

The Affidavit of Small Successions Process



- 1 Make sure you qualify for this type of succession.
- 2 Gather information about the heirs and estate.
- 3 Draft the Affidavit of Small Succession.
- 4 File the affidavit with the Clerk of Court.
- 5 Distribute property to heirs according to the law.

Scan with your smartphone's camera to learn more.



When to See a Lawyer

Successions can be complicated.

Not every case is appropriate for an Affidavit of Small Succession. And when it's not, the succession process can start to become expensive and hard to follow on your own.

If your loved one passed away with a will, it's always best to get advice from an attorney about your next steps.

If they had a lot of property and/or a lot of heirs, guidance from a lawyer can help you make sure the process is done right.

Louisiana has several free or reduced-cost options for people who can't afford a lawyer. Use the QR code below to find out more.

Scan with your smartphone's camera to see what legal help programs may be available.



Successions Affidavit

A special legal process to settle estates valued under \$125,000 or over 20 years old

The "Affidavit of Small Succession"

Estates, Wills, & Guardianships

Updated July 2022



Required Information

Information about the Decedent

To file a proper Affidavit of Small Succession, you will need the following information about the deceased person:

1. Their date of death,
2. Their home address at the time of death, and
3. Their marital status at death.

Information about the Property

For the Affidavit of Small Succession, you will need the following information about the decedent's property:

1. A listing of the property in the estate, along with the values of the property, and
2. The legal description of any immovable property.

Information about the Heirs

To file a proper Affidavit of Small Succession, you will need the following information about the heir(s):

1. The name and address of the surviving spouse, if any; and
2. The names and last known addresses of all the heirs.

Other Things to Consider

Multi-Generational Property

The Small Successions process can be used to distribute property for multiple generations of people. However, the math on who gets what can start to get confusing if there are a lot of heirs.

Valuing Property

Putting a value to the estate can be tricky. To value homes, you could look at online sites to see comparable house prices or get an appraiser. For cars, use the "Kelly Blue Book" to get a basic value. For other items like home furnishings and recreation equipment, consider how much you might get for them by selling them at an estate sale or on Facebook Marketplace.

Disagreements

The small successions process can only be used if the deceased person died without a will. So, if there is any dispute as to that fact, you cannot use this process.

Also, all heirs must agree to use the Affidavit.

Filing a Small Succession

Who Can File

If the deceased person was married at the time they passed, their surviving spouse must be one of two people required to file the affidavit. Otherwise, two heirs (like descendants) can file the affidavit together.

Where to File

In general, the Affidavit of Small Succession should be filed in the parish where the deceased person last considered their permanent home. However, if they had "immovable" property like land or a house, it can also be filed in the parish where that property is located.

Self-Help Forms

Louisiana has a tool to help you create the Affidavit of Small Successions. Scan with your smartphone's camera to fill out the forms online.



Visit www.LouisianaLegalNavigator.org to learn more.