

**Article - Estates and Trusts**

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§5–206.

In a proceeding for administrative or judicial probate the petition for probate shall be in substantially the following form:

In the Orphans’ Court for

(or) \_\_\_\_\_, Maryland

Before the Register of Wills for

in the Estate of:

\_\_\_\_\_ Estate No. \_\_\_\_\_

For:

Regular Estate –  
Petition for probate,  
estate value in excess of  
\$20,000. Complete and  
attach Schedule – A.

Small Estate –  
Petition for  
Administration, estate  
value of \$20,000 or less.  
Complete and attach  
Schedule – B.

Will of No Estate –  
Complete Items 2 and 5

The Petition of:

\_\_\_\_\_  
Name Address

\_\_\_\_\_

\_\_\_\_\_  
Name Address

\_\_\_\_\_

\_\_\_\_\_  
Name Address

\_\_\_\_\_

Each  
of  
us  
states:

- 
1. I am (a) at least 18 years of age and either a citizen of the United States or a permanent resident alien spouse of the decedent or (b) a trust company or any other corporation authorized by law to act as a personal representative.
  2. The decedent, \_\_\_\_\_ ,  
was domiciled in \_\_\_\_\_ County, State  
of \_\_\_\_\_ and died on the \_\_\_\_\_ day of  
20\_\_\_\_\_, at \_\_\_\_\_.
  3. If the decedent was not domiciled in this county at the time of death, this is the  
proper office in which to file this petition because: \_\_\_\_\_  
\_\_\_\_\_ .
  4. I am entitled to priority of appointment as personal representative of the decedent's  
estate pursuant to § 5-104 of the Estates and Trusts Article, Annotated Code of  
Maryland because:  
\_\_\_\_\_  
\_\_\_\_\_

and I am not excluded by § 5-105(c) of the Estates and Trusts Article, Annotated  
Code of Maryland from serving as personal representative.

5. I have made a diligent search for the decedent's will and to the best of my  
knowledge:  
none exists; or  
the will dated \_\_\_\_\_ (including codicils, if any, dated  
\_\_\_\_\_) accompanying this petition is the last will and it came  
into my hands in the following manner:  
\_\_\_\_\_  
\_\_\_\_\_

and the names and last known addresses of the witnesses are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Other proceedings, if any, regarding the decedent or the estate are as follows:  
\_\_\_\_\_

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7. If any information required by paragraphs 2 through 6 has not been furnished, the reason is:

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8. If appointed, I accept the duties of the office of personal representative and consent to personal jurisdiction in any action brought in this State against me as personal representative or arising out of the duties of the office of personal representative.

WHEREFORE,

I  
request  
appointment  
as  
personal  
representative  
of  
the  
decedent's  
estate  
and  
the  
following  
relief  
as  
indicated:

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that the will and codicils, if any, be admitted to administrative probate;

that the will and codicils, if any, be admitted to judicial probate;

that the will and codicils, if any, be filed only;

that the following additional relief be granted: \_\_\_\_\_

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I solemnly affirm under the penalties of perjury that the contents of the foregoing petition are true to the best of my knowledge, information, and belief.

\_\_\_\_\_  
Attorney's Signature

\_\_\_\_\_  
Petitioner Date

\_\_\_\_\_  
Address

\_\_\_\_\_  
Petitioner Date

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Petitioner Date

\_\_\_\_\_  
Telephone Number

In the Orphans' Court for

(or) \_\_\_\_\_, Maryland

Before the Register of Wills for

in the Estate of:

\_\_\_\_\_ Estate No. \_\_\_\_\_

Schedule  
- A \_\_\_\_\_

REGULAR  
ESTATE \_\_\_\_\_

Estimated  
Value  
of  
Estate  
and  
Unsecured  
Debts: \_\_\_\_\_

Personal  
property  
(approximate  
value).... \_\_\_\_\_

Real \$  
property  
(approximate  
value).... \_\_\_\_\_

Value of Property subject to:	
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- (a) Direct Inheritance Tax of \_\_\_\_\_% ..... \$ \_\_\_\_\_
- (b) Collateral Inheritance Tax of \_\_\_\_\_% ..... \$ \_\_\_\_\_
- (c) Collateral Inheritance Tax of \_\_\_\_\_% ..... \$ \_\_\_\_\_

Unsecured Debts _____ (approximate amount) ....	
.....	

(FOR REGISTER'S USE)

Safekeeping Wills _____	Custody of Wills _____
Bond Set \$ _____	Deputy _____
In the Orphans' Court for	

(or) \_\_\_\_\_, Maryland

Before the Register of Wills for  
in the Estate of:

\_\_\_\_\_ Estate No. \_\_\_\_\_

Schedule - B	
SMALL ESTATE	
Assets and Debts of the Decedent:	

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1. I  
have  
made  
a  
diligent  
search  
to  
discover  
all  
property  
and  
debts  
of  
the  
decedent  
and  
set  
forth  
below  
are:

(a) A listing of all real and personal property owned by the decedent, individually or as tenant in common, and of any other property to which the decedent or estate would be entitled, including descriptions, values, and how the values were determined:

_____	
_____	
_____	

(b) A listing of all creditors and claimants and the amounts claimed, including secured\*, contingent and disputed claims:

_____	
_____	
_____	

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2. Allowable funeral expenses are \$ \_\_\_\_\_; statutory family allowances are \$ \_\_\_\_\_; and expenses of administration are \$ \_\_\_\_\_.

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3. Attached is a List of Interested Persons.

\*Note: § 5–601(d) of the Estates and Trusts Article, Annotated Code of Maryland “For the purpose of this subtitle – Value is determined by fair market value of property less debts of record secured by the property as of the date of death, to the extent that insurance benefits are not payable to the lien holder or secured party for the secured debt.”

I solemnly affirm under the penalties of perjury that the contents of the foregoing schedule are true to the best of my knowledge, information, and belief.

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Attorney’s Signature

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Petitioner Date

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Address

Petitioner Date

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Telephone Number

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Telephone Number

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