

The Fraser Law Firm, LLC Notes How Probate Law Changes Affect Estate Planning

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Changes to South Carolina's probate code have expanded eligibility for simplified estate processes, affecting residents throughout the Lowcountry, according to The Fraser Law Firm, LLC?effective May 8, 2025, Act No. 26 (H.3472) raised small-estate and exempt-property limits to $45,000.

"Recent probate law changes provide Lowcountry families with more efficient options for handling estates, including collection by affidavit for certain small estates where statutory conditions are met," said Denny Fraser, founding attorney of The Fraser Law Firm, LLC. "Small-estate procedures can streamline debt settlement and asset distribution with reduced court oversight for qualifying estates, while exempt-property rules protect up to $45,000 in household goods, vehicles, and personal effects for surviving spouses and minor children, with priority over all claims except those listed in §62-3-805(a)(1)."

These probate updates often intersect with active real estate markets in Bluffton and Hilton Head, where property transfers frequently prompt estate document reviews. The region includes communities such as Sun City Hilton Head and Palmetto Bluff, which continue to attract retirees.

Estate planning guidance from The Fraser Law Firm focuses on aligning documents with revised probate thresholds. Where applicable, collection-by-affidavit can reduce paperwork for personal property without opening a full estate?it does not transfer real estate?and applies only when (i) the probate estate?s value, less liens and encumbrances, does not exceed $45,000; (ii) at least 30 days have elapsed since death; and (iii) no application or petition to appoint a personal representative is pending or granted; the affidavit must also be approved and countersigned by the probate judge.

Drawing on construction and real estate experience, Fraser and the firm routinely handle estate issues connected to development matters and real estate closings?areas in which the firm is recognized on Hilton Head Island. Client testimonials commend the practice?s transparent pricing and client-centered approach across real estate, estate planning, and collections.

The firm?s estate planning strategies incorporate these changes into family-focused plans. The Fraser Law Firm, LLC, notes ongoing interest in luxury homes and retirement communities in the region, where streamlined probate options can facilitate certain transfers as part of a comprehensive plan.

These probate updates underscore the value of working with an experienced Bluffton estate-planning attorney to protect assets and plan transfers. The Fraser Law Firm maintains objective educational resources to help clients understand how state-law changes may affect their plans.

Local estate-planning counsel navigates affidavit timelines, small-estate procedures, and exempt-property rules so clients can make informed decisions. The Fraser Law Firm, LLC?s established role in the Lowcountry helps clients adjust their plans with confidence.

Founded in 2015 by attorney Denny Fraser?who has more than two decades of legal experience?The Fraser Law Firm, LLC serves clients in Hilton Head, Bluffton, and Okatie, SC. Beyond estate planning, The Fraser Law Firm, LLC handles real estate transactions, business formation, construction law, contract law, debt collection, and probate matters. Denny Fraser has lived on Hilton Head since 1973 and has witnessed changes on the island and significant growth in Bluffton.

Denny Fraser continues as a Hilton Head Island practitioner and author, engaging Lowcountry legal topics. Material on the firm?s website, https://hiltonheadislandlaw.com/, provides general information on estate planning and other legal matters and is not legal advice. For tailored counsel, contact The Fraser Law Firm, LLC at (843) 681-9111 or submit an inquiry at hiltonheadislandlaw.com.

About The Fraser Law Firm, LLC

The Fraser Law Firm, LLC provides legal services to clients in Hilton Head Island, Bluffton, and Okatie. Led by attorney Denny Fraser, who brings over two decades of experience and has lived in the Lowcountry since 1973, the firm assists with estate planning, real estate transactions, construction law, contract law, business formation, debt collection, and probate matters, and is known for client-focused service and efficient real estate closings.

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Fraser Law Firm, LLC

The Fraser Law Firm, LLC enjoys a broad private and corporate practice with focus on real estate transactions, construction law, estate planning, employment law, credit relations law, property owner?s association law and general litigation.

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