



*Boone County Circuit Clerk's Office  
Thirteenth Judicial Circuit Court  
Boone County, Missouri*

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Date: March 15, 2018

To: Attorneys filing probate cases in Boone County

With the recent change of Division 9 taking on the probate case load in January, I just wanted to touch base on a few case processing procedures that have either changed or remained the same, as listed below.

A. Small Estate Affidavits/Refusal of Letters:

- Mo HealthNet does not apply to small estates, spousal, minor children or creditor refusals. They are not an "open estate", therefore an Estate Notice MO HealthNet Report form **is not** required.
- We will no longer be checking with the County Collector to see if any taxes are owed.
- We will continue to require the "Certificate of Trust" if a Trust document is noted in the Will.

B. Decedent Estates:

- We will no longer require the "HUD" statement, we only need the "Terms of the Sale" outlined in the Report.

- Independent Administration Inventory

“Pursuant to Section 473.793 RSMo, within 30 days of appointment the independent personal representative will file with the court an inventory of the property owned by the decedent. After the inventory has been filed, if any other property owned by the decedent becomes known, or if the value placed on the property in the inventory is found to be erroneous or misleading, a supplemental inventory will be filed with the Court, Section 473.800 RSMo. Unless ordered by the Court no further inventories are required.

Unless extended by the Court a petition for final settlement shall be filed within one year after appointment, Section 473.842 RSMo.”

- As with Small Estate’s “Certificate of Trust” will be required to be filed.
- We will continue with the practice of requiring a “No Federal Income Tax Letter”.
- A “No Estate Tax Due Letter” will only be due if the estate is above the current limit.
- Attorneys are required to complete and submit the MO Healthnet form to the Department of Social Services and then e-file the response received from the Department of Social Services back to the Court.
- When entering parties on a new estate, please use the party type for heir and not devisee. Devisee does not pull to notices that the court is required to send those individuals.

C. Guardianship/Conservatorship:

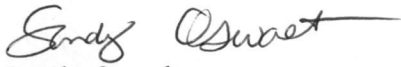
- We will no longer require the separate supplemental filing with the Annual Settlement on any Midwest Special Needs Trust Accounts.
- Debit Cards, on the Conservatorship Estate Checking Account, will be allowed to be used **by the Conservator** of the Estate only, not the disabled respondent or minor. All receipts will need to be maintained and filed with the yearly settlements. Additionally, the transactions must appear on the bank statements.
- The standard Guardian Ad Litem hourly fee will remain at \$100.
- Residential Account information will no longer be required to be filed with the Annual Settlements.
- When the Respondent/Minor will be traveling out of the State of Missouri, as long as the appropriate arrangements have been made by the Guardian, then a court order will no longer be required.

D. General:

- Please reference the statute numbers in your petitions and pleadings that you are filing.
- Proposed Orders will be need to be filed and a signature line for Judge Bradley on Petitions to Sell Real/Personal Property and Miscellaneous Petitions. The Court will continue to prepare all Emergency Guardianship/Conservatorship Orders and Full Judgments.
- Supreme Court Rules 41-101 will no longer be applied to estates.

Please let me know if you have any questions regarding the above.

Sincerely,



Sandy Oswalt  
Probate Supervisor