

Instructions for Completing the Affidavit of Heirship

If someone dies without a will, or if the will is not probated in the State where the property is located, an Affidavit of Heirship, made by a disinterested third person acquainted with the decedent, provides facts about marital history, children's names and ages, payment of debts and taxes, and other estate facts. The Affidavit is a sworn statement and will be used to determine the transfer of interest according to descent & distribution laws for the State in which the property is located. **Note:** the Affidavit does not transfer the title; only an order from the appropriate Court can do that.

If possible, the Affidavit should be completed by someone who is neither the spouse, nor a descendant (child or grandchild), nor, if deceased was not survived by at least one descendant, the decedent's sibling or their descendants. All questions should be answered and current addresses, if known, should be provided for each party listed on the Affidavit.

If you do not understand how to accurately answer any of the questions on the first page, do not leave it blank, contact us. We will be glad to explain any of the questions on the Affidavit. Use additional sheets if needed, noting the question number. Upon completion, the Affidavit should be signed in the presence of a notary and filed for record in the parish clerk of court's office in the **parish in which the property is located.**

Recording fees and mailing address information for the parish clerk of court for each parish can be found online or by phone by calling directory assistance.

When you receive the recorded/certified copy of the Affidavit from the clerk, please forward a copy of the instrument along with a copy of the death certificate of the decedent to this office. Upon receipt, the interest will be transferred according to the laws of descent and distribution for Louisiana.

AFFIDAVIT AS TO HEIRSHIP OF

NAME OF DECEASED PERSON

STATE OF _____ §

§

PARISH OF _____ §

_____, the "Affiant" (person making this statement), of lawful age, being first duly sworn, upon his/her oath deposes and says:

Affiant was personally and well acquainted with _____, the "Decedent", during the Decedent's lifetime, having known the Decedent for _____ years. Affiant bears the following relationship to the Decedent: _____.

Affiant further states that the Decedent departed this life at _____, in _____ County, State of _____, on or about _____, being _____ years of age at the date of death.

Affiant was well acquainted with the family and near relatives of the Decedent. The following statements, and answers to the following questions are based upon the personal knowledge of Affiant and are true and correct to the best of Affiant's knowledge:

Question 1: Did the Decedent leave a Will? Answer: Yes No If

"Yes", has the Will been admitted to probate? Yes No If

"Yes", has an Administrator/Executor been appointed? Yes No

If "Yes", in what county and state are Probate or Administration proceedings are pending, and what is the name and address of the Administrator/Executor.

County: _____ State _ Executor /

Administrator _____

Is the Estate closed: _____ Yes _____ No

Question 2: Was the Decedent every married? If yes, give the name(s) and date(s) of death or divorce if appropriate.

Spouse: _____

If widowed or divorced, date of death or divorce: _____

Spouse: _____

If widowed or divorced, date of death or divorce: _____

Question 3: In the space below, provide the names and places of residence of all the children of Decedent, including legally adopted children, together with the other information called for:

Name of Child	Date of Birth	Name of Other Parent	Address if living or Date of Death

Question 4: Provide the names of any deceased children, including legally adopted children, of the Decedent, together with the other information:

Name of Child	Date of Birth	Date of Death	Name of Spouse

Question 5: Provide the names of the children of any deceased child of the Decedent:

Name of Child	Date of Birth	Parent's Name	Address if living or Date of Death

Question 6: If the Decedent left no children, then provide the names and addresses (together with other information called for), of his/her surviving father, mother, brothers, and sisters:

Name	Relationship	Age	Address if living or Date of Death

Question 7: Did the Decedent leave any remaining unpaid debts? If so, give, as nearly as possible, the amount of such debts. Answer: _____

Affiant: _____

Date: _____

STATE OF _____ §

COUNTY/ PARISH OF _____ §

Before me, the undersigned, a Notary Public, in and for said County / Parish and State, on this _____ day of _____, 20____, personally appeared _____, to me known to be the identical person who executed the within and forgoing instrument, and acknowledged to me that _____ executed the same as a free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Notary Public

My Commission Expires:

CORROBORATING AFFIDAVIT OF HEIRSHIP

(To be signed by some person other than the one making the affidavit)

STATE OF _____ §

COUNTY/ PARISH OF _____ §

_____, of lawful age, being first duly sworn, upon his/her oath states: The information given in the Affidavit, made by _____ on the Heirship of _____, Deceased, is true, to the personal knowledge of this Affiant.

Corroborating Affiant: _____

Date: _____

STATE OF _____ §

COUNTY/ PARISH OF _____ §

Before me, the undersigned, a Notary Public, in and for said County / Parish and State, on this _____ day of _____, 20____, personally appeared _____, to me known to be the identical person who executed the within and forgoing instrument, and acknowledged to me that _____ executed the same as a free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Notary Public

My Commission Expires:

NOTE
If any of the heirs of Decedent has died, and the Estate was not probated in the Parish of the property, a separate Affidavit should be completed for each such heir.