

8a. Names and addresses of spouse, registered domestic partner, children and other heirs:³

Name	Address	Date of Birth ⁴ if Under 18	Relationship to decedent:
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8b. Is there a domestic partner (non-registered):⁵ YES ____ NO ____ If yes, give name and address:

9. Names and addresses of devisees:⁶

10.(a) Does the probate estate contain real estate in any county in Maine? YES ____ NO _____. If yes, list each municipality and county in which such real estate is located. NOTE: Do not list jointly held property which passes by survivorship.

10.(b) Does the residuary estate contain real estate? YES ____ NO _____.

11. Was decedent domiciled outside of Maine at date of death? YES ____ NO _____. If yes, identify here decedent's property which was, at the time of decedent's death, or has since then been located in this county, and state whether probate proceedings have been commenced elsewhere with respect to this estate.⁷

12. Has a personal representative of the decedent been appointed by any court prior to this date whose appointment has not been terminated? YES ____ NO _____. If yes, state that person's name and address.

13. Does this petition involve a will? YES ____ NO _____.
If yes, has the will been probated informally? YES ____ NO _____. If yes, state where and when.

14. Did decedent die more than three years before the date of this petition? YES ____ NO _____.
If yes, state here the circumstances which authorize commencing this proceeding.⁸

15. Has the petitioner received a demand for notice or is the petitioner aware of any demand for notice of any probate or appointment proceeding concerning the decedent that may have been filed in this state or elsewhere?⁹ YES ____ NO _____. If yes, include name and address of person demanding notice.

16. Is petitioner seeking supervised administration of this estate? YES ____ NO _____.
If yes, state here the circumstances which require establishing supervised administration of this estate.¹⁰

17. Check (a) or (b).

_____ (a) I request that the court give notice of this filing to the heirs and devisees listed in items 8a, 8b and 9 and if the decedent was 55 years of age or older, to the Department of Health and Human Services and to the following other persons:¹¹

_____ (b) I will give notice to all persons entitled by law to receive it and furnish proof of notice to the court by affidavit.

18. Check if desired:

_____ Pursuant to Rule 80B(a), I request the register to publish notice to creditors.¹²

19. Does petitioner, in addition to the notice mentioned in item 17, wish the court to publish notice as required by law?
YES ____ NO ____ . If no, explain why not.

20. The decedent's will dated _____ and codicils dated _____
are filed herewith or:¹³

To the best of my knowledge, I believe the will was validly executed, and, after the exercise of reasonable diligence, I am unaware of any instrument revoking the will, and I believe the instrument which is the subject of this petition is the decedent's last will.

21. Name and address of personal representative whose appointment is sought. (Designate mailing and legal addresses if they are different.)

22. Is the person described in item 21 designated as the personal representative in the will? YES ____ NO ____ . If no, state the basis of his priority.¹⁴

23. Are there any questions relating to priority or qualification of personal representative to be resolved?
YES ____ NO ____ . If yes, describe them.¹⁵

24. Check one:

____ No personal representative's bond is required.¹⁶

____ A bond is required and attached.¹⁶

____ A bond may be required. The court is asked to decide if a bond is necessary and in what amount.

____ An estate tax bond is required and is attached.¹⁷

25. Under penalty of perjury, I, the undersigned, state that all of the foregoing facts and statements are complete and accurate as far as I know or am informed.¹⁸

26. REQUEST FOR ORDER OR ORDERS.
Check applicable box or boxes.

_____ I request an order of Court that the will identified by this petition is the will of decedent and that the heirs are as set forth in item 8a.

_____ I request an order of Court appointing the personal representative listed in item 21 or some other suitable person.

_____ I request an order of Court establishing supervised administration.

Dated _____

Petitioner or Attorney

“Every pleading of a party represented by an attorney shall be signed by at least one attorney of record in his individual name.” See Rule 11.

Fees due upon filing:

Filing Fee \$ _____ Mailing Notices \$ _____ Publication \$ _____

Surcharge \$ 10.00 _____ Abstracts \$ _____ Other \$ _____

¹ Except as noted, all statutory references are to Title 18-A MRSA. See § 1-201 (20).

² If exact birthdate is unknown, give age in years of decedent at date of death.

³ See § 1-201 (17). Relationship of all heirs to decedent should be stated and explained: *e.g.*, “spouse,” or “nephew, son of (name) predeceased brother”.

⁴ Age is required by law if person listed is a minor. If person listed is an adult (i.e. has attained 18 years of age) the letter “A” may be inserted in place of the person’s age. See § 3-301 (a) (1) (ii).

⁵ See § 1-201(10-A)

⁶ “Devises” include persons receiving real or personal property. See § 1-201 (7), (8).

⁷ See § 3-201.

⁸ See § 3-108.

⁹ See § 3-301(a)(1)(v) and 3-402(a)(2).

¹⁰ See § 3-501 *et seq.*

¹¹ The requests in items 17 (a) and 19, accompanied by proper information and fees, fulfill the moving party’s duty to give notice pursuant to §§ 3-403 and 3-414. Petitioner should list in item 17(a) all persons who have filed a demand for notice pursuant to § 3-4204. Include address for any person whose address doesn’t appear elsewhere in this form. Petitioner must answer yes to item 19 if this is a petition for formal probate of will. If this is a petition for formal appointment of personal representative only, petitioner must answer yes to item 19 if the whereabouts of any person listed in item 17 (a) are unknown and may answer yes in other appropriate circumstances.

¹² If this is not checked, the personal representative must publish his own notice. Register may advise on acceptable newspapers. See §3-801.

¹³ See § 3-301 (a) (2) (i) or 3-402 (a) for alternate allegations.

¹⁴ See § 3-203.

¹⁵ See § 3-414.

¹⁶ See § 3-603 *et seq.*

¹⁷ See 36 MRSA § 4079.

¹⁸ See § 1-310.

I certify that no alteration has been made to the official form as most recently approved and promulgated by the Supreme Judicial Court. I also certify that I have met the standards under M.R.Prob.P. 84(b).

Preparer Signature

Typed or Printed Name of Preparer

MARP 11/2008