

STATE OF MAINE

_____ COUNTY PROBATE COURT

DOCKET NO. _____

Estate of _____
Decedent

PETITION FOR FORMAL PROBATE
OF WILL OR APPOINTMENT OF
PERSONAL REPRESENTATIVE OR
BOTH

PETITION TO JUDGE:
FORMAL PROBATE
FORMAL APPOINTMENT

1. Full legal name of Petitioner:

2. Address, email address and telephone number of Petitioner:

3. Legal interest of Petitioner in Estate¹ (Check all that apply)
 - Personal Representative named in the Will
 - Surviving spouse
 - Domestic partner
 - Devisee
 - Heir
 - Creditor
 - Other _____

4. Full legal name of Decedent:

5. Date of Decedent's death:

6. Date of Decedent's birth (or approximate age if date of birth is unknown):

7. Domicile of Decedent at date of death (i.e. address of permanent residence):

- 8a. Names and addresses of spouse, registered domestic partner, children and other heirs (attach additional sheet(s) if necessary):²

Name	Address	Date of Birth (if Under 18) ³	Relationship to Decedent

8a. Continued:

Name	Address	Date of Birth (if Under 18) ³	Relationship to Decedent

8b. Is there a domestic partner (non-registered):³ YES NO If yes, provide name and address below:

9. Names and addresses of devisees (attach additional sheet(s) if necessary):

Name	Address

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

10b. 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 below Decedent's property that 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.⁴

12. Has a Personal Representative of the Decedent's Estate 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 below.

13. Does the Petition involve a Will? YES NO

If yes, has the Will been probated informally? YES NO If yes, state where and when below.

14. Did Decedent die more than three years before the date of this Petition? YES NO If yes, state below the circumstances that authorize commencing this proceeding.⁵

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?⁶ YES NO If yes, include name and address of person demanding notice below.

16. Is Petitioner seeking Supervised Administration of this Estate? YES NO . If yes, state below the circumstances that require establishing Supervised Administration of this Estate.⁷

17. Upon receiving notice of the time and place for the formal testacy proceeding, I will give notice to the heirs listed in subparts 8a, 8b, and 9 and if the Decedent was fifty-five (55) years of age or older, to the Department of Health and Human Services and to the following other persons:⁸

Name	Address

I will 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.⁹

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 below.

20. The Decedent's Last Will and Testament dated _____ and Codicils dated _____ are filed herewith and 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 and Testament.¹⁰

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 subpart 20 designated as the Personal Representative in the Will? YES NO
 If no, state the basis of the individual's priority below.¹¹

23. Are there any questions relating to priority or qualification of the Personal Representative to be resolved? YES NO If yes, describe them below.¹²

24. Check all that apply:

No bond is required.¹³

A bond is required and attached.¹⁴

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.¹⁵

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.

REQUEST FOR ORDER OR ORDERS:

25. Check applicable box or boxes.

I request an order of the Court that the Will identified by this Petition is the Will of the 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 20 or some other suitable person.

I request an order of Court establishing Supervised Administration.

Dated: _____

Petitioner or Attorney¹⁶

Attorney for Petitioner, if any:

Name

Address

Address

Phone Number

Maine Bar Number

Email Address

Fees due upon filing:

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

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

¹ 18-C M.R.S. See § 1-201(26)

² 18-C M.R.S. §1-201(23)

³ 18-C M.R.S. § 1-201(14)

⁴ 18-C M.R.S. § 3-201

⁵ 18-C M.R.S. § 3-108

⁶ 18-C M.R.S. § 3-403

⁷ 18-C M.R.S. § 3-502

⁸ 18-C M.R.S. § 3-403

⁹ 18-C M.R.S. § 3-801

¹⁰ 18-C M.R.S. § 3-402

¹¹ 18-C M.R.S. § 3-203

¹² 18-C M.R.S. § 3-601

¹³ 18-C M.R.S. § 3-603

¹⁴ 18-C M.R.S. § 3-604

¹⁵ 36 M.R.S. § 4079

¹⁶ See Rule 11.

MARP