

ADMINISTRATION OF INTESTATE ESTATE

Estate of _____ Attorney _____
Probate No _____ Telephone No. _____

Petition for Probate should contain

- Residence of Petitioner

- Citizenship of Petitioner

- Right of Petitioner to make application

- Decedent's date of death (with death certificate attached if available)

- Decedent's last domicile

- Statement that the deceased died intestate and left no will
- Location and character of estate (real and/or personal)

- Estimated value of estate (listing separately the total value of real property and the total value of personal property)
Real Property _____ Personal Property _____
- Estimated total amount of decedent's debts: \$ _____

- The names and addresses of the heirs and next of kin of the deceased, known to the petitioner, entitled to a share of the deceased's estate under the laws of intestacy and descent and distribution of this jurisdiction; the relation of each such person to the deceased; the proportion of the estate due each such heir or kin, and whether each such person is an adult or a minor;

<i>Name & Address</i>	<i>Relationship</i>	<i>Share</i>	<i>Adult/Minor</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

- the names of all heirs and next of kin that have signed a waiver or waivers consenting to the probate of the deceased's estate and to the issuance of letters of administration to the petitioner, which waiver(s) of consent shall be affixed to the petition;

<i>Name</i>	<i>Address</i>
_____	_____
_____	_____
_____	_____
_____	_____

- The amount of bond required of the administrator;

- Amount of support for widow and minor children (if applicable)

- Prayers for** (if necessary):
 - for citation against such heirs or next of kin for whom signed waivers have not been obtained prior to the filing of the petition;
 - for appointment of a guardian or guardian *ad litem* for such heirs or next of kin as may be minors, persons with disabilities, incapacitated persons or protected persons, if necessary;
 - for the issuance of letters of administration;

- for the fixing or waiving of bond;
- for support of the deceased's spouse and children, if necessary;
- for such other special or general requests as the exigencies of the particular case may require.

Attachments. The following documents shall be annexed to the petition the will of the deceased identified in the petition:

- an original or certified copy of the death certificate; and
- an unsworn declaration made under penalty of perjury, or a notarized affidavit, signed by an attorney or a relative of the deceased or some other interested person

Once the petition meets the above requirements the following must also be presented:

- Waiver(s) consenting to the probate and to the issuance of letters of administration, which waiver(s) of consent shall be affixed to the petition
- Request for Citation(s) to heirs not signing consent(s) to petition only if petitioner is not person primarily entitled to letters of administration.
- Motion for appointment of a guardian or guardian *ad litem* for such heirs or next of kin as may be minors, persons with disabilities, incapacitated persons or protected persons, if necessary
 - Minor's consent required if fourteen (14) years or older
 - The guardian *ad litem* verified response to the original petition for probate of a will or administration
- Post bond (letters cannot issue until appropriate bond is furnished or waived)
- File order for probate and letters of administration
- File oath of administrator
- File proof of publication of Notice to Creditors and Debtors – once a week for four consecutive weeks
- Motion for appointment of two appraisers
 - may waive where inventory contains no property requiring appraisal, **if not**
 - clerk of court notifies appraisers of appointment
 - file oath of appraisers
 - make and promptly deliver preliminary inventory to appraiser
- File inventory and appraisal with Court (within one month after issuance of letters)
- File Quarterly Accounting(s)

(Every executor and administrator shall file successive, serially numbered quarterly accounts during the execution or administration of an estate for quarters ending March 31st, June 30th, September 30th, and December 31st of each year until the final account.
- Motion for support of widow and minor children

