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## Avoiding Probate... Are You Sure You Want To Do That?

May 11, 2022

Resources

- 1. Accessing a Deceased Person's Financial Accounts.** (MSU Extension MontGuide)  
([PDF Version](#)) ([HTML Version-ADA Accessible](#)) [[Order Online](#)]  
Describes how heirs of a deceased person can access his/her financial accounts, depending on whether the accounts were owned jointly with other individuals, had payable-on-death or transfer-on-death designations, or had no designated beneficiary.
  - **Form:**
    - [Affidavit for Collection of Personal Property Form](#) (PDF) Revised March 2020
- 2. Nonprobate Transfers** (MSU Extension MontGuide)  
([PDF Version](#)) ([HTML Version-ADA Accessible](#)) [[Order Online](#)]  
Describes the various forms of ownership Montana allows the deceased's property to bypass probate and transfer directly to beneficiaries such as payable on death designations on financial accounts and transfer on death registrations for stocks, bonds, and mutual funds.
- 3. Personal Representative Responsibilities.** (MSU Extension MontGuide)  
([PDF Version](#)) ([HTML Version-ADA Accessible](#)) [[Order Online](#)]  
Explains Montana law covering personal representatives in settling estates (often called "executor" in other states).
  - **Forms:**
    - [Acknowledgement of Fiduciary Relationship and Obligations Personal Representative, Guardian, or Conservator](#) (PDF)
    - [How to Administer a Small Estate](#) (Montana Judicial Branch) (PDF)
- 4. Probate in Montana.** (MSU Extension MontGuide)  
([PDF Version](#)) ([HTML Version-ADA Accessible](#)) [[Order Online](#)]  
Provides guidelines and costs for the process of settling the estate of a deceased person.
  - **Forms:**
    - [Affidavit for Collection of Personal Property](#) (PDF) Revised March 2020

5. **Settling an Estate: What Do I Need to Know.** (MSU Extension MontGuide)  
[\(PDF Version\)](#) [\(HTML Version-ADA Accessible\)](#) [\[Order Online\]](#)  
Designed to help survivors start the process of settling an estate and ease the burden following the death of a loved one. It discusses tasks in the order they are commonly completed.
  
6. **Transfer on Death Deeds in Montana** (MSU Extension MontGuide)  
[\(PDF Version\)](#) [\(HTML Version-ADA Accessible\)](#) [\[Order Online\]](#)  
A Transfer on Death Deed allows owners of real property in Montana to transfer it at death to one or more designated beneficiaries without probate.
  - **Forms:**
    - [Transfer on Death Deed Form--One Primary Beneficiary](#) (PDF)
    - [Transfer on Death Deed Form--2 to 4 Beneficiaries](#) (PDF)
    - [Affidavit of Death Form for Transfer on Death Deed](#) (PDF)
    - [Revocation Form for a Transfer on Death Deed](#) (PDF)
  
7. **Transferring a Montana Vehicle Title After the Death of an Owner** (MSU Extension MontGuide)  
[\(PDF Version\)](#) [\(HTML Version-ADA Accessible\)](#) [\[Order Online\]](#)  
Describes how to transfer a Certificate of Title, also known as the title, for a motor vehicle to the deceased's legal heirs.
  - **Forms:**
    - [Application for Title of a Vehicle by Non-Probate Transfer](#) (Montana Vehicle Division) (PDF)
  
8. **Transferring Real Property Owned in a Joint Tenancy or in a Life Estate Without Probate** (MSU Extension MontGuide)  
[\(PDF Version\)](#) [\(HTML Version-ADA Accessible\)](#) [\[Order Online\]](#)  
Describes the process when real property is owned as joint tenants or is subject to a life estate, the distribution method is determined by Montana Law.
  - **Forms:**
    - [Affidavit for Termination of Joint Tenancy Form](#) (Montana Department of Public Health and Human Services, Legal Developer Program, Aging Services Division) (PDF)
    - [Affidavit of Remaindermen to Terminate Life Estate Interest of Decedent Form](#) (Montana Department of Public Health and Human Services, Legal Developer Program, Aging Services Division) (PDF)
  
9. **Websites of interest while a veteran is alive and after death**
  - <https://choose.va.gov/burials-memorials>
  - <https://www.ebenefits.va.gov/ebenefits/homepage>