

Office Of The
Judge of Probate

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For Union County
210 West Main Street
Union, South Carolina 29379

William D. All, III
Probate Judge
Toni Allen
Deputy Clerk
Robin Brewington
Clerk

Dear Creditors :

Effective January 1, 2014, many changes to the South Carolina Probate Code took effect. You are encouraged to consult with your legal counsel on the creditors' section (SCPC 62-3-801, et seq.) In an effort to assist you with the process, a brief summary follows:

FORM: The creditor claims form (FORM 371ES) has been revised and is now mandated on white paper only. If your agency is a collection company, you will notice there is a place on the form for the original creditor's name. The Form can be accessed from the Judicial Department's Website: www.sccourts.org/forms and from our website.

FILING CLAIMS: Creditor claims cannot be filed prior to the appointment of a Personal Representative (PR), except when the Creditor is filing a formal action to be appointed PR pursuant to SCPC 62-3-804. If no PR has been appointed and we receive claims, we will not accept them. Please note that most claims are barred if not filed within one year from date of death.

DISALLOWANCE/ALLOWANCE: The Personal Representative is required to allow or disallow claims within 60 days from receipt or 14 months from date of death whichever is later. Please continue to file a Proof of Delivery (FORM 120PC) indicating that you have sent a copy of the claim to the Personal Representative. If your claim is allowed, it means that the PR believes your claim to be a legally valid claim. **New law does not define "Allowance" to include payment; therefore, "Allowance" does not mean that the estate will pay or has funds to pay the claim (see FORM 372ES).**

FRIENDLY REMINDERS:

SUMMONS/PETITION: If your claim is disallowed, a Summons and Petition for Allowance and the \$150 filing fee must be filed within 30 days from the date the Disallowance is sent to you. You are strongly encouraged to seek an attorney's assistance.

CHANGE OF ADDRESS: After filing your claim, notify us ASAP of any address changes. We are unable to do research for forwarding mail.

Sincerely,



William D. All, III, Probate Court Judge