

- For article, "Uniform Probate Code for Wyoming to Reconsider," 93 (2002).

te the following purposes and

decedents, missing persons,

distribution of his property;
he estate of the decedent and

e principles of law and equity

subject matter and no part of
can reasonably be avoided.

in probate brought after the
proceedings in probate then
ceedings or parts thereof is not
e shall apply. (Laws 1979, ch.

us. — In a challenge to a will, the
language of the will was apparent
reflected the testatrix's intent
solely in her name, located in the
e distributed to the sister, and did
ion that the stocks were to pass
y clause. *Baker v. Enis* (In re
2005 WY 74, 114 P.3d 1246, 2005
15).

undertakes to probate decedent
attorney for both the estate and the
ive, where the personal representa-
torney to assist her in performing
e Comm. v. Riner, 765 P.2d 925,
37 (Wyo. 1988).

equitable adoption. — Based
ambiguous language of the last
there was no indication that it
ntention to have decedent's step-
rit the share the stepchild would
the stepchild survived the de-
cedent never officially adopted the
/yoming Supreme Court declined
e of equitable adoption to affect
testate estate and to avoid the
ti-lapse statute, Wyo. Stat. Ann.
n v. Bathrick (In re Estate of
9, 76 P.3d 1236, 2003 Wyo. LEXIS

State of Croft, 713 P.2d 782, 1986
yo. 1986).

State of Scott, 642 P.2d 1287, 1982
yo. 1982).

ri v. Taylor (In re Estate of
VY 158, 101 P.3d 931, 2004 Wyo.

For article, "The Ungrateful Liv-
ner's Nightmare — The Trial
see XXIV Land & Water L. Rev.

ARTICLE 2. DISTRIBUTION BY AFFIDAVIT AND SUMMARY PROCEDURE

§ 2-1-201. Payment of indebtedness and delivery of tangible personal property or instruments evidencing debt.

(a) Not earlier than thirty (30) days after the death of a decedent, any person indebted to the decedent or having possession of tangible personal property or an instrument evidencing a debt, obligation, stock or chose in action belonging to the decedent shall make payment of the indebtedness or deliver the tangible personal property or the instrument evidencing the debt, obligation, stock or chose in action to the person or persons claiming to be the distributees of the property, upon being presented an affidavit, filed as provided by subsection (c) of this section, made by or on behalf of the distributee stating:

(i) The value of the entire estate, wherever located, less liens and encumbrances, does not exceed one hundred fifty thousand dollars (\$150,000.00);

(ii) Thirty (30) days have elapsed since the death of the decedent;

(iii) No application for appointment of a personal representative is pending or has been granted in any jurisdiction; and

(iv) The claiming distributees are entitled to payment or delivery of the property; the facts concerning the distributees' relationship to the decedent, and there are no other distributees of the decedent having a right to succeed to the property under probate proceedings.

(b) The transfer agent for any security shall change the registered ownership on the books of a corporation from the decedent to the distributee or distributees upon presentation of an affidavit as provided in subsections (a) and (c) of this section.

(c) When filed with the county clerk and a certified copy is presented to a party with custody of assets the affidavit shall be honored and have the same effects as provided for in subsections (a), (b) and (d) of this section and W.S. 2-1-202. The county clerk of the county in which any vehicle is registered shall transfer title of the vehicle from the decedent to the distributee or distributees upon presentation of an affidavit as provided in subsection (a) of this section.

(d) Upon presentation of an affidavit as provided in subsections (a) and (c) of this section, any bank, savings and loan institution, credit union or any other like depository shall pay any deposit in the sole name of the decedent, together with the interest and dividends thereon, to the distributee or distributees. A receipt for the payment by the distributee paid is a valid and sufficient release and discharge for the payment made. (Laws 1979, ch. 142, § 3; 1980, ch. 54, § 1; 1983, ch. 15, § 1; 1991, ch. 98, § 1; 2002 Sp. Sess., ch. 60, § 2.)

Law reviews. — For article, "The Ungrateful Living: An Estate Planner's Nightmare — The Trial Attorney's Dream," see XXIV Land & Water L. Rev. 401 (1989).

§ 2-1-202. Effect; refusal to pay, deliver.

The person paying, delivering, transferring or issuing personal property or the evidence thereof pursuant to affidavit is discharged and released to the same extent as if he dealt with a personal representative of the decedent. He is not required to see to the application of the personal property or evidence thereof or to inquire into the truth of any statement in the affidavit. If any person to whom an affidavit is delivered refuses to pay, deliver, transfer or issue any personal property or evidence thereof, it may be recovered or its payment, delivery, transfer or issuance compelled upon proof of right in an action by or on behalf of the persons entitled thereto. Any person to whom payment, delivery, transfer or issuance is made is answerable and accountable to a personal representative of the estate or to any other person having a superior right. (Laws 1979, ch. 142, § 2; 1980, ch. 54, § 1.)

§ 2-1-203. Deposits by minors or persons under a disability; joint and trust deposits; pay-on-death accounts.

(a) Deposits by minors or other persons under a legal disability may be paid on the order of the depositor and the payments are legally valid.