

THE COURTS

Title 231—RULES OF CIVIL PROCEDURE

PART II. ORPHANS' COURT RULES

[231 PA. CODE PART II]

Order Amending Rules 1.7, 1.8, 2.1, 2.5, 2.7, 3.5, 3.7, 4.3, 4.6, 5.1, 5.3, 5.4, 7.1, 10.1, 10.5 and the Index of the Appendix of the Pennsylvania Orphans' Court Rules, and Rescinding and Replacing Forms OC-01 through OC-05 and RW-03 through RW-10; No. 808 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 31st day of October, 2019, upon the recommendation of the Orphans' Court Procedural Rules Committee; the proposal in part having been published for public comment at 48 Pa.B. 486 (January 20, 2018), 48 Pa.B. 728 (February 3, 2018), 48 Pa.B. 1271 (March 3, 2018), and 48 Pa.B. 3571 (June 16, 2018):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that:

1) Rules 1.7, 1.8, 2.1, 2.5, 2.7, 3.5, 3.7, 4.3, 4.6, 5.1, 5.3, 5.4, 7.1, 10.1, 10.5 and the Index to Appendix of the Pennsylvania Orphans' Court Rules are amended; and

2) Forms OC-01 through OC-05 and RW-03 through RW-10 are rescinded and replaced

in the following form. This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on January 1, 2020.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART II. ORPHANS' COURT RULES

CHAPTER I. PRELIMINARY RULES

Rule 1.7. Entry and Withdrawal of Counsel.

(a) *Appearance*. Any counsel appearing before the court or the Register shall enter a written appearance by any one of the following means:

(1) filing an entry of appearance with the clerk or the Register;

(2) signing a legal paper that is filed with the clerk or the Register; or

(3) as prescribed by local rule, which may include submitting an appearance slip to the court, entering counsel's information when a legal paper is filed, or signing a cover sheet.

(b) *Withdrawal*. Counsel who has entered an appearance before the court as provided in subparagraph (a) shall not be permitted to withdraw without filing a petition to withdraw and obtaining the court's leave, unless co-counsel, if any, will continue representing the party or there is a simultaneous entry of appearance by other counsel that will not delay the litigation.

Note: Rule 1.7 has no counterpart in former Orphans' Court Rules, but is based upon many local rules of similar import.

Explanatory Comment: Admission *pro hac vice* in accordance with Pennsylvania Bar Admission Rule 301 shall proceed by request, the disposition and content of which shall conform to the requirements of Pennsylvania Rule of Civil Procedure No. 1012.1.

This rule does not address the procedure for withdrawal of counsel who has entered an appearance before the Register. Withdrawal of counsel before the Register shall be in accordance with local rule or at the discretion of the Register.

Rule 1.8. Forms.

(a) The forms approved by the Supreme Court for statewide practice and procedure before the Registers and courts shall be used exclusively **and accepted for filing** by all Registers and clerks; **provided, however, versions of a Supreme Court-approved form shall be acceptable for filing if identical in content and sequential ordering.** [Where a Supreme Court-approved form exists, no other form shall be allowed or required by local rule or practice.]

(b) The forms approved by the Supreme Court for statewide practice are set forth in an Appendix to these Rules. The forms may be revised and supplemented from time to time. The forms shall also be maintained for public access at the official website of the Administrative Office of Pennsylvania Courts.

(c) A court may require a legal paper to be accompanied by a cover sheet or checklist. A court that imposes such requirements must promulgate a local rule, numbered Local Rule 1.8(c), stating the requirements and setting forth the form of the cover sheet or checklist.

Note: Rule 1.8 is substantively similar to former Rule 1.3, but with some modifications.

Explanatory Comment: [Rule 1.8 has been modified from former Rule 1.3 by now mandating the exclusive use of statewide forms promulgated by the Supreme Court. Previously, forms approved or mandated for use pursuant to local rule could be accepted by the local register and clerk so long as the local register and clerk also permitted and accepted forms promulgated by the Supreme Court. Now, if the Supreme Court has promulgated or approved a form for use before the register or clerk, then such form is the only one that may be used by the applicant or petitioner and is the only one that can be accepted by the local register or clerk.] The [mandatory] statewide forms are set forth in the Appendix attached hereto. The current website for electronic access to the forms is found at www.pacourts.us/ forms under the For-the-Public category. The forms posted on the website are capable of on-line completion.

In 2019, Rule 1.8 was revised to permit versions of Supreme Court forms to be accepted for filing, provided the replication was identical in content. This revision was intended to permit forms to differ stylistically as to format if content requirements do not differ. This revision was not intended to permit the re-ordering of content required by a form.

CHAPTER II. ACCOUNTS, OBJECTIONS AND DISTRIBUTIONS

Rule 2.1. Form of Account.

* * * * *

(b) As illustrated in the Model Accounts, Accounts shall conform to the following rules:

(1) The dates of all receipts, disbursements and distributions, the sources of the receipts, and the persons to whom disbursements and distributions are made and the purpose thereof shall be stated. When a number of payments have been received from the same source or disbursed or distributed to the same recipient for the same purpose over a period of time, such receipts, disbursements or distributions need not be itemized, but may be stated in total amounts only, with beginning and ending dates within the period covered.

(2) Except where otherwise provided by an order of the court in a particular matter, principal and income shall be accounted for separately within the Account.

(3) Assets held by the accountant on the closing date of the Account shall be separately itemized.

(4) Every Account shall contain:

(i) a cover page;

(ii) a summary page with page references;

(iii) separate schedules, as needed, which set forth receipts, gains or losses on sales or other dispositions, disbursements, distributions, investments made, changes in holdings, and other schedules as appropriate; and

(iv) signature [**and verification**] pages signed by all the accountants stating the Account and verified by at least one of the accountants. The verification of a personal representative's Account shall contain a statement that the Grant of Letters and the first complete advertisement thereof occurred more than four months before the filing of the Account, unless the personal representative has been directed by the court to file an Account prior to that time.

* * * * *

Rule 2.5. Notice of Account Filing.

(a) No Account shall be confirmed or statement of proposed distribution approved unless the accountant has given written notice of the filing of the Account as provided in subparagraph (d) of this Rule to the following, as applicable:

(1) every unpaid claimant who has given written notice of his or her claim to the accountant or who has performed any action that is the equivalent of giving written notice as provided in 20 Pa.C.S. §§ 3384 or 7755;

(2) any other individual or entity with an asserted claim known to the accountant that is not shown in either the Account or the petition for adjudication/statement of proposed distribution as being either paid in full or to be paid in full;

(3) any other individual or entity known to the accountant to have or claim an interest in the estate or trust as a beneficiary, heir, or next of kin, except for those legatees or claimants whose legacies or claims have been satisfied in full as reflected in the Account or will be satisfied in full as proposed in the petition for adjudication/statement of proposed distribution; [**and**]

(4) [**For**] **for** an Account where a charitable interest is involved, refer to Rule 4.4[.]; **and**

(5) to each co-fiduciary who does not join in the statement of Account.

(b) Notice to an individual or entity shall be given in accordance with Rule 4.2; provided, however, that if the

individual or entity is represented by counsel who has entered his or her appearance in accordance with Rule 1.7(a), notice shall be given to counsel and the individual or entity.

(c) If the proposed distribution is to an estate **having a charitable interest** or to a trust, and a charity is a "qualified beneficiary," as defined in 20 Pa.C.S. § 7703, of that [**recipient estate or**] trust, then notice shall be given to the Attorney General on behalf of the charitable beneficiary. If the proposed distribution is to an estate or trust and any one of the accountants stating the Account is a personal representative or a trustee of the recipient estate or trust, then notice shall also be given to the beneficiaries of the estate or trust, to the extent known.

(d) Written notice, as provided in subparagraph (a) of this Rule, shall be mailed at least 20 days prior to the audit in those counties having a separate Orphans' Court Division or 20 days prior to the date by which objections must be filed in all other counties, and the written notice shall state the date of the audit or the date by which objections must be filed, and the time and place of the audit, if one is to be held, to the extent then known. **A party residing outside of the United States shall have 60 days, rather than 20 days, within which to file an objection.** If an audit is to be held and the **date**, time, and place of the audit is not known at the time the notice is mailed, the notice shall state that the **date**, time, and place of the audit will be provided upon request. A copy of the Account, petition for adjudication/statement of proposed distribution, and any legal paper filed therewith shall be sent with the notice, unless the recipient of the notice is a trust beneficiary who is not a "qualified beneficiary" as defined in 20 Pa.C.S. § 7703, or unless the court orders otherwise in a particular matter.

* * * * *

Note: Although substantially modified, Rule 2.5 is derived from former Rule 6.3.

Explanatory Comment: Pursuant to the cross-references to 20 Pa.C.S. §§ 3384 and 7755, notice of the claim given to accountant's counsel of record is notice to the accountant. See 20 Pa.C.S. § 3384(b)(4). If the court is inclined not to agree with accountant's position, interpretation or proposed disbursements and distribution, best practice would be for the court to direct the accountant to notify the interested parties of the court's position and what additional action must be taken by any interested party who objects to the court's position.

It is permissible for a party to waive the written notice required by this Rule.

Rule 2.7. Objections to Accounts or Petitions for Adjudication/Statements of Proposed Distribution.

(a) Objections to an Account and/or a petition for adjudication/statement of proposed distribution shall be filed with the clerk on or before the time and date of the audit in those counties holding an audit, and by a specified date in all other counties, with a copy [**sent by first-class United States mail, postage prepaid, to**] **served on** the accountant or the accountant's counsel, if represented, and to each interested party and claimant who received the notice pursuant to Rule 2.5, to the extent known, **pursuant to Rule 4.3.**

* * * * *

CHAPTER III. PETITION PRACTICE AND PLEADING

Part A. Petition Practice

Rule 3.5. Mode of Proceeding on Petition.

* * * * *

Note: Subparagraphs (a) and (b) of Rule 3.5 are derived from former Rule 3.5. The final sentence of subparagraph (a)(2) is identical to former Rule 3.7(h)(1); it merely has been relocated to this section. [Subparagraphs (c) and (d)] Subparagraph (c) of this Rule [have] has no counterpart in former Orphans' Court Rules.

* * * * *

Part B. Responsive Pleadings

Rule 3.7. Time for Filing and Service of Responsive Pleadings.

* * * * *

(b) A copy of the responsive pleading shall be [sent to] served on the petitioner or his or her counsel, if represented, and all interested parties identified in the petition or counsel representing an interested party if so identified in the petition or in a subsequent pleading[. A certificate of service, listing the names and addresses of those individuals and entities receiving a copy of the responsive pleading shall be appended to, or filed contemporaneously with, the responsive pleading] pursuant to Rule 4.3.

* * * * *

CHAPTER IV. FORMAT AND SERVICE OF LEGAL PAPER BY PARTIES AND COURT; ELECTRONIC FILING

Rule 4.3. Service of Legal Paper Other than Citations or Notices.

* * * * *

(e) Service by mail is complete upon mailing, and service by facsimile is complete when transmission is confirmed. Electronic service is complete when the legal paper is sent to the recipient's email address, or when the recipient is notified by email that a legal paper affecting the recipient has been filed and is available for review on the court's website.

(f) A certificate of service shall be attached to any legal paper filed or served pursuant to this Rule, setting forth the manner of service and listing the names and addresses of those individuals and entities served with the legal paper.

Note: Most of Rule 4.4 has no counterpart in former Orphans' Court Rules, but is based on Pa.R.C.P. No. 440 with modifications. Subparagraph (d) of this Rule is identical to former Rule 3.7(h)(2); it merely has been reformatted and relocated to this Chapter IV.

Explanatory Comment: The Notes and Explanatory Comment appearing after Pa.R.C.P. No. 440 are fully incorporated by reference herein. Service of legal papers as provided in Rule 4.3 can occur even if the local judicial district has not implemented electronic filing.

Rule 4.6. Notice of the Date of Entry of an Adjudication or Court Order on the Docket.

(a) The clerk shall immediately give written notice of the entry of an adjudication or court order in a particular matter to each interested party's counsel of record or, if

unrepresented, to each interested party. The notice shall include a copy of the adjudication or court order.

(b) The clerk shall note in the docket the date when notice was given to the interested party or to his or her counsel under subparagraph (a) of this Rule.

Note: Rule 4.6 has no counterpart in former Orphans' Court Rule, but is derived from Pa.R.C.P. No. 236.

CHAPTER V. RULES GOVERNING SPECIFIC TYPES OF PETITIONS

Rule 5.1. Declaratory Judgment.

(a) Commencement of Action. An action for declaratory judgment shall be commenced by petition [and citation] pursuant to Rule 3.5 directed to the interested parties.

* * * * *

Note: Rule 5.1 has no counterpart in former Orphans' Court Rules, but is based upon Philadelphia Local Rule 1.2.P.

Explanatory Comment: See Rule 3.5(a) for the necessity of using a citation.

Rule 5.3. Intestate Share to Surviving Spouse from Real Estate.

(a) Contents of Petition. When no Account is filed and all or part of the spouse's intestate share under 20 Pa.C.S. § 2102 is claimed from real estate, the claim shall be presented by petition, which shall conform to the requirements provided by the Rules in Chapter III, and shall set forth the following:

- (1) facts establishing a prima facie right of the spouse to the statutory intestate share;
(2) a description of the property claimed; and
(3) if the [exemption] share is claimed from real estate and a valuation has not been agreed upon by all interested parties, the nomination of two appraisers for appointment by the court to appraise the same.

* * * * *

Rule 5.4. Revocation, [Vacating] Vacation or Extension of Time for Filing of Surviving Spouse's Election.

(a) Contents of Petition. In addition to the requirements provided by the Rules in Chapter III, a petition to revoke or vacate an election of a surviving spouse to take against the will and other conveyances of the decedent shall set forth the following:

- (1) the date of the decedent's death, whether a will has been probated and, if so, a reference to the place and date of probate;
(2) the name and capacity of the fiduciary of the decedent's estate, if any, and a reference to the record of his appointment;
(3) the name, address and relationship, if known, of the other interested parties and the nature and the extent of each of their interests;
(4) the names of the interested parties who have consented to the revocation or [vacating] vacation of the election and the names of those who have not consented;
(5) a description and valuation of the decedent's real and personal property affected by the election;

(6) the date and manner of executing the election desired to be revoked or vacated and whether the same has been recorded, registered or filed, and if so, the date and place thereof;

(7) whether the surviving spouse has made or executed and delivered at any place an election contrary to that desired to be revoked or vacated, and whether that election has been recorded, registered or filed, and if so, the date and place thereof;

(8) the facts relied upon to justify the revocation or **[vacating] vacation** of the election; and

(9) a request for a citation upon the interested parties who have not joined in the petition or who have not consented thereto to show cause why the election should not be revoked or vacated.

* * * * *

CHAPTER VII. RULES RELATING TO PRE-HEARING AND HEARING PROCEDURE

Rule 7.1. Depositions, Discovery, Production of Documents **[and]**, Perpetuation of Testimony, **and Subpoenas to Attend and Testify**.

The court, by local rule or order in a particular matter, may prescribe the practice relating to depositions, discovery, production of documents **[and]**, perpetuation of testimony, **and subpoenas to attend and testify**. To the extent not provided for by local rule or an order governing a particular matter, the practice relating to depositions, discovery, production of documents **[and]**, perpetuation of testimony, **and subpoenas to attend and testify** shall conform to the practice in the Trial or Civil Division of the local Court of Common Pleas.

Note: Rule 7.1 is **[identical to] derived from** former Rule 3.6.

CHAPTER X. REGISTER OF WILLS

Rule 10.1. Forms.

[The forms approved by the Supreme Court for statewide practice before the Register as set forth

in the Appendix shall be used. No other forms shall be allowed or required by local rule or practice in such instances.] The forms approved by the Supreme Court for statewide practice before the Register as set forth in the Appendix shall be used exclusively and accepted for filing by all Registers; provided, however, versions of a Supreme Court-approved form shall be acceptable for filing if identical in content and sequential ordering.

Note: Rule 10.1 is new, but is derived from former Rule 10.1.

Explanatory Comment: [Rule 10.1 has been modified from former Rule 10.1 by now mandating the exclusive use of statewide forms promulgated by the Supreme Court.] In 2019, Rule 10.1 was revised to permit versions of Supreme Court forms to be accepted for filing provided the replication was identical in content. This revision was intended to permit forms to differ stylistically as to format if content requirements do not differ. This revision was not intended to permit the re-ordering of content required by a form. See Rule 1.8.

Rule 10.5. Notice to Beneficiaries and Intestate Heirs.

(a) Within three (3) months after the grant of letters, the personal representative to whom original letters have been granted or the personal representative's counsel shall send a written notice of estate administration in the form approved by the Supreme Court to:

(1) every person, corporation, association, entity or other party named in decedent's will as **[an outright] a** beneficiary, whether individually or as a class member;

* * * * *

(8) the **[trustee] fiduciary** of any **estate or** trust which is a beneficiary **or, if the personal representative is a fiduciary of such estate or trust, then the beneficiaries of such estate or trust;** and

* * * * *

INDEX TO APPENDIX

ORPHANS' COURT AND REGISTER OF WILLS FORMS ADOPTED BY SUPREME COURT PURSUANT TO Pa. O.C. Rule 1.8

Available as Fill-in Forms on Website of Administrative Office of Pennsylvania Courts
<http://www.pacourts.us/forms/for-the-public/orphans-court-forms>

Orphans' Court and Administration Forms

A. Audit and Administration Forms

1. Decedent's Estate: Petition for Adjudication/Statement of Proposed Distribution Pursuant to Pa. O.C. Rule 2.4	OC-01
2. Trust: Petition for Adjudication/Statement of Proposed Distribution Pursuant to Pa. O.C. Rule 2.4	OC-02
3. Guardianship of Incapacitated Person: Petition for Adjudication/Statement of Proposed Distribution Pursuant to Pa. O.C. Rule 2.4	OC-03
4. Guardianship of Minor: Petition for Adjudication/Statement of Proposed Distribution Pursuant to Pa. O.C. Rule 2.4	OC-04
5. Principal's Estate (Under Power of Attorney): Petition for Adjudication/Statement of Proposed Distribution Pursuant to Pa. O.C. Rule 2.4	OC-05
6. Notice of Charitable Gift (In Accordance with Pa. O.C. Rule 4.4)	OC-06
7. Notice of Claim	OC-07

B. *Guardianship Forms*

1. Important Notice—Citation with Notice (Pa. O.C. Rule 14.2).....	G-01
2. Report of Guardian of the Estate	G-02
3. Report of Guardian of the Person	G-03
4. Guardian's Inventory for a Minor	G-04
5. Guardian's Inventory for an Incapacitated Person	G-05
6. Guardianship of Incapacitated Person: Petition for Adjudication/Statement of Proposed Distribution Pursuant to Pa. O.C. Rule 2.4	OC-03*
7. Guardianship of Minor: Petition for Adjudication/Statement of Proposed Distribution Pursuant to Pa. O.C. Rule 2.4	OC-04**
8. Expert Report	G-06
9. Notice of Filing	G-07

C. *Abortion Control Act Forms*

1. Minor's Application for Judicial Authorization of an Abortion (Pa. O.C. Rule 16.10).....	ACA-01
2. Confidential Unsworn Verification by a Minor (Pa. O.C. Rule 16.10).....	ACA-02

D. *Register of Wills Forms*

1. Estate Information Sheet	[RW-01] ***
[(Not adopted by Supreme Court; form promulgated by Department of Revenue and maintained with Register of Wills forms for convenience)]	
2. Petition for Grant of Letters	RW-02
3. Oath of Subscribing Witness(es).....	RW-03
4. Oath of Non-subscribing Witness(es)	RW-04
5. Oath of Witness(es) to Will Executed by Mark	RW-05
6. Renunciation	RW-06
7. Notice of Estate Administration Pursuant to Pa. O.C. Rule 10.5	RW-07
8. Certification of Notice under Pa. O.C. Rule 10.5.....	RW-08
9. Inventory	RW-09
10. Pa. O.C. Rule 10.6 Status Report	RW-10

E. *Model Forms of Account*

1. National Fiduciary Accounting Standards Project—1983 Report of Fiduciary Accounting Standards Committee
2. Model Estate Account
3. Model Trust Account
4. Model Charitable Remainder Unitrust Account

F. *Adoption Forms*

1. Notice of Orphans' Court Proceedings to be Filed With Clerk in Dependency Proceeding by Solicitor of County Agency (Pa. O.C. Rule 15.6(b))
a. Praecept to Clerk in Dependency Proceeding of Filing of a Petition to Terminate Parental Rights, Confirm Consent, or Adopt
b. Praecept to Clerk in Dependency Proceeding of Entry of Decision Disposing of Petition
c. Praecept to Clerk in Dependency Proceeding of Filing of Notice of Appeal
d. Praecept to Clerk in Dependency Proceeding of Entry of Decision Disposing of Appeal
2. Foreign Adoption Forms
a. Form for Registration of Foreign Adoption Decree (Pa. O.C. Rule 15.8), including Instructions for Filing Petition, Petition to Register Foreign Adoption Decree, and Proposed Final Decrees
b. Form Petition for Adoption of a Foreign Born Child (Pa. O.C. 15.9), including the Petition for Adoption of a Foreign Born Child, Report of the Intermediary, Verification of Translator, Preliminary Decree, and Final Decree

* Form OC-3 is not reprinted here and is located under Audit and Administration Forms at No. 3.

** Form OC-4 is not reprinted here and is located under Audit and Administration Forms at No. 4.

*** **The Estate Information Sheet is not a form adopted by the Supreme Court. It is available on the Department of Revenue website (www.revenue.pa.gov), and is no longer maintained with the Register of Wills Forms.**

DECEDENT'S ESTATE

COURT OF COMMON PLEAS OF

ORPHANS' COURT DIVISION

ESTATE OF _____, DECEASED

No. _____

**PETITION FOR ADJUDICATION /
STATEMENT OF PROPOSED DISTRIBUTION
PURSUANT TO Pa. O.C. Rule 2.4**

This form shall be used in all cases involving the Audit or Confirmation of the Account of a Decedent's Estate. If space is insufficient, riders may be attached. Attach the papers required under items 1, 2, 4, 8, 10, 16-19, as applicable, and any instrument pertinent to the adjudication.

INCLUDE ATTACHMENTS AT THE BACK OF THIS FORM.

Name of Counsel: _____

Supreme Court I.D. No.: _____

Name of Law Firm: _____

Address: _____

Telephone: _____

Fax: _____

Email: _____

Estate of _____, Deceased

1. Name(s) and address(es) of Petitioner(s):

Petitioner:

Petitioner:

Name: _____

Address: _____

Identify any Executors or Administrators who have not joined in the Petition for Adjudication/Statement of Proposed Distribution and/or the Account and state reason:

Is this the first accounting for this estate? Yes No
If not, identify prior accountings, the accounting periods covered, and the dates of adjudication of the prior accountings.

Pursuant to 20 Pa.C.S. § 3501.2, if property from a trustee, guardian, or agent acting under a power of attorney is being received into the estate, an Account of the administration of such trust, guardianship, or principal's estate may be annexed to the Estate Account. Is any such Account annexed to this Estate Account? Yes No

If so, the annexed Account and the appropriate fully completed Petition for Adjudication/Statement of Proposed Distribution for the annexed matter should be filed as Exhibits to this Petition.

2. Decedent died on _____ .

Letters Testamentary or Letters of Administration were granted to Petitioner(s) on _____

Date of Will (if applicable): _____

Date(s) of Codicil(s) (if applicable): _____

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

Was a bond required? Yes No If yes, state amount: _____

Are proofs of advertising of the grant of Letters attached? . . . Yes No

Dates of advertising of the grant of Letters: _____

Estate of _____, Deceased

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 N/A
(see 20 Pa.C.S. §§ 2201 et seq.)

If yes, attach a copy of the election and state date of election: _____

5. In the case of an intestacy, state the names of the decedent's surviving children or surviving issue of deceased children (if none, so state):

6. Did decedent marry after execution of Will or Codicil(s)? Yes No N/A

Were any children born to decedent after execution of Will or Codicil(s)? Yes No N/A

If yes, give names and dates of birth:

Name:

Date of Birth:

_____	_____
_____	_____
_____	_____
_____	_____

7. Was a request for a statement of claim, as required by the Medical Assistance Estate Recovery Act, 62 P.S. § 1412, sent to the Department of Human Services? Yes No N/A

Estate of _____, Deceased

8. Written notice of the Account's filing as required by Pa. O.C. Rule 2.5 has been or will be given to all interested parties listed in item 9 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. If one of the beneficiaries is a trust or another estate and any of the accountants is also a fiduciary of the receiving trust or estate, provide written notice of the Account's filing to the beneficiaries of the trust or receiving estate, as applicable, if known.
 - 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 or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions together with a statement executed by a Petitioner or counsel certifying that such Notice has been given.
 - C. If any such interested person is not *sui juris* (e.g., minors or incapacitated persons), Notice has been or will be given to the appropriate representative on such party's behalf as required by Pa. O.C. Rule 4.2.
 - D. If any charitable interest is involved, Notice has been or will also be given to the Attorney General as required under Pa. O.C. Rule 4.4. 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 or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions.
9. List all parties (charitable and non-charitable) of whom Petitioner(s) has/have notice or knowledge, having or claiming any interest in the estate as beneficiaries under the Will (if beneficiary is a trust, name the trust and trustee as the Interested Party) or Codicil(s) or as interstate heirs if there is a complete or partial intestacy. This list Shall:
 - A. State each party's relationship to the decedent and the nature of each party's interest(s):

Name and Address of Each Interested Party	Relationship and Comments, if any	Interest

Estate of _____, Deceased

Name and Address of Each Interested Party	Relationship and Comments, if any	Interest

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.

C. State why a Petition for Guardian/Trustee *Ad Litem* has or has not been filed (see Pa. O.C. Rule 5.5).

Estate of _____, Deceased

D. 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.

10. Other than the claim for the family exemption, list the names of all known claimants and the amount of their claims and state whether each claim is admitted.

<i>Name and Address of Each Claimant</i>	<i>Amount of Claim</i>	<i>Claim Admitted?</i>	<i>Will Claim Be Paid In Full?</i>
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

If the estate is insolvent, attach a schedule setting forth the order of preference under 20 Pa.C.S. § 3392 and the proposed payments.

Estate of _____, Deceased

11. Was family exemption claimed? Yes No

Was family exemption allowed? Yes No

Family exemption claimant's name and relationship:

Name: _____ Relationship: _____

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

<i>Date</i>	<i>Payment</i>	<i>Interest</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

13. On the date of death, was the decedent a fiduciary (personal representative, trustee, guardian, agent under power of attorney) or surety on the bond of a fiduciary? Yes No

If yes, provide the name of the estate, indicate whether an Account has been filed and confirmed and all awards performed, or, in the alternative, how the decedent's estate will be discharged for the decedent's fiduciary administration of the estate.

Estate of _____, Deceased

14. On the date of death, was the decedent a party (as a plaintiff or defendant) in any litigation? Yes No
If yes, provide the caption of the litigation, docket number, where the matter is currently pending, and its status.

15. A. Describe in detail any questions requiring adjudication and state the position of the Petitioner(s) as to each question:

B. Has notice of the question requiring adjudication been given to the parties identified in Paragraph 9 above? Yes No

16. If Petitioner(s) has/have 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 and list the attached documents below.

Estate of _____, Deceased

17. Had the decedent been adjudicated an incapacitated person? Yes No
If yes, attach a copy of the Order if available; otherwise state the Court, docket number, date, and name of Hearing Judge.

18. A. List or attach a separate list of additional receipts and disbursements since the closing date of the Account.

B. Has notice of the additional receipts and disbursements been given to the parties identified in Paragraph 9 above? Yes No

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

Amount: _____

Purpose:

If a reserve is requested for counsel fees, has notice of the amount of fees to be paid from the reserve been given to the interested parties ? Yes No
If so, attach a copy of the notice.

Estate of _____, Deceased

20. If prescribed by local rule as permitted by Pa. O.C. Rule 2.9, is the Court being asked to direct the filing of a Schedule of Distribution? . . . Yes No

As to real estate only? Yes No

Wherefore, your Petitioner(s) ask(s) that distribution be awarded to the parties entitled and suggest(s) 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>
_____	_____
_____	_____
_____	_____

B. Principal:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
_____	_____
_____	_____
_____	_____

Submitted By:
(All petitioners must sign. Place additional signatures on attachment if necessary):

Corporate Fiduciary (if applicable)

Name of Corporate Fiduciary

Name of Petitioner

Name of Representative and Title

Signature of Petitioner

Signature of Officer/Representative

Name of Petitioner

Signature of Petitioner

Estate of _____, Deceased

(Verification must be by at least one petitioner.)

Verification for Individual Petitioner

The undersigned hereby verifies that the averment of facts set forth in the foregoing Petition for Adjudication/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).

Date

Signature of Petitioner

Verification for Corporate Petitioner

The undersigned hereby verifies that *he/she* _____ is *title* _____ of the above-named *name of corporation* _____ and that the averment of facts set forth in the foregoing Petition for Adjudication/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).

Date

Signature of Representative for Corporate Petitioner

Certification of Counsel

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication/ Statement of Proposed Distribution is a true and accurate reproduction of the form Petition authorized by the Supreme Court, and that no changes to the form have been made beyond the responses herein.

Date

Signature of Counsel for Petitioner

TRUST

COURT OF COMMON PLEAS OF

ORPHANS' COURT DIVISION

NAME OF TRUST

(TRUST UNDER WILL OF _____

or

TRUST UNDER DEED OF _____

DATED _____)

No. _____

**PETITION FOR ADJUDICATION /
STATEMENT OF PROPOSED DISTRIBUTION
PURSUANT TO Pa. O.C. Rule 2.4**

This form shall be used in all cases involving the Audit or Confirmation of Trust Accounts. If space is insufficient, riders may be attached. Attach the papers required under items 2, 4, 15-19, as applicable, and any instrument pertinent to the adjudication.

INCLUDE ATTACHMENTS AT THE BACK OF THIS FORM.

Name of Counsel: _____

Supreme Court I.D. No.: _____

Name of Law Firm: _____

Address: _____

Telephone: _____

Fax: _____

Email: _____

Name of Trust: _____

1. Name(s) and address(es) of Petitioner(s):

Petitioner:

Petitioner:

Name: _____

Address: _____

Identify any Trustees who have not joined in the Petition for Adjudication/Statement of Proposed Distribution and/or the Account and state reason:

- 2. Pursuant to 20 Pa.C.S. § 7799.1, if property from a personal representative or a trustee of another trust is being received by this Trust, an Account of the administration of such estate or trust may be annexed to the Trust Account. Is any such Account annexed to this Trust Account? Yes No

If so, the annexed Account and the appropriate fully completed Petition for Adjudication/Statement of Proposed Distribution for the annexed matter should be filed as Exhibits to this Petition.

3. Check if any of the following issues are involved in this case:

- A. Appointment of Trustee
- B. Interpretation
- C. Discharge of Trustee
- D. Transfer of Situs
- E. Appointment of *Ad Litem*
- F. Minor, Unborn or Unascertained Beneficiary(ies)
- G. Principal Distribution
- H. Partial/Full Termination of Trust
- I. Missing Beneficiary(ies)
- J. *Cy Pres*
- K. Other Issues

List:

Name of Trust: _____

Please note:

A detailed explanation of issues checked should be set forth at item 14 below.

4. Testamentary Trust:

Decedents' date of death: _____

Date of Decedents' Will: _____

Date(s) of Codicil(s): _____

Date of probate: _____

Judicial District or County where Letters were issued: *or*

Inter Vivos Trust:

Date of Trust: _____

Date(s) of Amendment(s): _____

If Settlor is deceased and letters were not issued or the personal representative did not advertise the estate, state dates when the Trustee advertised Settlor's death and attach proofs of advertising:

Is this inter vivos trust a Special Needs Trust established under 42 U.S.C. § 1396p(d)(4)? Yes No

5. Explain why venue is proper before this Court (see 20 Pa.C.S. § 7714), and why the Trust's situs is located in this judicial district or county (see 20 Pa.C.S. § 7708).

6. A. If any other Court has taken jurisdiction of any matter relating to this Trust, explain:

B. Is this the first accounting of this Trust? Yes No

Name of Trust: _____

C. If not, identify prior accountings, the accounting periods covered, and the dates of adjudication of the prior accountings.

7. A. State how each Trustee was appointed:

B If a Petitioner is not a Trustee (e.g., executor or administrator of deceased trustee, agent, or guardian of an incapacitated trustee), explain:

8. State how and when the present fund was awarded to Trustee(s):

9. Period covered by this Account: _____ to _____.

10. Current fair market value of the Trust principal is \$ _____
(see page _____ of Account.)

11. State concisely the dispositive provisions of the Trust:

Name of Trust: _____

12. 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):

13. A. State the amount of Pennsylvania Transfer Inheritance Tax paid (including postponed tax on remainder interests), the dates of payment and the interests upon which such amounts were paid:

<i>Date</i>	<i>Payment</i>	<i>Interest</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. If any such taxes remain unpaid or are in dispute, explain:

14. Describe any questions requiring adjudication, state the position of Petitioner(s) as to each question, and give details of any issues identified in item 3:

15. Written notice of the Account's filing as required by Pa. O.C. Rule 2.5 has been or will be given to all interested parties listed in item 16 below. If any person is being asked to represent the interests of another interested party (whether *sui juris* or not), the person asked to serve as a representative has been so notified and given an opportunity to decline pursuant to 20 Pa.C.S. § 7725. In addition, notice of any questions requiring adjudication as discussed in item 14 above has been or will be given to all persons affected thereby. If one of the beneficiaries is a trust or estate and any of the accountants is also a fiduciary of the receiving trust or estate, provide written notice of the Account's filing to the beneficiaries of the receiving trust or estate, as applicable, if known.

Name of Trust: _____

- 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. Unless contained in the attached Notice, attach a copy of the written notice provided to any person who is being asked to represent another or attach such person's consent to serve.
 - 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 or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions together with a statement executed by Petitioner(s) or counsel certifying that such Notice has been given. Unless contained in the Notice or previously attached, a copy of the written notice provided to any person who is being asked to represent another or such person's consent to serve shall be submitted at the Audit or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions.
 - C. If any such interested party is not *sui juris* (e.g., minors or incapacitated persons), Notice has been or will be given to the appropriate representative on such party's behalf as required by Pa. O.C. Rule 4.2.
 - D. If any charitable interest is involved, Notice has been or will also be given to the Attorney General as required under Pa. O.C. Rule 4.4. 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 or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions.
 - E. If the Account before the Court is a Special Needs Trust established under 42 U.S.C. § 1396p(d)(4), Notice has been or will also be given to the Pennsylvania Department of Human Services, Special Needs Trust Depository and to the applicable department of any other state that has provided the special needs beneficiary with medical care under a state medical assistance program ("Department"). In addition, the Department's letter of no objection (or proof of service of Notice and a copy of such Notice) must be submitted herewith or at the Audit or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions.
16. List all parties of whom Petitioner(s) has/have notice or knowledge, having or claiming any interest in the Trust (if beneficiary is a trust, name the trust and trustee as the Interested Party), 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);

Name and Address of Each Interested Party	Relationship and Comments, if any	Interest

Name of Trust: _____

Name and Address of Each Interested Party	Relationship and Comments if Any	Interest

B. If any interested party (whether *sui juris* or not) is not receiving Notice of the filing of the Account and the Petition for Adjudication/Statement of Proposed Distribution because another individual is proposed to represent such interested party pursuant to 20 Pa.C.S. §§ 7721-7726, provide the information below for each proposed representative. If there is more than one proposed representative, attach a rider setting forth the information below for each additional proposed representative:

(i) Name of Proposed Representative: _____
 Describe Proposed Representative's Interest(s) in Trust:

Name of the interested parties or description of the class of interested parties whom the person named above is to represent and describe such persons' interest in Trust:

(ii) Has any person who is proposed to be represented as identified in the question above notified a Trustee in writing that he or she objects to such representation? Yes No
 If yes, provide Name(s) of Person(s) objecting to being represented:

(iii) Specify the subparagraph(s) under 20 Pa. C.S. § 7723 authorizing representation:

(iv) Is there any conflict of interest? Yes No
 If yes, explain conflict and why representation should be permitted:

Name of Trust: _____

- (v) Has Proposed Representative provided written consent? Yes No
- If no, has Proposed Representative declined in writing to act in the representative capacity as requested? Yes No

If Proposed Representative has neither consented to act in writing nor declined in writing to act, provide date of the letter in which Proposed Representative was notified that he or she is to represent another person or class of interested parties: _____

- C. 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.

- D. State why a Petition for Guardian/Trustee *Ad Litem* has or has not been filed (see Pa. O.C. Rule 5.5).

- E. 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.

Name of Trust: _____

17. If Petitioner(s) has/have knowledge that a Trust share has been assigned, renounced, disclaimed, or attached, provide a copy of the assignment, renunciation, disclaimer, or attachment, together with any relevant supporting documentation and list the attached documents below.

18. If a Trustee's principal commission is claimed:

A. If based on a written agreement, attach a copy thereof.

B. If a principal commission is claimed, state amount. \$ _____

C. If a principal commission is claimed, state the amounts and dates of any principal commissions previously paid in prior accounting periods.

_____	_____
_____	_____
_____	_____
_____	_____

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

Amount: _____

Purpose: _____

If a reserve is requested for counsel fees, has notice of the amount of fees to be paid from the reserve been given to the interested parties? Yes No

If so, attach a copy of the notice.

20. If prescribed by local rule as permitted by Pa. O.C. Rule 2.9, is the Court being asked to direct the filing of a Schedule of Distribution? Yes No

Name of Trust: _____

Wherefore, your Petitioner(s) ask(s) that distribution be awarded to the parties entitled and suggest(s) 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>
_____	_____
_____	_____
_____	_____

B. Principal:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
_____	_____
_____	_____
_____	_____

Submitted By:
(All petitioners must sign. Place additional signatures on attachment if necessary):

Corporate Fiduciary (if applicable)

Name of Corporate Fiduciary

Name of Petitioner

Name of Representative and Title

Signature of Petitioner

Signature of Officer/Representative

Name of Petitioner

Signature of Petitioner

Name of Trust: _____

(Verification must be by at least one petitioner.)

Verification for Individual Petitioner

The undersigned hereby verifies that the averment of facts set forth in the foregoing Petition for Adjudication/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).

Date

Signature of Petitioner

Verification for Corporate Petitioner

The undersigned hereby verifies that *he/she* _____ is
title _____ of the above-named *name of corporation* _____ and that the averment of facts set forth in the foregoing Petition for Adjudication/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).

Date

Signature of Representative for Corporate
Petitioner

Certification of Counsel

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication/ Statement of Proposed Distribution is a true and accurate reproduction of the form Petition authorized by the Supreme Court, and that no changes to the form have been made beyond the responses herein.

Date

Signature of Counsel for Petitioner

GUARDIANSHIP OF INCAPACITATED PERSON

COURT OF COMMON PLEAS OF

ORPHANS' COURT DIVISION

ESTATE OF _____, AN INCAPACITATED PERSON,
ACCOUNT OF _____ GUARDIAN

No. _____

**PETITION FOR ADJUDICATION /
STATEMENT OF PROPOSED DISTRIBUTION
PURSUANT TO Pa. O.C. Rule 2.4**

This form shall be used in all cases involving the Audit or Confirmation of the Account of a Guardian of the Estate of an incapacitated person. If space is insufficient, riders may be attached. Attach the papers required under items 2, 3, and 5, as applicable, and any additional decree or instrument pertinent to the adjudication.

INCLUDE ATTACHMENTS AT THE BACK OF THIS FORM.

Name of Counsel: _____

Supreme Court I.D. No.: _____

Name of Law Firm: _____

Address: _____

Telephone: _____

Fax: _____

Email: _____

Estate of _____, An Incapacitated Person

1. Name(s) and address(es) of Petitioner(s):

Petitioner:	Petitioner:
Name: _____	_____
Address: _____	_____
_____	_____

Identify any Guardians of the Estate who have not joined in the Petition for Adjudication/Statement of Proposed Distribution and/or the Account and state reason:

2. Judicial District or County issuing Adjudication of Incapacity: _____

Date of Adjudication of Incapacity: _____
Date of Appointment as Guardian: _____
Attach copy of Decree(s).

3. A. 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 available. If incapacitated person has been adjudged to have regained capacity, state date of Decree and attach a copy. If Account is filed for any other reason, state address of incapacitated person):

B. Is this the first accounting for this estate? Yes No
If not, identify prior accountings, the accounting periods covered, and the dates of adjudication of the prior accountings.

4. A. Identify each unpaid claim against the incapacitated person or the incapacitated person's estate and describe each in detail (if none, so state):

Estate of _____, An Incapacitated Person

B. Describe in detail any questions requiring adjudication and state the position of the Petitioner(s) as to each question:

C. If guardian or attorney fees are being claimed, state amount and the period covered for the requested fees:

5. Written Notice of the Account's filing as required by Pa. O.C. Rule 2.5 has been or will be given to all interested parties listed in item 6 below. In addition, notice of any known unpaid claim not admitted, all questions requiring adjudication and any requested fees as discussed in item 4 above 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 or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions together with a statement executed by a Petitioner or counsel certifying that such Notice has been given.
 - C. If any such interested party is not *sui juris* (e.g., minors or incapacitated persons), Notice of the Account's filing has been or will be given to the appropriate representative on such party's behalf as required by Pa. O.C. Rule 4.2.

THE COURTS

Estate of _____, An Incapacitated Person

6. List all parties of whom Petitioner(s) has/have 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):

Name and Address of Each Interested Party	Relationship and Comments, if any	Interest

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.

C. State why a Petition for Guardian/Trustee *Ad Litem* has or has not been filed (see Pa. O.C. Rule 5.5).

7. If prescribed by local rule as permitted by Pa. O.C. Rule 2.9, is the Court being asked to direct the filing of a Schedule of Distribution? Yes No

Estate of _____, An Incapacitated Person

Wherefore, your Petitioner(s) ask(s) that distribution be awarded to the parties entitled and suggest(s) 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>
_____	_____
_____	_____

B. Principal:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
_____	_____
_____	_____

Submitted By:
(All petitioners must sign. Place additional signatures on attachment if necessary):

Corporate Fiduciary (if applicable)

_____	_____
Name of Corporate Fiduciary	Name of Petitioner
_____	_____
Name of Representative and Title	Signature of Petitioner
_____	_____
Signature of Officer/Representative	Name of Petitioner

	Signature of Petitioner

Estate of _____, An Incapacitated Person

(Verification must be by at least one petitioner.)

Verification for Individual Petitioner

The undersigned hereby verifies that the averment of facts set forth in the foregoing Petition for Adjudication/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).

Date

Signature of Petitioner

Verification for Corporate Petitioner

The undersigned hereby verifies that *he/she* _____ is
title _____ of the above-named *name of corporation* _____ and that the averment of facts set forth in the foregoing Petition for Adjudication/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).

Date

Signature of Representative for
Corporate Petitioner

Certification of Counsel

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication/ Statement of Proposed Distribution is a true and accurate reproduction of the form Petition authorized by the Supreme Court, and that no changes to the form have been made beyond the responses herein.

Date

Signature of Counsel for Petitioner

GUARDIANSHIP OF MINOR

COURT OF COMMON PLEAS OF

ORPHANS' COURT DIVISION

ESTATE OF _____, A MINOR

ACCOUNT OF _____, GUARDIAN

No. _____

**PETITION FOR ADJUDICATION /
STATEMENT OF PROPOSED DISTRIBUTION
PURSUANT TO Pa. O.C. Rule 2.4**

This form shall be used in all cases involving the Audit or Confirmation of the Account of a Guardian of the Estate of a minor or late minor. If space is insufficient, riders may be attached. Attach the papers required under items 2 and 5, as applicable, and any instrument pertinent to the adjudication.

INCLUDE ATTACHMENTS AT THE BACK OF THIS FORM.

Name of Counsel: _____

Supreme Court I.D. No.: _____

Name of Law Firm: _____

Address: _____

Telephone: _____

Fax: _____

Email: _____

Estate of _____, A Minor

1. Name(s) and address(es) of Petitioner(s):

Petitioner: Name: _____ Address: _____ _____	Petitioner: Name: _____ Address: _____ _____
---	---

Identify any Guardian of the Estate who has not joined in the Petition for Adjudication/Statement of Proposed Distribution and/or the Account and state reason:

2. Judicial District or County Appointing Guardian: _____

Date of Appointment as Guardian: _____
Attach copy of Decree(s).

3. A. Explain the reason for filing this Account (if minor has come of age, state date minor attained majority).

B. Is this the first accounting for this estate? Yes No
If not, identify prior accountings, the accounting periods covered, and the dates of adjudication of the prior accountings.

4. A. Identify each unpaid claim against the minor or the minor's estate and describe in detail (if none, so state):

Estate of _____, A Minor

B. Describe in detail any questions requiring adjudication and state the position of the Petitioner(s) as to each question:

C. If guardian or attorney fees are being claimed, state amount and the period covered for the requested fees:

5. Written Notice of the Account's filing as required by Pa. O.C. Rule 2.5 has been or will be given to all interested parties listed in item 6 below. In addition, notice of any unpaid claim not admitted, all questions requiring adjudication, and any requested fees as discussed in item 4 above 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 or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions together with a statement executed by a Petitioner or counsel certifying that such Notice has been given.
 - C. If any such interested party is not *sui juris* (e.g., minors or incapacitated persons), Notice of the Account's filing has been or will be given to the appropriate representative on such party's behalf as required by Pa. O.C. Rule 4.2.

Estate of _____, A Minor

- 6. List all parties of whom Petitioner(s) has/have notice or knowledge, having or claiming any interest in the estate, including the minor's heirs at law. This list shall:

- A. State each party's relationship to the minor and the nature of each party's interest(s):

Name and Address of Each Interested Party	Relationship and Comments, if any	Interest

- 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.

- C. State why a Petition for Guardian/Trustee *Ad Litem* has or has not been filed (see Pa. O.C. Rule 5.5).

- 7. If prescribed by local rule as permitted by Pa. O.C. Rule 2.9, is the Court being asked to direct the filing of a Schedule of Distribution? Yes No

Estate of _____, A Minor

Wherefore, your Petitioner(s) ask(s) that distribution be awarded to the parties entitled and suggest(s) 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>
_____	_____
_____	_____

B. Principal:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
_____	_____
_____	_____

Submitted By:
(All petitioners must sign. Place additional signatures on attachment if necessary):

Corporate Fiduciary (if applicable)

Name of Corporate Fiduciary

Name of Petitioner

Name of Representative and Title

Signature of Petitioner

Signature of Officer/Representative

Name of Petitioner

Signature of Petitioner

Estate of _____, A Minor

(Verification must be by at least one petitioner.)

Verification for Individual Petitioner

The undersigned hereby verifies that the averment of facts set forth in the foregoing Petition for Adjudication/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).

Date

Signature of Petitioner

Verification for Corporate Petitioner

The undersigned hereby verifies that *he/she* _____ is *title* _____ of the above-named *name* of corporation _____ and that the averment of facts set forth in the foregoing Petition for Adjudication/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).

Date

Signature of Representative for Corporate Petitioner

Certification of Counsel

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication/ Statement of Proposed Distribution is a true and accurate reproduction of the form Petition authorized by the Supreme Court, and that no changes to the form have been made beyond the responses herein.

Date

Signature of Counsel for Petitioner

**PRINCIPAL'S ESTATE
(Under Power of Attorney)**

COURT OF COMMON PLEAS OF

ORPHANS' COURT DIVISION

ESTATE OF _____, PRINCIPAL ,
ACCOUNT OF _____ AGENT(S) *
No. _____

**PETITION FOR ADJUDICATION /
STATEMENT OF PROPOSED DISTRIBUTION
PURSUANT TO Pa. O.C. Rule 2.4**

This form shall be used in all cases involving the Audit or Confirmation of the Account of one or more Agents acting under a Power of Attorney. If space is insufficient, riders may be attached. Attach the papers required under items 3, 4, and 9, as applicable, and any instrument pertinent to the adjudication.

INCLUDE ATTACHMENTS AT THE BACK OF THIS FORM.

Name of Counsel: _____

Supreme Court I.D. No.: _____

Name of Law Firm: _____

Address: _____

Telephone: _____

Fax: _____

Email: _____

* The term "Agent" shall include any person designated as an "attorney-in-fact" or acting in a similar capacity by the Principal's delegation.

Estate of _____, Principal

1. Name(s) and address(es) of Petitioner(s):

Petitioner:

Petitioner:

Name: _____

Address: _____

Name(s) and address(es) of Agent(s) (if not Petitioner(s)):

Agent:

Agent:

Name: _____

Address: _____

Identify any Agents who have not joined in the Petition for Adjudication/ Statement of Proposed Distribution and/or the Account and state reason:

2. Name and address of Principal (and, if applicable, of any Guardian appointed for Principal, of each personal representative for any Principal or Agent who has died, and of his or her counsel, identifying the capacity of each):

Judicial District or County where Principal resides, or if Principal is deceased, where Letters were issued: _____

3. A. Date of Principal's Power of Attorney under which Agent(s) acted:

B. Date Agent(s) first exercised control of Principal's assets under Power of Attorney:

(Attach copy of each different Power of Attorney granted to Agent(s) by Principal and copy of any Decree involving Agent(s) for Principal).

Estate of _____, Principal

4. A. Explain the reason for filing this Account (if Principal or Agent has died, state date of death, and attach a Short Certificate; if Principal has been incapacitated, state date of Decree, and attach a copy):
- B. Is this the first accounting for this Principal's estate? . . . Yes No
If not, identify prior accountings, the accounting periods covered, and the dates of adjudication of the prior accountings.
5. Describe all gifts/transfers for less than full and adequate consideration made under the Power of Attorney. Identify each recipient's name, address, and relationship to Principal and/or Agent, amount of each gift/transfer, nature of each (cash or kind), and date made, with any additional explanation deemed appropriate (*if none, so state*):
6. Identify every asset or interest (include title or registration and value) of Principal known to Petitioner(s) and not identified in Account, whether or not in possession or control of Petitioner(s) (*if none known, so state*):

Estate of _____, Principal

7. Identify each existing safe deposit box of or for Principal and each one closed by Agent(s) (if not applicable, so state):

<i>Institution & Address</i>	<i>Box No.</i>	<i>Title or Registration</i>	<i>Date Closed (if applicable)</i>

Are the entire contents of each safe deposit box identified in item 7 above included in the filed Account? Yes No

If not, explain:

8. A. Identify each known unpaid claim against Principal or Principal's estate and describe each in detail (if none, so state):

B. Describe in detail any questions requiring adjudication and state the position of the Petitioner(s) as to each question:

Estate of _____, Principal

C. If fees are being claimed by the Agent or an attorney, state amount and the period covered for the requested fees:

9. Written Notice of the Account's filing as required by Pa. O.C. Rule 2.5 has been or will be given to each interested party in the matter. In addition, notice of any unpaid claim not admitted, all questions requiring adjudication, and any requested fees as described in item 8 above has been or will be given to all parties 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 or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions together with a statement executed by a Petitioner or counsel certifying that such Notice has been given.
 - C. If any such interested party is not *sui juris* (e.g., minors or incapacitated persons), Notice of the Account's filing has been or will be given to the appropriate representative on such party's behalf as required by Pa. O.C. Rule 4.2.
10. List all parties of whom Petitioner(s) has/have notice or knowledge, having or claiming any interest in the Principal's estate. This list shall:
 - A. State each party's relationship to the Principal and the nature of each party's interest(s):

Name and Address of Each Interested Party	Relationship & Comments, if any	Interest

Estate of _____, Principal

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.

C. State why a Petition for Guardian/Trustee *Ad Litem* has or has not been filed (see Pa. O.C. Rule 5.5).

11. If prescribed by local rule as permitted by Pa. O.C. Rule 2.9, is the Court being asked to direct the filing of a Schedule of Distribution? Yes No

Estate of _____, Principal

Wherefore, your Petitioner(s) ask(s) that distribution be awarded to the parties entitled and suggest(s) 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>
_____	_____
_____	_____

B. Principal:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
_____	_____
_____	_____

Submitted By:
(All petitioners must sign. Place additional signatures on attachment if necessary):

Corporate Fiduciary (if applicable)

_____ Name of Corporate Fiduciary	_____ Name of Petitioner
_____ Name of Representative and Title	_____ Signature of Petitioner
_____ Signature of Officer/Representative	_____ Name of Petitioner
	_____ Signature of Petitioner

Estate of _____, Principal

(Verification must be by at least one petitioner.)

Verification for Individual Petitioner

The undersigned hereby verifies that the averment of facts set forth in the foregoing Petition for Adjudication/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).

Date

Signature of Petitioner

Verification for Corporate Petitioner

The undersigned hereby verifies that *he/she* _____ is
title _____ of the above-named
name of corporation _____ and that
the averment of facts set forth in the foregoing Petition for Adjudication/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).

Date

Signature of Representative for
Corporate Petitioner

Certification of Counsel

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication/ Statement of Proposed Distribution is a true and accurate reproduction of the form Petition authorized by the Supreme Court, and that no changes to the form have been made beyond the responses herein.

Date

Signature of Counsel for Petitioner

OATH OF SUBSCRIBING WITNESS(ES)

REGISTER OF WILLS

Estate of _____, Deceased

_____, (each) a subscribing witness to the [] Will [] Codicil(s) presented herewith, (each) being duly qualified according to law, depose(s) and say(s) that she / he / they was / were present and saw the above Testator / Testatrix sign the same and that she / he / they signed the same and that she / he / they signed as a witness at the request of the Testator / Testatrix in her / his presence and in the presence of each other.

(Signature)

(Signature)

(Street Address)

(Street Address)

(City, State, Zip)

(City, State, Zip)

Executed in Register's Office
Sworn to or affirmed and subscribed
before me this _____ day
of _____, _____.

Executed out of Register's Office
Commonwealth of Pennsylvania)
County of _____) SS:
Sworn to or affirmed and subscribed
before me this _____ day
of _____, _____.

Deputy for Register of Wills

Notary Public
My Commission Expires: _____
(Signature and Seal of Notary or other official qualified to administer oaths. Show date of expiration of Notary's Commission.)

NOTE: To be taken by Officer authorized to administer oaths. Please have present the original or copy of instrument(s) at time of notarization.

Form RW-03 rev. 1.1.20

OATH OF NON-SUBSCRIBING WITNESS(ES)

REGISTER OF WILLS

Estate of _____, Deceased

_____ and _____,
(each) being duly qualified according to law, depose(s) and say(s) that she / he / they was / were
well-acquainted with _____ and am/are
familiar with the handwriting and signature of the decedent, and that the signature of
_____ to the foregoing instrument purporting to be the Last Will and
Testament/Codicil of _____ is in his/her own proper handwriting.

(Signature)
(Street Address)
(City, State, Zip)

(Signature)
(Street Address)
(City, State, Zip)

Executed in Register's Office
Sworn to or affirmed and subscribed
before me this _____ day
of _____, _____.

Executed out of Register's Office
Commonwealth of Pennsylvania)
) SS:
County of _____)
Sworn to or affirmed and subscribed before
me this _____ day of
_____, _____.

Deputy for Register of Wills

Notary Public
My Commission Expires: _____
(Signature and Seal of Notary or other official qualified to
administer oaths. Show date of expiration of Notary's
Commission.)

OATH OF WITNESS(ES) TO WILL EXECUTED BY MARK

REGISTER OF WILLS

Estate of _____, Deceased

_____ (each) a
(Print Name/s)
subscribing witness to the [] Will [] Codicil(s) presented herewith, (each) being duly qualified according to
law, depose(s) and say(s) that: Testator / Testatrix was unable to sign his / her name thereto;
Testator's / Testatrix' name was subscribed thereto in Testator's / Testatrix' presence; Testator /
Testatrix made his / her mark thereon; Testator / Testatrix and deponent(s) were present when
Testator's / Testatrix' name was subscribed and when Testator / Testatrix made his / her mark; and
Testator / Testatrix was present when the undersigned signed the [] Will [] Codicil as witness(es).

(Signature)

(Signature)

(Street Address)

(Street Address)

(City, State, Zip)

(City, State, Zip)

Executed in Register's Office
Sworn to or affirmed and subscribed
before me this _____ day
of _____, _____.

Executed out of Register's Office
Commonwealth of Pennsylvania)
) SS:
County of _____)
Sworn to or affirmed and subscribed before
me this _____ day of
_____.

Deputy for Register of Wills

Notary Public
My Commission Expires: _____
(Signature and Seal of Notary or other official qualified to
administer oaths. Show date of expiration of Notary's
Commission.)

RENUNCIATION

REGISTER OF WILLS

Estate of _____, Deceased

The undersigned, _____, in the capacity/relationship as _____ of the above Decedent, hereby renounces the right to administer the Estate of the Decedent and, to the extent permitted by law pursuant to 20 Pa.C.S. § 3155, respectfully requests that Letters be issued to _____.

(Date)

Name of Corporate Fiduciary (if applicable)

Signature of Officer/Representative

Name of Person

Title of Officer/Representative

Address

Address

Telephone

Telephone

Email

Email

Signature of Person

Executed in Register's Office

Sworn to or affirmed and subscribed before me this _____ day of _____.

Executed out of Register's Office
Commonwealth of Pennsylvania)
County of _____) SS:

Before the undersigned personally appeared the party executing this renunciation and certified that he or she executed the renunciation for the purposes

stated within on this _____ day of _____.

Deputy for Register of Wills

Notary Public

My Commission Expires: _____
(Signature and Seal of Notary or other official qualified to administer oaths. Show date of expiration of Notary's Commission.)

IMPORTANT NOTICE

**NOTICE OF ESTATE ADMINISTRATION
PURSUANT TO Pa. O.C. Rule 10.5**

THIS NOTICE DOES NOT MEAN THAT YOU WILL RECEIVE ANY
MONEY OR PROPERTY FROM THIS ESTATE OR OTHERWISE

*Whether you will receive any money or property will be determined wholly or partly
by the decedent's will. If the decedent died without a will, whether you will receive
any money or property will be determined by the intestacy laws of Pennsylvania.*

BEFORE THE REGISTER OF WILLS.

IN RE: ESTATE OF _____, Deceased

File Number _____

TO: _____ (Beneficiary)
_____ (Address)

Please take notice of the death of the Decedent and the grant of Letters to the personal representative(s) named
below. The Decedent died on _____, a resident of _____

The Decedent died: testate (with a Will) or intestate (without a Will).

You may have a beneficial interest in the estate as follows:

(If additional space is needed, use separate sheet)

The name(s), address(es), and telephone number(s) of all personal representatives appointed are:

NAME	ADDRESS	TELEPHONE
_____	_____	_____
_____	_____	_____

If the Decedent died testate, the Will has been filed with the Office of the Register of Wills of _____
If the Decedent died intestate, a Petition for the Grant of Letters of Administration was filed with the Office of the
Register of Wills of _____

The Register's address is _____,
and telephone number is _____.

A copy of the Will or Petition may be obtained by contacting the Register of Wills and paying the charges for
duplication.

Date _____

Capacity: Personal Representative Counsel

Corporate Fiduciary (if applicable)

Name of Corporate Fiduciary

Name of Person

Name of Representative and Title

Address

Address

Telephone

Telephone

Email

Email

Signature of Person

Signature of Officer/Representative

Form RW-07 rev. 01.01.20

CERTIFICATION OF NOTICE UNDER Pa. O.C. Rule 10.5

REGISTER OF WILLS

Name of Decedent: _____

Date of Death: _____ File Number: _____

Date Letters Granted: _____

To the Register:

I certify that Notice of Estate Administration required by Pa. O.C. Rule 10.5 of the Orphans' Court Rules was served on or mailed to the following beneficiaries of the above-captioned estate on _____, _____:

<u>Name:</u>	<u>Address:</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(If more space is needed, attach separate sheet.)

Notice has now been given to all persons entitled thereto under Pa. O.C. Rule 10.5 except:

Date _____

Capacity: Personal Representative Counsel

Corporate Fiduciary (if applicable)

Name of Corporate Fiduciary

Name of Person

Name of Representative and Title

Address

Address

Telephone

Telephone

Email

Email

Signature of Officer/Representative Form

Signature of Person

RW-08 rev. 01.01.20

INVENTORY REGISTER OF WILLS OF

File Number _____

The undersigned, _____, Personal Representative(s) of the Estate of _____ deceased, depose(s) and say(s) that the items appearing in the following Inventory include all of the personal assets wherever situated and all of the real estate in the Commonwealth of Pennsylvania of said Decedent, that the valuation placed opposite each item of said Inventory represents its fair value as of the date of Decedent's death, and that Decedent owned no real estate outside of the Commonwealth of Pennsylvania except that which appears in a memorandum at the end of this Inventory.

I verify that the statements made in this Inventory are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Corporate Fiduciary (if applicable)



Name of Corporate Fiduciary _____

Name of Representative and Title _____

Signature of Officer/Representative _____

Signature of Personal Representative _____

Signature of Personal Representative _____

Date _____

(Supreme Court I.D.#) _____

Attorney - (Name)

(Name of Law Firm) _____

(Address) _____

(Telephone) _____

(Email) _____

DATE OF DEATH	LAST RESIDENCE	DECEDENT'S SOC. SEC. NO.
---------------	----------------	--------------------------

FIGURES MUST BE TOTALED

TOTAL:	\$0.00

(Attach additional sheets as needed)

NOTE: The Memorandum of real estate outside the Commonwealth of Pennsylvania may, at the election of the personal representative, include the value of each item, but such figures should not be extended into the total of the Inventory. (See 20 Pa. C.S. § 3301(b))

Form RW-09 rev. 01.01.20

Pa. O.C. Rule 10.6 STATUS REPORT

REGISTER OF WILLS OF

Name of Decedent: _____

Date of Death: _____ File Number: _____

Pursuant to Pa. O.C. Rule 10.6, I report the following with respect to completion of the administration of the above-captioned estate:

1. State whether administration of the estate is complete: Yes No

2. If the answer is No, state when the personal representative reasonably believes that the administration will be complete:

3. If the answer to No. 1 is YES, state the following:

a. Did the personal representative file a final account with the Court? Yes No

b. The separate Orphans' Court No. (if any) for the personal representative's account is:

c. Did the personal representative state an account informally to the parties in interest? Yes No

d. Copies of receipts, releases, joinders, and approvals of formal or informal accounts may be filed with the Clerk of the Orphans' Court or may be attached to this report.

Date _____

Capacity: Personal Representative Counsel

Corporate Fiduciary (If applicable)

Name of Corporate Fiduciary

Name of Person

Name of Representative and Title

Address

Address

Telephone

Telephone

Email

Email

Signature of Person

Signature of Officer/Representative

**ORPHANS' COURT PROCEDURAL RULES
COMMITTEE REPORT**

**Amendment of Pa. O.C. Rules 1.7, 1.8, 2.1, 2.5, 2.7,
3.5, 3.7, 4.3, 4.6, 5.1, 5.3, 5.4, 7.1, 10.1, and 10.5,
Amendment of the Index to the Appendix of Forms,
and Rescission and Replacement of Forms OC-01
through OC-05 and RW-03 through RW-10**

In 2015, the Supreme Court of Pennsylvania adopted a substantial rewrite of the Orphans' Court Rules with the rescission and replacement of Rules 1.1 through 13.3 and Rule 17, and amendment of Rules 14.1 through 16.12.¹ Following the implementation of the rewritten Rules in 2016, members of the bench, bar, and members of the Orphans' Court Procedural Rules Committee ("Committee") shared comments and suggestions to refine further the Rules and Forms. The Committee reviewed these comments and suggestions, and, when necessitating more than a perfunctory change, published proposed amendments for public comment. See 48 Pa.B. 3571 (June 16, 2018); 48 Pa.B. 1271 (March 3, 2018); 48 Pa.B. 728 (February 3, 2018); 48 Pa.B. 486 (January 20, 2018). The Committee made a recommendation to the Court, and the following Rule changes were made:

Rule 1.7: An Explanatory Comment was added to Rule 1.7 to clarify that the Rule does not address procedures for withdrawal of counsel before the Register of Wills, and that withdrawal of counsel before the Register shall be in accordance with local rule or at the discretion of the Register.

Rules 1.8 and 10.1: Rules 1.8 and 10.1 were amended to eliminate non-substantive variations in style and format as the sole basis for rejection of an otherwise compliant filing. Forms may differ stylistically from the Supreme Court-approved forms but must be identical as to content and ordering.

Rule 2.1: Rule 2.1(b)(4)(iv) sets forth the requirements for signature and verification pages, and currently requires the "signature and verification pages signed by all the accountants stating the Account and verified by at least one of the accountants." The Rule was amended to delete "and verification" from that phrase so it is not inconsistent with the remainder of the sentence, which only requires verification "by at least one of the accountants."

Rule 2.5: Rule 2.5(a) was amended to establish that notice of the filing of the Account must also be provided to each co-fiduciary who does not join in the statement of Account. Rule 2.5(c) was amended to clarify that the reference to a "qualified beneficiary" in that Rule only applies to a distribution made to a trust. The phrase "having a charitable interest" was added to Rule 2.5(c) to describe more accurately an estate under this Rule. Rule 2.5(d) was amended to provide that a party residing outside the United States has 60 days, rather than 20 days, in which to file an objection. Rule 2.5(d) was amended to clarify the "time and place" of the audit in Rule 2.5(d) by adding the word "date" to that phrase. Finally, the Explanatory Comment to Rule 2.5 was amended to explain that it is permissible for a party to waive the written notice required by the Rule.

Rules 2.7 and 3.7: These rules were amended to delete mailing requirements and to add a cross-reference to the service requirements set forth in Rule 4.3.

Rule 3.5: The Note to Rule 3.5 was amended to eliminate the reference to subparagraph (d) of the Rule, which was deleted in the 2015 rewrite. The Committee did not

publish this proposed amendment for public comment as it is of a typographical or perfunctory nature.

Rule 4.3: New subparagraph (f) was added to Rule 4.3 to establish a general requirement to attach a certificate of service to any legal paper filed or served pursuant to this Rule.

Rule 4.6: The term "party" as used in Rule 4.6 was deleted and replaced with the defined term "interested party" to ensure that it was sufficient in scope to include those having an interest in the subject of the proceeding.

Rule 5.1: Rule 5.1, pertaining to declaratory judgment actions, and the Explanatory Comment thereto were amended to cross-reference Rule 3.5 regarding the use of citations when commencing a declaratory judgment action.

Rules 5.3: In Rule 5.3(a)(3), the term "exemption" was deleted in favor of the term "share," which is consistent with the title and text references to "statutory share" or "intestate share" throughout the Rule. The Committee did not publish this proposed amendment for public comment as it is of a typographical or perfunctory nature.

Rule 5.4: The term "vacating" was deleted in the title and subparagraphs (a)(4) and (a)(8) of the Rule. It was replaced with the term "vacation," which is grammatically consistent with other terms used in the Rule. The Committee did not publish this proposed amendment for public comment as it is of a typographical or perfunctory nature.

Rule 7.1: "Subpoenas to attend and testify" were added to similar items listed in the Rule, such as "depositions, discovery, production of documents, and perpetuation of testimony."

Rule 10.5: The term "outright beneficiary" was deleted from Rule 10.5(a)(1) and replaced with "beneficiary." Rule 10.5(a)(8) was amended to require written notice of estate administration to the beneficiaries of an estate or trust when there is a shared fiduciary.

Forms: The Index and Appendix of Orphans' Court and Register of Wills Forms was amended by eliminating the Estate Information Sheet, Form RW-01. The Estate Information Sheet, RW-01², is not a Supreme Court form, but rather a form promulgated and updated by the Pennsylvania Department of Revenue. It was maintained with the Register of Wills Forms in the Appendix and on the UJS website for public convenience. Rather than continuing to update the form in response to changes by the Department of Revenue, the form is being removed from the Appendix and UJS website. A note has been added directing the public to the Department of Revenue website.

Finally, a number of the forms used before the orphans' courts and registers of wills have been rescinded and replaced to make the forms more useful to the public, bench, and bar. These changes include adding language to request a list of attachments, bolding titles, correcting typographical errors, updating online form completion functions, and revising notarial language. The revised forms are OC-01, OC-02, OC-03, OC-04, OC-05, RW-03, RW-04, RW-05, RW-06, RW-07, RW-08, RW-09, and RW-10.

[Pa.B. Doc. No. 19-1699. Filed for public inspection November 15, 2019, 9:00 a.m.]

²The current Estate Information Sheet is Department of Revenue form number REV-346 EX (11-15).

¹ See Order of December 1, 2015, No. 682, Supreme Court Rules Docket.

Title 255—LOCAL COURT RULES

CLINTON COUNTY

Local Rules; No. 29 January Term 1976

Order

And Now, this 1st day of November, 2019, *It Is Hereby Ordered* as follows:

1. Current Local Rules No. 1028(c), 1034(a), and 1035.2(a) are *Rescinded*.

2. The following Local Rules No. 1028(c), 1034(a), and 1035.2(a) are *Adopted* by this Court and shall be effective thirty (30) days after being published in the *Pennsylvania Bulletin*.

3. This Court herein *Adopts* the following New Local Rule No. 1910.15.

4. The Clinton County Judicial Law Clerk is Ordered and Directed to:

(a) Distribute this Order and the following Local Rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* by emailing a copy of this Order to bulletin@palrb.us and sending two (2) certified copies to:

Legislative Reference Bureau
Pa. Code & Bulletin Office
647 Main Capitol Building
Harrisburg, PA 17120-0033

(b) Cause to be removed from this Court's website Local Rules No. 1028(c), 1034(a), and 1035.2(a) and replace said Local Rules on this Court's website with the following Local Rules within thirty (30) days after the publication in the *Pennsylvania Bulletin*.

(c) Add New Local Rule No. 1910.15 to this Court's website with the following Local Rule within thirty (30) days after the publication in the *Pennsylvania Bulletin*.

By the Court

CRAIG P. MILLER,
President Judge

Rule 1028(c). Procedures Concerning Disposition of Preliminary Objections.

(A) *Procedure Defined.*

(1) Preliminary Objections shall be accompanied by a memorandum of law and must be filed with the office of the Prothonotary.

(2) Service shall be made in conformity with Pa.R.C.P. No. 440.

(3) All Preliminary Objections shall be accompanied by a notice plainly appearing on the face thereof of the date the motion was filed with the Prothonotary and advising that a reply memorandum of law must be filed within thirty (30) days from that date. The moving party shall also file an affidavit of service which shall state that the notice required by this rule has been given.

(4) The Prothonotary shall immediately send the Preliminary Objections and the accompanying memorandum to the Court Administrator who shall refer the matter to the appropriate Judge. All requests for an extension of the thirty (30) day period to answer Preliminary Objections must be approved by the Court by a motion addressed to the Court Administrator; no agreement entered into solely by the parties will be honored by the Court.

(5) Any Preliminary Objections filed without the accompanying memorandum may be dismissed. If a reply memorandum has not been filed pursuant to the notice required by subsection (3) of this rule, the Court may dispose of the matter without such memorandum.

(6) If any matter is settled or withdrawn prior to disposition, the Court Administrator shall be promptly advised, and the moving party shall file an appropriate praecipe with the Prothonotary.

(7) The Court in its discretion may grant additional time in which to file a reply memorandum, request additional memoranda, call for oral argument, advance the time for submitting memoranda, or enter an Order prior to the expiration of the thirty (30) day reply period.

(B) *Matters Requiring Factual Supplement to the Record.*

(1) In the case of Preliminary Objections challenging jurisdiction or service, a memorandum of law and notice to opposing parties to file a reply memorandum of law within thirty (30) days need not be filed contemporaneously with the Preliminary Objections. Instead, the party filing the Preliminary Objections shall indicate that additional testimony is required.

(2) In all such cases, the party filing the Preliminary Objections shall undertake to supplement the record with the necessary facts by affidavit, deposition or testimony, as the case may require, within sixty (60) days from the filing of the Preliminary Objections.

(3) If the Court requires, the party filing the Preliminary Objections shall file a memorandum of law within two (2) weeks from the completion of the supplementation of the record. This memorandum shall be processed as stated above.

Rule 1034(a). Procedures Concerning Disposition of Motions for Judgment on the Pleadings.

(A) *Procedure Defined.*

(1) Motions for Judgment on the Pleadings shall be accompanied by a memorandum of law and must be filed with the office of the Prothonotary.

(2) Service shall be made in conformity with Pa.R.C.P. No. 440.

(3) All Motions for Judgment on the Pleadings shall be accompanied by a notice plainly appearing on the face thereof of the date the motion was filed with the Prothonotary and advising that a reply memorandum of law must be filed within thirty (30) days from that date. The moving party shall also file with the motion an affidavit of service which shall state that the notice required by this rule has been given.

(4) The Prothonotary shall immediately send the motion to the Court Administrator who shall refer the matter the appropriate Judge. All requests for an extension of the thirty (30) day period to answer such motions must be approved by the Court by a motion addressed to the Court Administrator; no agreement entered into solely by the parties will be honored by the Court.

(5) Any motion subject to this rule which is filed without an accompanying memorandum may be dismissed. If a reply memorandum has not been filed pursuant to the notice required by subsection (3) of this rule, the Court may dispose of the matter without such memorandum.

(6) If any matter is settled or withdrawn prior to disposition, the Court Administrator shall be promptly

advised, and the moving party shall file an appropriate praecipe with the Prothonotary.

(7) The Court in its discretion may grant additional time in which to file a reply memorandum, request additional memoranda, call for oral argument, advance the time for filing, or enter an order prior to the expiration of the thirty (30) day reply period.

(B) *Matters Requiring Factual Supplement to the Record.*

(1) In the case of motions based on facts not presently a part of the record, a memorandum of law and notice to opposing parties to file a reply memorandum of law within thirty (30) days need not be filed contemporaneously with the motion. Instead, the moving party shall indicate that additional testimony is required.

(2) In all such cases, the moving party shall undertake to supplement the record with the necessary facts by affidavit, deposition or testimony, as the case may require, within sixty (60) days from the filing of the motion.

(3) If the Court requires, the moving party shall file a memorandum of law within two (2) weeks from the completion of the supplementation of the record. This memorandum shall be processed as stated above.

Rule 1035.2(a). Procedures Concerning Disposition of Motions for Summary Judgment.

(A) *Procedure Defined.*

(1) Motions for Summary Judgment shall be accompanied by a memorandum of law and must be filed with the office of the Prothonotary.

(2) Service shall be made in conformity with Pa.R.C.P. No. 440.

(3) All motions shall be accompanied by a notice plainly appearing on the fact thereof of the date the motion was filed with the Prothonotary and advising that a reply memorandum of law must be filed within thirty (30) days from that date. The moving party shall also file with the motion an affidavit of service which shall state that the notice required by this rule has been given.

(4) The Prothonotary shall immediately send the Motion for Summary Judgment to the Court Administrator who shall refer the matter to the appropriate Judge. All requests for an extension of the thirty (30) day period to answer such motions must be approved by the Court by a motion addressed to the Court Administrator; no agreement entered into solely by the parties will be honored by the Court.

(5) Any motion subject to this rule which is filed without an accompanying memorandum may be dismissed. If a reply memorandum has not been filed pursuant to the notice required by subsection (3) of this rule, the court may dispose of the matter without such memorandum.

(6) If any matter is settled or withdrawn prior to disposition, the Court Administrator shall be promptly advised, and the moving party shall file an appropriate praecipe with the Prothonotary.

(7) The Court in its discretion may grant additional time in which to file a reply memorandum, request additional memoranda, call for oral argument, advance the time for filing, or enter an order prior to the expiration of the thirty (30) day reply period.

(B) *Matters Requiring Factual Supplement to the Record.*

(1) In the case of motions based on facts not presently a part of the record, a memorandum of law and notice to opposing parties to file a reply memorandum of law within thirty (30) days need not be filed contemporaneously with the motion. Instead, the moving party shall indicate that additional testimony is required.

(2) In all such cases, the moving party shall undertake to supplement the record with the necessary facts by affidavit, deposition or testimony, as the case may require, within sixty (60) days from the filing of the motion.

(3) If the Court requires, the moving party shall file a memorandum of law within two (2) weeks from the completion of the supplementation of the record. This memorandum shall be processed as stated above.

Rule 1910.15. Filing of Paternity Actions.

When a party seeks to initiate an action for paternity, the action must be initiated in the Domestic Relations Office.

[Pa.B. Doc. No. 19-1700. Filed for public inspection November 15, 2019, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

By Order of the Supreme Court of Pennsylvania dated October 31, 2019, Jeffrey Marc Benjamin (# 92457), whose registered address is Forest Hills, NY, is suspended from the practice of law in this Commonwealth for a period of six months, effective November 30, 2019. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 19-1701. Filed for public inspection November 15, 2019, 9:00 a.m.]
