the first blank line after 'I, _____, residing at _____, duly sworn, depose and say:'.
 - Callout 3 points to the blank line after 'residing at'.
 - Callout 4 points to the blank line after 'I, _____'.
 - Callout 5 points to the blank line after 'State of Maine, died on'.
 - Callout 6 points to the blank line after 'County of _____, State of Maine, died on'.
 The text template is:
 I, _____, residing at _____, duly sworn,
 depose and say: _____, Decedent, formerly of the Town/City of _____,
 _____, County of _____, State of Maine, died on _____.

(7) Signature Date To Maine Petition. The Maine Affiant causing this petition will need to provide a notarized signature that is dated. Therefore, he or she must enter the current date on the day this document is executed.

(8) Petitioning Affiant Signature. The Petitioner or the Maine Affiant must sign his or her name if the above statement is true. This means that to his or her knowledge there are no other Survivors to the Maine Decedent with a stronger claim to the remaining estate than him or her (the Affiant), that the estate worth remains within the threshold of Maine's current definition to a small estate (i.e. worth less than \$40,000.), and that it has been at least thirty days since the day of the Maine Decedent's death and the signature the Affiant provided above.

The diagram illustrates the completion of the Maine Affiant signature and date fields. It features two distinct fields:
 - A 'Dated:' field with a blank line for the date.
 - A 'Signature of Affiant' field with a rectangular box for the signature.
 Numbered callouts in red circles point to these fields:
 - Callout 7 points to the 'Dated:' field.
 - Callout 8 points to the 'Signature of Affiant' field.

(9) Maine Notary Action Required. The Notary Public overseeing this document's signing will subject the signed paperwork to notarization to further strengthen the identity of its Signature Party.

STATE OF _____
COUNTY OF _____

_____, the Affiant, personally appeared on this ____ day of _____, _____, and made oath that the foregoing is true to the best of Affiant's knowledge, information and belief and, to the extent it is based upon Affiant's information and belief, that Affiant believes the same to be true.

Notary Public/Attorney-at-Law

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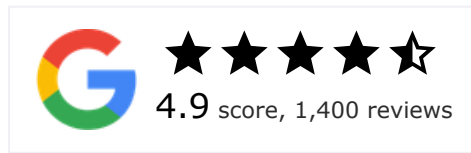
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4.8 score, 2,851 reviews



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