

Instructions for Complete Form 306ES

Application for Filing Will of Record

South Carolina Law requires that any person having possession of the Last Will and Testament or Codicil (Amendment to a Will) of someone who has passed away is **required** to file the document with the Probate Court in the county in which the Decedent lived within thirty (30) days after the Decedent's death.

Note, that filing of a Will or Codicil does not probate the document and is not sufficient to transfer any property from the Decedent's name pursuant to the terms of the Will or Codicil. See the language at the bottom of Form 306ES.

FILING A WILL FOR RECORD DOES NOT COMMENCE A PROBATE PROCEEDING IN ACCORDANCE WITH SCPC 62-3-108 AND IS NOT SUFFICIENT FOR THE TRANSFER OF TITLE OF DECEDENT'S ASSETS.

If the Decedent owned property (real or personal) or if a Personal Representative needs to be appointed for any reason, you must file Form 300ES, Application/Petition for Informal/Formal Probate and Appointment. Probate Court forms can be obtained on our website at (<https://www.horrycountysc.gov/departments/probate-court/forms/>).

STATE OF SOUTH CAROLINA)	IN THE PROBATE COURT
COUNTY OF Horry)	
INTHE MATTER OF:)	FILING OF A WILL FOR RECORD
(Decedent's Name))	CASE NUMBER: _____

Decedent's Full Name as it appears on the Will along with any a/k/a's

For Court Use Only

Part 1 – Decedent Information

I. Decedent Information:

Full Name (including all known names):	_____
Date of Death:	_____
Age at date of death:	_____
Address on Date of Death:	_____

If the above address is the address of a nursing home, a prison, or other residential facility, please give the last address of the Decedent prior to entering the facility: _____

2. Venue for filing the Will in this County is proper because Decedent was domiciled in this County at date of death.

3. The execution date of the Will: _____
Codicil(s): _____

and the documents are attached hereto.

4. Does Decedent's Will refer to a Memorandum (list disposing of tangible personal property)?

NO YES If referred to Memorandum(s) exists, attach hereto.

Information about the person who died. Include Decedent's Full Name as it appears on the Will along with any a/k/a's.

Be sure to include the Decedent's address prior to entering a nursing home, prison, or other residential facility, if applicable.

Parts 2 through 4

2. Venue for filing the Will in this County is proper because Decedent was domiciled in this County at date of death.

3. The execution date of the Will: _____
Codicil(s): _____

and the documents are attached hereto.

4. Does Decedent's Will refer to a Memorandum (list disposing of tangible personal property)?

NO YES If referred to Memorandum(s) exists, attach hereto.

Date (MM/DD/YEAR) on Will or Codicil

If the Will does not refer to a Memorandum, check "no".
If the Will refers to a Memorandum (even if one cannot be located), check "yes" and either indicate that one was not found or, if one was located, attach to this Form.

Signature and Filer Information

Pursuant to SCPC 62-2-901, the undersigned delivers the Will of the above-referenced Decedent to the office of the Probate Court of the _____nty.

Executed this _____ day of _____, 20____.

Signature:	
Print Name:	
Address:	
Telephone (Work):	
(Home):	
(Cell):	
Email:	
Relationship to Decedent/Estate:	

Day

Month

Last two digits of year

Signature and Contact Information for Person Completing the Form

TO FILE THIS DOCUMENT WITH THE COURT:

1. Complete Form 306ES – Filing of a Will for Record
2. Attach Original Last Will and Testament of Decedent and any Codicils or Memoranda (list that disposes of tangible personal property)
3. Attach Certified Copy of Decedent’s Death Certificate
4. Cash (in-person delivery only), check, or money order payable to Horry County Probate Court in the total amount of **\$25.00** (\$10.00 filing fee and \$15.00 publication fee).

Upon receipt of these documents, the file will be assigned to a judicial assistant who will assign a case number. If you wish to receive clocked copies of the documents you file with the Court, **you must** provide a copy of all documents along with a self-addressed, stamped envelope.

All forms are available on our website at www.horrycountysc.gov/departments/probate-court/forms/. You can also call (843) 915-5370 (Option 1) or e-mail our general delivery inbox at hcg.ProbateCourt@horrycountysc.gov to request forms to be mailed to you. You are encouraged to call or e-mail us prior to visiting our office to ensure that you have all proper and required documentation.