

Decedent's Estate

Court of Common Pleas of
Philadelphia County, Pennsylvania
Orphans' Court Division

Estate of _____, Deceased
No. _____ of _____

PETITION FOR ADJUDICATION AND STATEMENT
OF PROPOSED DISTRIBUTION IN CONFORMITY WITH
PHILADELPHIA ORPHANS' COURT DIVISION RULES

This form shall be used in all cases involving the audit of the account of a Decedent's Estate. All information shall be supplied or a re-audit may be required. If space is insufficient, riders may be attached. To be submitted herewith shall be the Account Filing checklist and all items required to be submitted as shown thereon; the spouse's election, if any; the papers required under items 7-17 inclusive; and any instrument pertinent to the adjudication.

**FASTEN ATTACHMENTS TO THE BACK OF THIS FORM.
SUBMIT APPEARANCE SLIP AT THE AUDIT.**

Name of Counsel: _____

Attorney I.D. No.: _____

Name of Law Firm: _____

Address: _____

Telephone No.: _____

Fax No.: _____

1. Name(s), address(es) and capacity(ies) of petitioner(s):

who aver:

2. Decedent died on _____. Letters were granted to petitioners on _____.

For testate decedent:

Date of Will: _____

Date(s) of codicil(s) if any: _____

Date of probate (*if different from date Letters granted*): _____

3. Was decedent survived by a spouse? Yes No

If yes, name of the surviving spouse: _____

4. Has the surviving spouse filed to take an elective share? Yes No

(See Section 2201 et seq. of the Probate, Estates and Fiduciaries Code)

If yes, date of election: _____

5. The decedent's surviving children or surviving issue of deceased children are (*if none, so state*):

6. Did decedent marry after execution of Will? Yes No

Did decedent marry after execution of codicil(s)? Yes No

Were any children born to decedent after execution of decedent's will or codicil? Yes No

If yes, give names and dates of birth:

7. Written notice of the audit as required by Rule 6.3 and Local Rule 6.3.A. has been or will be given to all parties in interest listed in item 8 below, all unpaid creditors and all claimants listed in item 10 below. In addition, notice of any questions requiring adjudication as discussed in item 15 below has been or will be given to all persons affected thereby.

A. If notice has been given, attach a copy of the notice as well as a list of the names and addresses of the parties receiving such notice.

- B. If notice is yet to be given, a copy of the notice as well as a list of the names and addresses of the parties receiving such notice shall be submitted at the audit together with a statement executed by petitioner or petitioner's counsel certifying that such notice has been given.
- C. If any person entitled to notice is not sui juris (e.g., minors or incapacitated persons), notice of the audit has been or will be given to the appropriate representative on such party's behalf as required by Rule 5.2 and Local Rule 5.2.A.
- D. If any charitable interest is involved, notice of the audit has been or will also be given to the Attorney General as required under Rule 5.5 (see form notice of charitable gift authorized by the Court of Common Pleas of Philadelphia County, Orphans' Court Division). In addition, the Attorney General's clearance certificate (or proof of service of notice and a copy of such notice) must be submitted herewith or at the audit.

8. List all parties (charitable and non-charitable) of whom petitioner has notice or knowledge, having or claiming any interest in the estate. This list shall:

- A. State each party's relationship to the decedent and the nature of each party's interest(s);
- B. Identify each party who is not sui juris (e.g., minors or incapacitated persons). For each such party, give date of birth, the name of each guardian and how each guardian was appointed. If no guardian has been appointed, identify the next of kin of such party, giving the name, address and relationship of each; and
- C. If distribution is to be made to the personal representative of a deceased party, state date of death, date and place of grant of Letters and type of Letters granted.

<i>Name and Address of Each Party in Interest</i>	<i>Relationship and Comments (If Any)</i>	<i>Interest</i>
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- 9. If any party entitled to distribution is a non-resident, foreign or unknown distributee subject to the provisions of Local Rules 6.9.D., and 13.3.A., explain and attach or submit at audit the additional documentation required under the applicable Local Rules.
- 10. The names and addresses of the claimants (other than any family exemption claimant under item 12 below), and the amounts of their claims, in the order of preference under Section 3392 of the Probate, Estates and Fiduciaries Code (with a notation whether or not preference is claimed and whether or not the claim and preference are admitted), are as follows (*if none, so state*):

11. A. State why a petition for guardian/trustee ad litem has or has not been filed for this audit (see Rule 12.4 and Local Rule 12.4.A.):

B. If a waiver of the appointment of a guardian/trustee ad litem is requested, state whether confirmation of the account will be accepted in whole or in part without prejudice (see Rule 12.4 and Local Rule 12.4.A.):

12. Was family exemption claimed? Yes No Allowed? Yes No

Family exemption claimant's name and relationship: _____

13. The amount of Pennsylvania Transfer Inheritance Tax and additional Pennsylvania Estate Tax paid, the date(s) of payment(s), and the interest(s) upon which paid, are as follows:

14. On the date of death, the decedent was not a fiduciary of another estate, nor surety on the bond of a fiduciary, except as stated (*if so, state caption of estate and indicate whether account has been confirmed absolutely and all awards performed; if not state "no exceptions"*):

15. Describe any questions requiring adjudication:

16. If petitioner has knowledge that a share has been assigned, renounced, disclaimed or attached, provide a copy of the assignment, renunciation, disclaimer or attachment, together with any relevant supporting documentation.

17. Was decedent adjudicated an incapacitated person? Yes No

If yes, attach a copy of the Order if available; otherwise state Court, term, number, date, and name of Hearing Judge:

18. If a reserve is requested, state amount and purpose: _____

19. Is a schedule of distribution requested? Yes No

As to real estate only? Yes No

Wherefore, your petitioner asks that distribution be awarded to the persons entitled and suggests that the distributive shares of income and principal (residuary shares being stated in proportions, not amounts) are as follows:

A. Income:

<u>Proposed Distributee(s)</u>	<u>Amount/Proportion</u>
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B. Principal:

<u>Proposed Distributee(s)</u>	<u>Amount/Proportion</u>
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Submitted By:

Name of Petitioner: _____

Verification of Petitioner

(Verification must be by at least one petitioner. Local Rule 6.9B.)

The undersigned hereby verified [that (s)he is _____ of the above-named _____ and]* that the facts set forth in the foregoing Petition for Adjudication and Statement of Proposed Distribution which are within the personal knowledge of the petitioner are true, and as to facts based on the information of others, the petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Signature of Petitioner

**Corporate petitioners must complete bracketed information.*

Certification of Counsel

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication and Statement of Proposed Distribution is a true and accurate reproduction of the form petition authorized by the Court of Common Pleas of Philadelphia County, Orphans' Court Division, and that no changes to the form have been made beyond the responses herein.

Signature of Counsel for Petitioner(s)

Guardianship of Incapacitated Persons

Court of Common Pleas
of Philadelphia County, Pennsylvania
Orphans' Court Division

Estate of _____, an Incapacitated Person
Account of _____, Guardian
No. _____ of _____

PETITION FOR ADJUDICATION AND STATEMENT
OF PROPOSED DISTRIBUTION IN CONFORMITY WITH
PHILADELPHIA ORPHANS' COURT DIVISION RULES

This form shall be used in all cases involving the audit of an account of the guardian of the estate of an incapacitated person. All information shall be supplied or a re-audit may be required. If space is sufficient, riders may be attached. To be submitted herewith are the applicable "Account Filing Checklist" and the documents required therein.

**FASTEN ATTACHMENTS TO THE BACK OF THIS FORM.
SUBMIT APPEARANCE SLIP AT THE AUDIT.**

Name of Counsel: _____

Attorney I.D. No.: _____

Name of Law Firm: _____

Address: _____

Tel. No.: _____

Fax No.: _____

1. Name(s), address(es) and capacity(ies) of petitioner(s):

who aver:

2. Date of Adjudication of Incapacity: _____

Date of Appointment as Guardian: _____

Judge(s) issuing decree(s): _____

Attach copy(ies) of decree(s).

3. Explain the reason for filing this account (if incapacitated person has died, state date of death, name and address of personal representative and of his or her counsel and attach a short certificate. If incapacitated person has been adjudged to have regained capacity, state date of decree. If account is filed for any other reason, state address of incapacitated person):

4. Describe any questions requiring adjudication:

5. Written notice of the audit as required by Rule 6.3 and Local Rule 6.3.A. has been or will be given to all parties in interest listed in Item 6 below. In addition, notice of any questions requiring adjudication as discussed in Item 4 above has been or will be given to persons affected thereby.

A. If notice has been given, attach a copy of the notice as well as a list of the names and addresses of the parties receiving such notice.

- B. If notice has yet to be given, a copy of the notice as well as a list of the names and addresses of the parties receiving such notice shall be submitted at the audit together with a statement executed by the petitioner or petitioner's counsel certifying that such notice has been given.
 - C. If any such party in interest is not sui juris (e.g., minors or incapacitated persons), notice of the audit has been or will be given to the appropriate representative on such party's behalf as required by Rule 5.2 and Local 5.2.A.
6. List all parties of whom petitioner has notice or knowledge, having or claiming any interest in the estate, including the incapacitated person's heirs at law. This list shall:
- A. State each party's relationship to the incapacitated person and the nature of each party's interest(s); and
 - B. Identify each party who is not sui juris (e.g., minors or incapacitated persons). For each such party, give date of birth, the name of each guardian and how each guardian was appointed. If no guardian has been appointed, identify the next of kin of such party, giving the name, address and relationship of each.

<i>Name and Address of Each Party in Interest</i>	<i>Relationship and Comments (If Any)</i>	<i>Interest</i>
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7. Is a schedule of distribution requested? Yes No

Wherefore, your petitioner asks that distribution be awarded to the persons entitled and suggests that the distributive shares of income and principal (residuary shares being stated in proportions, not amounts) are as follows:

A. Income

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
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B. Principal:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
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Submitted By:
(All petitioners must sign. Add additional lines if necessary.)

Name of Petitioner:

Verification of Petitioner

(Verification must be by at least one petitioner. Local Rule 6.9B.)

The undersigned hereby verifies [that (s)he is _____ of the above-named _____ and]* that the facts set forth in the foregoing Petition for Adjudication and Statement of Proposed Distribution which are within the personal knowledge of the petitioner are true, and as to facts based on the information of others, the petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

Signature of Petitioner

**Corporate petitioners shall complete bracketed information.*

Certification of Counsel

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication and Statement of Proposed Distribution is a true and accurate reproduction of the form petition authorized by the Court of Common Pleas of Philadelphia County, Orphans' Court Division, and that no changes to the form have been made beyond the responses herein.

Signature of Counsel for Petitioner(s)

Principal's Estate

(Under Power of Attorney)

Court of Common Pleas
of Philadelphia County, Pennsylvania
Orphans' Court Division

Estate of _____, Principal
Account of _____ Agent(s)*
No. _____ of _____

PETITION FOR ADJUDICATION AND STATEMENT
OF PROPOSED DISTRIBUTION IN CONFORMITY WITH
PHILADELPHIA ORPHANS' COURT DIVISION RULES

This form shall be used in all cases involving the audit of an account of one or more agents acting under a power of attorney. All information shall be supplied or a re-audit may be required. If space is sufficient, riders may be attached.

**FASTEN ATTACHMENTS TO THE BACK OF THIS FORM.
SUBMIT APPEARANCE SLIP AT THE AUDIT.**

Name of Counsel: _____

Attorney I.D. No.: _____

Name of Law Firm: _____

Address: _____

Tel. No.: _____

Fax No.: _____

E-Mail (*Optional*): _____

1. Name(s), address(es) and capacity(ies) of petitioner(s):

who aver:

2. Date of Adjudication of Incapacity: _____

Date of Appointment as Guardian: _____

Judge(s) issuing decree(s): _____

Attach copy(ies) of decree(s).

3. Explain the reason for filing this account (if incapacitated person has died, state date of death, name and address of personal representative and of his or her counsel and attach a short certificate. If incapacitated person has been adjudged to have regained capacity, state date of decree. If account is filed for any other reason, state address of incapacitated person):

4. Describe any questions requiring adjudication:

5. Written notice of the audit as required by Rule 6.3 and Local Rule 6.3.A. has been or will be given to all parties in interest listed in Item 6 below. In addition, notice of any questions requiring adjudication as discussed in Item 4 above has been or will be given to persons affected thereby.

A. If notice has been given, attach a copy of the notice as well as a list of the names and addresses of the parties receiving such notice.

- B. If notice has yet to be given, a copy of the notice as well as a list of the names and addresses of the parties receiving such notice shall be submitted at the audit together with a statement executed by the petitioner or petitioner's counsel certifying that such notice has been given.
 - C. If any such party in interest is not sui juris (e.g., minors or incapacitated persons), notice of the audit has been or will be given to the appropriate representative on such party's behalf as required by Rule 5.2 and Local 5.2.A.
6. List all parties of whom petitioner has notice or knowledge, having or claiming any interest in the estate, including the incapacitated person's heirs at law. This list shall:
- A. State each party's relationship to the incapacitated person and the nature of each party's interest(s); and
 - B. Identify each party who is not sui juris (e.g., minors or incapacitated persons). For each such party, give date of birth, the name of each guardian and how each guardian was appointed. If no guardian has been appointed, identify the next of kin of such party, giving the name, address and relationship of each.

<i>Name and Address of Each Party in Interest</i>	<i>Relationship and Comments (If Any)</i>	<i>Interest</i>
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7. Is a schedule of distribution requested? Yes No

Wherefore, your petitioner asks that distribution be awarded to the persons entitled and suggests that the distributive shares of income and principal (residuary shares being stated in proportions, not amounts) are as follows:

A. Income

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
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B. Principal:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
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Submitted By:
(All petitioners must sign. Add additional lines if necessary.)

Name of Petitioner:

Verification of Petitioner

(Verification must be by at least one petitioner. Local Rule 6.9B.)

The undersigned hereby verifies [that (s)he is _____ of the above-named _____ and]* that the facts set forth in the foregoing Petition for Adjudication and Statement of Proposed Distribution which are within the personal knowledge of the petitioner are true, and as to facts based on the information of others, the petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

Signature of Petitioner

**Corporate petitioners shall complete bracketed information.*

Certification of Counsel

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication and Statement of Proposed Distribution is a true and accurate reproduction of the form petition authorized by the Court of Common Pleas of Philadelphia County, Orphans' Court Division, and that no changes to the form have been made beyond the responses herein.

Signature of Counsel for Petitioner(s)

Trusts

Court of Common Pleas
of Philadelphia County, Pennsylvania
Orphans' Court Division

Name of Trust:

(e.g. [I] Trust Under Will of ... or [II] Trust Under Deed of ... Dated ...)

No. of

PETITION FOR ADJUDICATION AND STATEMENT
OF PROPOSED DISTRIBUTION IN CONFORMITY WITH
PHILADELPHIA ORPHANS' COURT DIVISION RULES

This form shall be used in all cases involving the audit of trust accounts. All information shall be supplied or a re-audit may be required. If space is sufficient, riders may be attached. To be submitted herewith are the applicable "Account Filing Checklist" and the documents required therein.

**FASTEN ATTACHMENTS TO THE BACK OF THIS FORM.
SUBMIT APPEARANCE SLIP AT THE AUDIT.**

Name of Counsel: _____

Attorney I.D. No.: _____

Name of Law Firm: _____

Address: _____

Tel. No.: _____

Fax No.: _____

1. Name(s), address(es) and capacity(ies) of petitioner(s):

who aver:

2. Are any of the following involved in this case:

- | | | | | | |
|---|------------------------------|-----------------------------|--------------------------------------|------------------------------|-----------------------------|
| A. Appointment of trustee | <input type="checkbox"/> Yes | <input type="checkbox"/> No | H. Partial/full termination of trust | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| B. Interpretation | <input type="checkbox"/> Yes | <input type="checkbox"/> No | I. Missing beneficiary(ies) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| C. Discharge of trustee | <input type="checkbox"/> Yes | <input type="checkbox"/> No | J. Cy Pres | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| D. Transfer of situs | <input type="checkbox"/> Yes | <input type="checkbox"/> No | K. Williamson Issue* | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| E. Appointment ad litem | <input type="checkbox"/> Yes | <input type="checkbox"/> No | Other Issues | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| F. Minor, unborn or unascertained beneficiaries | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <i>List:</i> | | |
| G. Principal distribution | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | |

ALL ANSWERS OF "YES" REQUIRE A DETAILED EXPLANATION AT ITEM 13 BELOW.

**See Williamson Estate, 368 PA 343, 82 A2D 49 (1951), if trustee was also executor of the settler/decedent's estate and received commissions in such capacity.*

3. Testamentary Trusts:

Decedent's date of death: _____

Date of decedent's will: _____

Date(s) of codicil(s): _____

Date of probate: _____

OR

Inter Vivos Trusts:

Date of trust: _____

Date(s) of amendments: _____

4. If any other court has taken jurisdiction of any matter relating to this trust, explain:

5. A. State how each trustee was appointed:

B. If petitioner is not a trustee, explain:

6. State how and when the present fund was awarded to trustee(s):

7. Period covered by accounting: _____ to _____

8. Current fair market value of the trust principal is \$ _____

9. State concisely the dispositive provisions of the trust

10. Explain the reason for filing this account (if filed because of the death of a party, state name of person, relationship to trust and date of death:

- C. If any such party in interest is not sui juris (e.g. minors or incapacitated persons), notice of the audit has been or will be given to the appropriate representative on such party's behalf as required by Rule 5.2 and Local Rule 5.2.A.
- D. If any charitable interest is involved, notice of the audit has been or will also be given to the attorney general as required under Rule 5.5 (see form Notice of Charitable Gift authorized by the Court of Common Pleas of Philadelphia County, Orphans' Court Division). In addition, the Attorney General's clearance certificate (or proof of service of notice and a copy of such notice) must be submitted herewith or at the audit.

15. List all parties of whom Petitioner has notice or knowledge, having or claiming any interest in the trust, whether such interest is vested or contingent, charitable or non-charitable. This list shall:

- A. State each party's relationship to the settlor/decedent and the nature of each party's interest(s); and
- B. Identify each party who is not sui juris (e.g., minors or incapacitated persons). For each such party, give date of birth, the name of each guardian and how each guardian was appointed. If no guardian has been appointed, identify the next of kin of such party, giving the name, address and relationship of each.

<i>Name and Address of Each Party in Interest</i>	<i>Relationship and Comments (If Any)</i>	<i>Interest</i>
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16. If Petitioner has knowledge that a trust share has been assigned or attached, provide a copy of the assignment or attachment, together with any relevant supporting documentation.

17. If any party entitled to distribution is a non-resident, foreign or unknown distributee subject to the provisions of Local rules 6.9.D and 13.3.A, please explain and attach or submit at audit the additional documentation required under the applicable local rules.

18. If a commission is claimed:

- A. If based on a written agreement, attach a copy thereof.
- B. If a principal commission is claimed, state amounts and identify any special compensation.

C. If a principal commission is claimed, state the amounts and dates of any previously paid.

19. If a reserve is requested, state amount and purpose.

20. Is a schedule of distribution requested? Yes No

Wherefore, your petitioner asks that distribution be awarded to the persons entitled and suggests that the distributive shares of income and principal (residuary shares being stated in proportions, not amounts) are as follows:

A. Income

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
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B. Principal:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
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Submitted By:
(All petitioners must **sign**. Add additional lines if necessary.)

Name of Petitioner:

Verification of Petitioner

(Verification must be by at least one petitioner. Local Rule 6.9B.)

The undersigned hereby verifies [that (s)he is _____ of the above-named _____ and]* that the facts set forth in the foregoing Petition for Adjudication and Statement of Proposed Distribution which are within the personal knowledge of the petitioner are true, and as to facts based on the information of others, the petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

Signature of Petitioner

**Corporate petitioners shall complete bracketed information.*

Certification of Counsel

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication and Statement of Proposed Distribution is a true and accurate reproduction of the form petition authorized by the Court of Common Pleas of Philadelphia County, Orphans' Court Division, and that no changes to the form have been made beyond the responses herein.

Signature of Counsel for Petitioner(s)