

# DEMANDS FOR NOTICE IN INFORMAL PROBATE

## MN Statutes 524.3-204

Attorney/Applicant **MUST** check for Demands for Notice **before** submitting an Application

- All names variations need to be checked
- Do NOT put a period next to an initial
- Check all counties
- If a demand is found by the Registrar at the time of e-filing that the attorney has not handled prior to e-filing, the attorney will have 30 days to handle the demand.
- No resolution to the demand in 30 days the case will be **DENIED** for informal probate. The case can be re-opened at a later date.

What to do if you find a Demand for Notice:

### Obtain a copy of the Demand for Notice from District Court Records Center or MCRO

Contact the Demandant about:

- Withdrawing the demand
- Waiving the 14 days advance notice to the demandant
- If the demandant **will** do either of the above you **MUST** wait for the document to appear in MNCIS
- If the demandant is **unwilling** to do either of the above, you will have to give the 14 days advance notice of the documents you intend to file with the Court (or filed with the court), to the demandant, as required by statute.
  - Mail copies of documents to the demandant at the address listed on the demand
  - Prepare an Affidavit of Mailing the notice to the demandant and efile with the Court
- Wait out the 14 days advance notice period.
- At the end of the 14 day notice period if no demand for bond or other probate proceeding has been demanded by the demandant, request an appointment to meet with the Registrar by email.
- If the Demand is NOT withdrawn be sure to add the demandant to your interested party list.
- If Hennepin County Department of Human Services demands a bond of the proposed personal representative then you need to contact a bonding company and get the proposed personal representative pre-approved for the amount of the bond. (See Bond TIP Sheet)
- The pre-approval can be in the form of a letter from the bonding company which can be e-filed as correspondence to the Registrar.
- Letters will not issue until the original bond is filed with the Court.