



Office of the Probate Court

**Judge Chadwicke L. Groover**  
Probate Judge for Greenville County  
Greenville, South Carolina

[www.greenvillecounty.org/probate](http://www.greenvillecounty.org/probate)

January 31, 2014

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 new process, a brief summary follows:

**FORM:** The creditor claims form (FORM 371ES) has been revised and is now a mandated form 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 our website:

[www.greenvillecounty.org/probate/Estate\\_Forms.asp](http://www.greenvillecounty.org/probate/Estate_Forms.asp).

**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 return those claims to you. Please note 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 a claim 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:**

**WEBSITE:** [www.greenvillecounty.org/probaterearch](http://www.greenvillecounty.org/probaterearch) Here, you can determine whether a PR has been appointed to avoid the research fee. We charge \$5 per name for each manual search by court staff. You may also confirm the filing of your claim. Creditors are now listed as interested parties in our system.

**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.

Very truly yours,

Judge Chadwicke L. Groover  
Probate Judge

DAF:sls