

STATE OF SOUTH CAROLINA)
)
COUNTY OF _____)
)
IN THE MATTER OF:)
)

(Decedent))

IN THE PROBATE COURT

CASE NUMBER: _____

Petitioner(s)

vs.

***PETITION FOR ELECTIVE SHARE**

Respondent(s)

The undersigned hereby alleges:

1. I married the Decedent on _____. (See the attached certified copy of the Marriage License or the certified copy of the Court Order declaring the existence of a Common Law Marriage between the Decedent and me.)
2. I was still married to the Decedent when he/she died on _____. I am informed and believe that a Will executed by Decedent on _____ is being probated in this Court.
3. I elect to take my elective share of the Decedent's Estate
4. This election is made within the later of (a) eight (8) months after the date of the Decedent's death, (b) six (6) months after the Informal or Formal Probate of the Decedent's Will, or (c) thirty (30) days after I was served with a Summons and Petition to set aside an Informal Probate or to modify or vacate an Order for Formal Probate of the Decedent's Will.

Executed this _____ day of _____, 20_____.

Signature: _____

Print Name: _____

Address: _____

Telephone (Work): _____

(Home): _____

(Cell): _____

Email: _____

Attorney: _____

Address: _____

Telephone: _____

Email: _____

***NOTE: THIS IS A FORMAL PROCEEDING. IN ADDITION TO A PETITION, YOU MUST ALSO FILE A SUMMONS (FORM SCCA 401PC) AND PAY THE STATUTORY FILING FEE OF \$150.00. A HEARING IN THE PROBATE COURT ON THE PETITION MAY BE REQUIRED.**