



Probate In Common Form

Inside this issue:

Publication Requirements 1-2



RED HOT NEWS FLASH!

Effective November 1, 2008:

The Probate/Mental Health Division of the Fourth Judicial District Court (Hennepin County) will no longer arrange for publication in **Estate, Trust and Guardianship/Conservatorship** matters. It is the responsibility of the attorney/ProSe petitioner to ensure the statutorily required publication is completed.

Informal Estates Process

Beginning November 1, 2008 the Attorney/Pro Se applicant will be entirely responsible for the preparation of the informal probate notice and arranging for publication of the informal notice.

The following is the announcement on display at the Probate Mental Health Counter at the Court and being distributed from the Registrar's Office.

This special edition of the newsletter is to give you some practical tips on what will be happening from the perspective of the Registrar's Office.

- Registrar will review the application and accompanying documents.
- Registrar will **NOT** review the notice for publication

Assuming the application is approved:

- Registrar will open a court file and assign a number to the case
- Attorney/ProSe will prepare notice for publication with the name of the Registrar who approved the application.
- Attorney/ProSe will transmit

the notice to the publisher of their choice

- Attorney/ProSe will ask publisher to e-mail proof to Registrar

alonna.warns@courts.state.mn.us

julie.peterson@courts.state.mn.us

- Attorney/Pro Se needs to provide the Registrar with a copy of the notice for publication
- Registrar will issue letters when proof of publication is received as well as the affidavits of mailing and any other additional items requested at the appointment

Once the Letters issue the Registrar will administratively close the file. No further filings by the attorney or personal representative are statutorily required.

HENNEPIN COUNTY DISTRICT COURT
FOURTH JUDICIAL DISTRICT



Hennepin County Government Center

300 South 6th Street, C300

Phone: 612-348-3244

Fax: 612-348-2130

<http://www.courts.state.mn.us/districts/fourth/>

TO:

Probate Court Publication Requirements

- Estates

The petition must be published once a week for two consecutive weeks in a legal publication. The last date of publication should be not less than 10 days before the hearing. (The 10th day can be the actual date of hearing). (MN Stat 524.1-401 (a) (3))

- Absentee Publications (Determination of Death)

Must be published three times and the last date of publication should be not less than 10 days before the hearing. (MN Stat 525.83)

- Guardianships and Conservatorships (Absentee proposed ward)



Must be published three consecutive times and then allow 21 days from the last publication to set the hearing date. (MN Stat 524.5-404)

- Trusts

Published once 20 days prior to the date of the hearing (MN Stat 501B.18)

It is the attorney/pro se petitioner responsibility to ensure the accuracy, content and language of published notices.