



RICHLAND COUNTY PROBATE COURT
1701 Main Street
Room 207
Columbia, South Carolina 29201

FORMAL ACTION/LAWSUIT

To proceed with a formal action, you should hire an attorney to assist you. You, the Petitioner, must file **ALL** of the following to begin a formal action/lawsuit:

- Summons;
- Petition must be completed in its entirety;
- Certified Death Certificate for the Decedent;
- Filing fee of \$150.00 (cashier's check or personal check)
- Driver's License or State Issued Identification card of Petitioner, and
- Obituary or funeral home program for the Decedent.

Bring your own set of copies for clocking for your records and for service. **If you do not bring extra copies with you when you file, you will be charged 50¢ per page for copies.**

After you file, the documents will be reviewed to determine if additional information is needed.

You are responsible for serving all interested parties with clocked copies of the Summons and Petition within 120 days of your filing. You must file proof of service with the court. After the interested party is served by a process server or the Sheriff's Department, you must file their Affidavit of Service. If the interested party is served by certified mail, you must file the signed green card with the court as your proof of service.

If you choose not to pursue your lawsuit, your \$150.00 fee will not be refunded. The filing fee is the cost to file your action.

We cannot assist you. We cannot give you legal advice. We cannot help you complete the documents. We cannot recommend an attorney. All forms are available online at <https://www.richlandcountysc.gov/Courts-Safety/Probate-Court/Estates/Estate-Records/Probate-Forms-and-Terms>.