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 Trist 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:
_____
_____
(7) If any information required by paragraphs 2 through 6 has not been furnished, the reason is:
_____
_____
(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:
□ 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: _____
_____
_____

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
_____	_____
	Petitioner Date
_____	_____
Telephone Number	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:

(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:

(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 a 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:

_____

_____

_____

(2) Allowable funeral expenses are $ _____; statutory family allowances are $ _____; and expenses of administration are $ _____.

(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 thus 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.

_____	_____
Attorney's Signature	Petitioner Date
_____	_____
Address	Petitioner Date
_____	_____
Telephone Number	Telephone Number

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