

General Information for Filing an  
Application for Refusal of Letters - Creditor  
Rev. 06-2023  
Probate Form - D5

E-filing information – the Application, Exhibit A, Death Certificate, Bond\*, and Affidavit of Heirs\* MUST be filed as separate documents. Supporting documentation can be submitted as one (1) pdf document but must be a separate document from the application.

\*The Bond and Affidavit of Heirs are only required if:

- a. The value of the asset is greater than the value of the funeral and less than \$15,000; and
- b. Bond is only required if the creditor is not also an heir. If bond is required, it shall be the amount to be distributed to the heirs after the payment to the creditor is satisfied rounded up to the nearest \$1,000.

If you are filing this packet without an attorney, you will also need to follow all requirements regarding redaction certification found at <https://www.courts.mo.gov/file.jsp?id=195253>.

## Table of Contents

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

1. [Checklist of Requirements to File an Application of Creditor for Refusal of Letters](#)  
Used as a guideline for all requirements to file an Application of Creditor for Refusal of Letters.
2. [Confidential Filing Information Sheet](#)  
Pursuant to Missouri Supreme Court Rule 4, this form must be completed with the information requested. It must contain Applicant's and Decedent's full social security numbers and date of birth/date of death.
3. [Application of Creditor for Refusal of Letters](#)  
This form must be completed by the applicant and attorney, if appropriate. It should be completed with the requested information. If there are areas that are not applicable, put N/A. Do not leave any question blank.
4. [Exhibit A](#)  
This form must be completed to list information regarding the assets of the decedent which do not name a beneficiary. The name of the bank or insurance company, last four digits of an account or policy number, and description and VIN for any vehicle should be included.
5. [Application to Amend Order Refusing Letters \(Surviving Spouse/Unmarried Minor Child\(ren\)/Creditor\)](#)  
The form should be used to file for an Amended Order for any type of Refusal of Letters.
6. [Exhibit A for Amended Application](#)  
This form must be completed to list information regarding the assets of the decedent which do not name a beneficiary. The name of the bank or insurance company, last four digits of an account or policy number, and description and VIN for any vehicle should be included.

**CIRCUIT COURT OF ST. LOUIS COUNTY,  
PROBATE DIVISION**

**Checklist of Requirements to File an  
Application for Refusal of Letters - Creditor**

**Case Category – Probate – Decedent Estates  
Case Type – Refusal of Letters – Creditor**

***NOTE: Local Court Rule 3.2 mandates all electronically filed pleadings must be typewritten. Local Court Rule 72.2 governs specific requirements for electronic filing in the Probate Division. Documents shown in bold italics should be filed as separate documents.***

**COURT FORMS:**

- 1. ***Application for Refusal of Letters for Creditor*** (Document Category – Application for Letters)
- 2. ***Exhibit A*** (Document Category – Filing – Other/Miscellaneous, Document Type – Financial Document)
- 3. ***Application to Amend Order Refusing Letters (Surviving Spouse/Unmarried Minor Child(ren)/Creditor)*** (Document Category – Application for Letters)

**ADDITIONAL DOCUMENTS:**

- 1. Copy of ***Death Certificate*** to verify date of death and jurisdiction. (Document Category – Certificate of, Document Type - Death)
- 2. Copy of ***itemized paid funeral bill***. ***See instructions*** (Document Category – Filing – Other/Miscellaneous, Document Type – Exhibit)
- 3. ***Supporting Documentation as set out in instructions***. (Document Category – Settlement/Statement/Report, Document Type – Verification of Assets)
- 4. ***Affidavit of Heirs – if applicable***. ***See instructions***. (Document Category – Affidavit for/in/of, Document Type – Affidavit (other))

**INSTRUCTIONS:**

- 1. Party information for all parties must be entered into e-filing system. This includes the decedent and creditor **with full social security numbers and birth dates**.
- 2. Fill in **all blanks** and **check boxes** on all forms. If not applicable, please indicate by using N/A.
- 3. **Cannot** transfer real estate through a creditor’s refusal.
- 4. ***Itemized funeral bill*** must be marked paid in full by the funeral home showing the applicant as the payor.
- 5. ***Asset Descriptions***:
  - Bank Accounts: Bank name; last four digits of account number (do not need to know what type of account); current balance
  - Checks – Name of payor; check number and amount of check.
  - Stocks and bonds – Stock certificate numbers; number of shares, names of companies, classes of stock, and current fair market value; indicate whether shares are listed on a securities exchange, sold over the counter or closely held.

- Brokerage Accounts – must list last four digits of account number, list stocks and bonds contained in account, or attach brokerage statement detailing investments.
- Vehicles - vehicle description listing year, name of manufacturer, vehicle identification number and current value.
- Insurance policies - insurance company name, last four digits of policy number, and value.
- Safe Deposit Boxes - safe deposit box number, bank name and inventory of assets.
- Jewelry, coins or guns – description and value.
- 6. **Corporate Surety Bond (Creditor's Refusal) –**
  - If the value of the assets is greater than the creditor's claim amount, and the applicant is not an heir, the difference between the assets, and the funeral costs.
  - Must file an *Affidavit of Heirs* including names, addresses and relationships of heirs-at-law if value is greater than funeral costs.
  - Creditor's Bond requires Acknowledgment of Principal; Acknowledgment of Surety; and Power of Attorney for Attorney in Fact to be attached.
- 7. **Application to Amend Order Refusing Letters (Surviving Spouse/Unmarried Minor Child(ren)/Creditor) –**
  - Use this form when needing to amend any Order of Refusal of Letters

**FILING FEES:**

- Click hyperlink for most recent fees.  
<http://wp.stlcountycourts.com/wp-content/uploads/PDF/Probate/ProbateFees.pdf>

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

**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 Matter of:** \_\_\_\_\_

**Applicant**

Applicant's Name:

(Last) \_\_\_\_\_ (First) \_\_\_\_\_ (Middle) \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Contact Telephone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

DOB: \_\_\_\_\_ SSN: \_\_\_\_\_

**Decedent**

Decedent's Name:

(Last) \_\_\_\_\_ (First) \_\_\_\_\_ (Middle) \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ SSN: \_\_\_\_\_

Date of Death: \_\_\_\_\_



IN THE 21ST JUDICIAL CIRCUIT, SAINT LOUIS COUNTY, MISSOURI

<b>Probate Division</b>	<b>Case Number:</b>
In the Estate of _____, Deceased.	

**Application of Creditor for Refusal of Letters**

Applicant states that Decedent died on \_\_\_\_\_ residing at \_\_\_\_\_, leaving no surviving spouse or unmarried minor children, that after giving credit for all payments and offsets to which the estate is entitled there is now due and owing Applicant, as a creditor of Decedent, the sum of \$ \_\_\_\_\_, for (state nature of debt): \_\_\_\_\_.

The entire estate of Decedent does not exceed the value of \$15,000.00 and consists solely of personal property as described in Exhibit A.

Applicant further states that if this application is granted, Applicant will pay the debts of Decedent so far as the assets thereof will permit, in the order of preference established by law, and will distribute the balance of said estate, if any, to the persons entitled thereto under the law.

**Wherefore,** Applicant prays the court order no letters be granted on said estate in the amount of \$ \_\_\_\_\_, unless on the application of creditors or other parties interested, the existence of other or further property is shown.

Applicant swears that the matters set forth above are true and correct to the best knowledge and belief of Applicant, subject to the penalties of making a false affidavit or declaration.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Attorney for Applicant  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Name/Bar Number/Address/Telephone)

\_\_\_\_\_  
Signature of Applicant  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Name/Address/Telephone)



IN THE 21<sup>ST</sup> JUDICIAL CIRCUIT, SAINT LOUIS COUNTY, MISSOURI

Probate Division	<b>Case Number:</b>
In the Estate of _____, Deceased.	

**Exhibit A**

<b>Description of Property</b>	<b>Value</b>
Real Property (N/A for Creditor's Refusal)	
<u>Personal Property</u>	
	<b>TOTAL: \$</b> _____



IN THE 21<sup>ST</sup> JUDICIAL CIRCUIT, SAINT LOUIS COUNTY, MISSOURI

Probate Division	Case Number:
In the Estate of _____, Deceased.	

**Application to Amend Order Refusing Letters**  
(Surviving Spouse/Unmarried Minor Child(ren)/Creditor)

Applicant, \_\_\_\_\_,  surviving spouse  on behalf of \_\_\_\_\_, unmarried minor child(ren)  creditor of the Decedent, first being duly sworn, states that on \_\_\_\_\_ (original order date) an order(s) of this court was entered refusing letters on the estate of said Decedent, which estate was then represented by Applicant to consist of property of value described in the previous order(s). Applicant further states that thereafter additional assets of said estate were discovered and are listed in **Exhibit A**.

(for spouses and unmarried minors) The total value of all property, including property described in the previous order(s), less liens and encumbrances, is not greater in amount than that to which Applicant, as surviving spouse and/or the unmarried minor child(ren) of Decedent is(are) entitled by law as exempt property and the allowance under section 474.260, RSMo.

(for creditors) The entire estate of Decedent does not exceed the value of \$15,000.00.

**Wherefore**, Applicant prays the court to amend its previous order(s) refusing letters on said estate in the amount of \$ \_\_\_\_\_ by listing and including therein the said assets discovered after the entry thereof.

Applicant swears that the matters set forth above are true and correct to the best knowledge and belief of Applicant, subject to the penalties of making a false affidavit or declaration.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Attorney for Applicant  
\_\_\_\_\_  
\_\_\_\_\_  
(Name/Bar Number/Address/Telephone)

\_\_\_\_\_  
Signature of Applicant  
\_\_\_\_\_  
\_\_\_\_\_  
(Name/Address/Telephone)



IN THE 21<sup>ST</sup> JUDICIAL CIRCUIT, SAINT LOUIS COUNTY, MISSOURI

Probate Division	Case Number:
In the Estate of _____, Deceased.	

**Exhibit A**

Description of Property	Value
Real Property (N/A for Creditor's Refusal)	
<u>Personal Property</u>	
	<b>TOTAL: \$</b>