



Maine Credit Union League

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In Support of

***LD 1545: An Act to Clarify the Maximum Value That a Small Estate May Be Under
the Maine Uniform Probate Code to Permit Collection of Personal Property by
Affidavit***

Committee on Judiciary

April 14, 2025

Senator Carney, Representative Kuhn, and distinguished members of the Committee on Judiciary, my name is Robert Caverly and I am the Vice President for Advocacy and Outreach at the Maine Credit Union League.

The Maine Credit Union League is the trade association for Maine's 48 credit unions and over 750,000 members statewide. We respectfully submit the following testimony in support of LD 1545.

This bill would provide clarification to individuals and organizations who deal with estates. The small estate affidavit is used when an individual passes away and has assets that are under a certain amount. In these situations, the heirs may avoid the probate of the decedent's estate and by filing an affidavit asserting that the amount of the estate is below that statutory amount. In current law, the 18-C M.R.S.A. § 3-1201, sub-§3 sets that amount at \$40,000, with no reference to another statute.

However, in 2023, the Legislature chose to index this amount to the Consumer Price Index (CPI) to account for inflation. Currently there is nothing to make individuals aware of the fact that they should also look to 18-C MRSA §1-108, sub-§2 to calculate the indexed amount, so this bill adds a cross-reference to that statute.

The bill also includes a provision for the Probate Courts to publish the number annually – further simplifying the challenges faced by those who have just lost a loved one. Collection by small estate affidavit is designed for those of modest means to collect the personal property of the deceased without necessitating an extensive legal process. Credit unions are often part of this process, and we appreciate the clarity this bill provides.

Thank you for considering our industry's views and we urge you to vote out an "Ought to Pass" report.