



# State of Tennessee

TWENTIETH JUDICIAL DISTRICT

PROBATE JUDGE ANDRA HEDRICK  
SEVENTH CIRCUIT COURT

1 PUBLIC SQUARE, SUITE 608  
NASHVILLE, TENNESSEE 37201  
(615) 862-5990  
FAX (615) 862-5994

## GUIDELINES FOR CLOSING A SOLVENT DECEDENT'S ESTATE<sup>1</sup>

### IN DAVIDSON COUNTY PROBATE COURT

{Announcement Issued: February 20, 2024}

In Davidson County Probate Court, a solvent decedent's estate can be closed – **WITHOUT A MOTION OR HEARING** – upon the filing of the following:

1. **Statement of proper distribution from each personal representative.**
2. **Specific bequest receipt from each beneficiary of a specific bequest under the will/codicil (if there is a will/codicil).** *Note: If the specific bequest is for a cash amount, then it is acceptable to file a copy of the check (front and back) in the same amount of the cash bequest (after the check has cleared the bank). Further, if the specific bequest is for an interest in real estate, then it is acceptable to file a copy of the recorded deed used to transfer the interest in real estate to the beneficiary.*
3. **Residuary distributee receipt and waiver of final accounting from each residuary distributee of the estate.** *Note: Residuary distributees are not required to waive final accounting. If any residuary distributee wants a final accounting, then the personal representative should file a final accounting and hold back a sufficient amount of estate funds necessary to pay for the costs of preparing and filing the final accounting.*
4. **Proof of payment, withdrawal or dismissal (such as a receipt, release, withdrawal or dismissal order) for each creditor claim.** *Note: If the creditor claim was paid full, then it is acceptable to file a copy of the check (front and back) in the same amount as the claim (after the check has cleared the bank).*
5. **Proof of Fiduciary's Authority to Sign.** *Note: This applies when a fiduciary signs a receipt/waiver on behalf of a beneficiary. For an inter-vivos trust, file a copy of the trust or a certification of trust pursuant to Tenn. Code Ann. §35-15-1013. For a decedent's estate,<sup>2</sup> guardianship of a minor, or conservatorship for an adult with disabilities, file a copy of the letters*

<sup>1</sup> Before taking steps to close any estate, please check the record to determine whether there are any pending petitions or motions. If so, then either strike/nonsuit these matters or set them for hearing. You should also go ahead and pay any outstanding and final court costs.

<sup>2</sup> If a beneficiary survives the decedent but later dies before receiving his or her distribution from the decedent's estate, then the beneficiary's bequest (or intestate share) goes to the beneficiary's estate and the beneficiary's receipt/waiver should be signed by the personal representative of the beneficiary's estate.

of authority issued by the court. For a beneficiary who has granted authority to a person serving as agent under a financial power of attorney, file a copy of the power of attorney.

6. **TennCare release.** Note: If the decedent was under age 55 at death, this is not required.

7. **Inheritance tax release.** Note: If the decedent died in 2015 or later, this is not required.

8. **Proposed order to close the estate.** Note: All proposed orders should be submitted in Word format and contain a certificate of service to all interested persons. Closing orders should tax court costs.

You may file a motion to close a solvent decedent's estate if – **AND ONLY IF** – there are circumstances that prevent you from filing one or more of the above items. If a motion to close is filed, it must describe in sufficient detail the steps taken to close the estate and the reasons the estate cannot be closed without the filing of a motion. It is **NOT** sufficient to simply file a “bare bones” motion to close without detailed explanation. “Bare bones” motions to close may be continued by the court, *sua sponte*.

Further, **DO NOT** combine a motion for approval of fees and expenses with a motion to close. They must be by separate motions. Combined motions may be continued by the court, *sua sponte*. It is strongly recommended that you file the motion for fees and expenses first so that it may be ruled upon (and the award of fees/expense paid) before you file any motion to close.