

# Formal Probate

## (Successor Personal Representative)



STATE OF MINNESOTA  
COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT  
DISTRICT COURT  
PROBATE DIVISION

Court File No. \_\_\_\_\_

Estate of \_\_\_\_\_,

**PETITION FOR FORMAL APPOINTMENT OF  
SUCCESSOR PERSONAL REPRESENTATIVE**

**Decedent**

I, \_\_\_\_\_, state:

1. My address is: \_\_\_\_\_.

2. I am an interested person as defined by Minnesota law because I am: \_\_\_\_\_.

3. Decedent died on \_\_\_\_\_.

4. On \_\_\_\_\_ (date), \_\_\_\_\_ was formally appointed Personal Representative of the Estate in  an unsupervised  a supervised administration in Court File No. \_\_\_\_\_ upon a petition filed by \_\_\_\_\_, dated \_\_\_\_\_ (“Petition”).

5. \_\_\_\_\_, the Personal Representative:

- has filed a Statement to Close and more than one year has elapsed since the Statement to Close was filed.
- has resigned as provided by Minnesota law.
- died on \_\_\_\_\_.
- has been removed as Personal Representative by this Court.
- was discharged as Personal Representative on \_\_\_\_\_.
- other: \_\_\_\_\_.

6. A Successor Personal Representative is needed:

- to replace the current Personal Representative.
- to administer newly discovered assets.
- other: \_\_\_\_\_.

7. I adopt the statements in the Petition identified in Paragraph 4, above, except as specifically changed or corrected as follows (if none, so state): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

8. Information about spouse, children, heirs, and other interested persons. As best as I know or can ascertain with reasonable diligence, the ***current*** names, addresses, relationship, and birthdates, if minors, of the decedent's spouse, children, heirs, devisees, and others interested in this proceeding are set forth below:

**Name and Address**

**Relationship and Interest**

**Birthdate (if minor)**

9. \_\_\_\_\_ has priority under Minn. Stat. 524.3-203 for appointment as Successor Personal Representative because: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

and is willing to serve and is not disqualified.

10. The Successor Personal Representative's address is: \_\_\_\_\_

\_\_\_\_\_.

**WHEREFORE**, I request this Court fix a time and place for a hearing on this Petition and enter an order formally:

1. Determining that \_\_\_\_\_ is entitled to appointment as Successor Personal Representative;
2. Appointing \_\_\_\_\_ as Successor Personal Representative of the Estate, with no bond, in an unsupervised  a supervised administration;
3. Authorizing the issuance of appropriate letters upon qualification and acceptance; and
4. Granting such other relief as may be proper.

Under penalties for perjury, I declare or affirm that I have read this document and I know or believe its representations are true and complete.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Petitioner

Attorney for Petitioner:

Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Street Address: \_\_\_\_\_  
\_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Attorney License No.: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

STATE OF MINNESOTA  
COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT  
DISTRICT COURT  
PROBATE DIVISION

Court File No. \_\_\_\_\_

Estate of

**NOTICE AND ORDER OF HEARING ON  
PETITION FOR APPOINTMENT OF  
SUCCESSOR PERSONAL REPRESENTATIVE**

\_\_\_\_\_ ,

**Decedent**

It is Ordered and Notice is given that on \_\_\_\_\_, at \_\_\_\_\_, a hearing will be held in this Court at 15 West Kellogg Boulevard, Saint Paul, Minnesota, for the appointment of \_\_\_\_\_, whose address is \_\_\_\_\_, as Successor Personal Representative of the Estate of the Decedent in  an UNSUPERVISED in  a SUPERVISED administration. Any objections to the Petition must be filed with the Court prior to or raised at the hearing. If proper and if no objections are filed or raised, the Successor Personal Representative will be appointed with full power to continue the administration of the Estate.

**BY THE COURT**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judge of District Court

Dated: \_\_\_\_\_

\_\_\_\_\_  
Court Administrator

Attorney for Petitioner:

Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

\_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

Attorney License No.: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

STATE OF MINNESOTA  
COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT  
DISTRICT COURT  
PROBATE DIVISION

Court File No.: \_\_\_\_\_

Estate of

**AFFIDAVIT OF MAILING**

\_\_\_\_\_,  
**Decedent**

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_ } ss.

I, \_\_\_\_\_, being first duly sworn on oath state that on \_\_\_\_\_ (date), at \_\_\_\_\_, MN (city, state), I mailed a copy of the attached (insert name documents being sent below):

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

to each person or entity named below by mailing a copy in a sealed envelope, postage prepaid, with the U.S. Postal Service as follows:

Name/Mailing Address

Dated: \_\_\_\_\_

\_\_\_\_\_  
Affiant

Notary Stamp or Seal (or other Title or Rank)

Signed and sworn to (or affirmed) before me on  
\_\_\_\_\_ (date) by  
\_\_\_\_\_, Affiant.

\_\_\_\_\_  
Signature of Notary Public or Other Official

STATE OF MINNESOTA  
COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT  
DISTRICT COURT  
PROBATE DIVISION

Court File No. \_\_\_\_\_

Estate of

**RENUNCIATION OF PRIORITY FOR  
APPOINTMENT, NOMINATION OF  
SUCCESSOR PERSONAL REPRESENTATIVE,  
AND BOND**

\_\_\_\_\_,  
Decedent

I, \_\_\_\_\_, state:

My address is: \_\_\_\_\_.

I have priority under Minn. Stat. 524.3-203 for appointment as the Successor Personal Representative of this estate and/or a right to nominate the Successor Personal Representative of this estate and/or a right to request bond because I am: \_\_\_\_\_

**RENUNCIATION:**

- Subject to the Nominee's acceptance and qualification, I renounce priority for appointment, if any, as Successor Personal Representative. I reserve my priority, if any, if the Nominee fails to qualify or ceases to act as Successor Personal Representative; or
- I reserve my priority for appointment.

**NOMINATION:**

I nominate (name and address): \_\_\_\_\_

\_\_\_\_\_  
("Nominee") as Successor Personal Representative of the estate of the decedent; or

I decline to nominate a Successor Personal Representative.

**BOND:**

A bond protects the beneficiaries of the estate against the Successor Personal Representative's wrongful acts. The undersigned is an interested person in this estate with an apparent interest in excess of \$1,000.00. I am aware that any bond filed in this estate is to cover damages in the event of mismanagement or misappropriation of funds by the Successor Personal Representative. I request that:

bond be required in the amount of \$ \_\_\_\_\_; or

no bond

be required of \_\_\_\_\_, the nominated or appointed Successor Personal Representative of this estate.

Note that the cost of the bond will be paid out of the assets of the estate and could ultimately reduce your distribution.

Under penalties for perjury, I declare or affirm that I have read this documents and I know or believe its representations are true and complete.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

Attorney for \_\_\_\_\_:  
Name: \_\_\_\_\_  
Firm Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Attorney License No.: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

STATE OF MINNESOTA  
COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT  
DISTRICT COURT  
PROBATE DIVISION

Court File No.: \_\_\_\_\_

Estate of

ACCEPTANCE OF APPOINTMENT  
AS SUCCESSOR PERSONAL  
REPRESENTATIVE  
AND OATH BY INDIVIDUAL

\_\_\_\_\_,  
Decedent

STATE OF MINNESOTA

COUNTY OF \_\_\_\_\_

} ss.

I, \_\_\_\_\_, residing at: \_\_\_\_\_

\_\_\_\_\_, as a condition to receiving letters as Successor Personal Representative in this Estate, (1) accept the duties of the office, (2) agree to be bound by the provisions of the statutes relating to the office, (3) submit to the jurisdiction of the Court in any proceeding relating to this Estate, and (4) swear that I will faithfully perform all duties of the office that I now assume to the best of my ability.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Successor Personal Representative

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK):

Signed and sworn to (or affirmed) before me on \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
Signature of Notary Public or Other Official

Attorney for Successor Personal Representative

Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Attorney License No.: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

STATE OF MINNESOTA  
COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT  
DISTRICT COURT  
PROBATE DIVISION

Court File No. \_\_\_\_\_

Estate of

**ORDER FOR FORMAL APPOINTMENT OF  
SUCCESSOR PERSONAL REPRESENTATIVE**

\_\_\_\_\_,

**Decedent**

The Petition for the Formal Appointment of Successor Personal Representative, signed by \_\_\_\_\_ came before this Court on \_\_\_\_\_. The Court, having considered the Petition, determines the following:

1. The Petition is complete.
2. The Petitioner has adopted the statements in the Petition for Formal Appointment of the preceding Personal Representative except as specifically changed or corrected as set forth in the Petitioner's Petition.
3. The person appointed below as Successor Personal Representative has priority under Minn. Stat. 524.3-203 and is entitled to be appointed Successor Personal Representative and is willing to serve and is not disqualified to serve as Successor Personal Representative.
4. Any notice required by Minnesota law has been given.

**IT IS ORDERED:**

1. The Petition is granted.
2. \_\_\_\_\_ is formally appointed as the Successor Personal Representative of Decedent's Estate in  an unsupervised in  a supervised administration, with no bond.
3. Upon filing any required bond and statement of acceptance and oath, appropriate letters will be issued.

**BY THE COURT**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judge of District Court

**STATE OF MINNESOTA**  
**COUNTY OF RAMSEY**

**SECOND JUDICIAL DISTRICT**  
**DISTRICT COURT**  
**PROBATE DIVISION**

**Court File No.:** \_\_\_\_\_

**Estate of**

\_\_\_\_\_ ,

**Decedent**

**SUCCESSOR LETTERS**

**TESTAMENTARY**

**OF GENERAL ADMINISTRATION**

1. The Decedent died on \_\_\_\_\_.

2. \_\_\_\_\_ has been appointed successor Personal Representative of Decedent's Estate in

- an informal unsupervised
- a formal unsupervised
- a supervised administration

and is now qualified to act as Successor Personal Representative of the Estate and has authority to administer the Estate according to law.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judge of District Court

STATE OF MINNESOTA  
COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT  
DISTRICT COURT  
PROBATE DIVISION

Court File No. \_\_\_\_\_

Estate of \_\_\_\_\_,  
Decedent

**DELIVERY TO AND RECEIPT BY SUCCESSOR  
PERSONAL REPRESENTATIVE**

- 
1. I, \_\_\_\_\_, am the Personal Representative of the Decedent's Estate.
2. By this instrument, I now deliver to \_\_\_\_\_, the Successor Personal Representative of the Estate, the following assets:

Homestead	\$	_____
Other Real Estate	\$	_____
Cash	\$	_____
Securities	\$	_____
Joint Tenancy	\$	_____
Insurance	\$	_____

3. I certify that the assets listed in Paragraph 2 constitute all of the assets of the Estate under my control.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Personal Representative

I, \_\_\_\_\_, the Successor Personal Representative of the Estate, acknowledge receipt of the assets listed above from the Personal Representative.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Successor Personal Representative

STATE OF MINNESOTA  
COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT  
DISTRICT COURT  
PROBATE DIVISION

Court File No. \_\_\_\_\_

Estate of

UNSUPERVISED SUCCESSOR  
PERSONAL REPRESENTATIVE'S  
STATEMENT TO CLOSE

\_\_\_\_\_

Decedent

STATE OF MINNESOTA

COUNTY OF \_\_\_\_\_

} ss.

I, \_\_\_\_\_, the Successor Personal Representative of the Estate, state that I (or a prior Personal Representative whom I have succeeded) have:

1. Published notice to creditors. The date of the notice was more than four months prior to the date of this statement.
2. Fully administered this Estate by making payment, settlement or other disposition of all claims which were presented, expenses of administration, estate and other taxes, except as specified in this statement.
3. Inventoried the assets of the Estate and distributed them to the persons entitled to them. Listed are all unpaid claims, expenses or taxes which remain undischarged (if none, so state; otherwise state in detail other arrangements which have been made to accommodate all outstanding liabilities): \_\_\_\_\_
4. Sent a copy of this statement to all distributees of this Estate and to all creditors or other claimants whose claims are neither paid nor barred and have furnished a full account in writing of this administration to the distributees whose interests are affected by the administration of this Estate.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

This statement is filed for the purpose of closing this Estate and terminating my appointment as Successor Personal Representative of the Estate.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Successor Personal Representative

Notary Stamp or Seal (or other Title or Rank)

Signed and sworn to (or affirmed) before me on \_\_\_\_\_ by \_\_\_\_\_, Successor Personal Representative.

\_\_\_\_\_  
Signature of Notary Public or Other Official

Attorney for Successor Personal Representative:

Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Attorney License No.: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_