

# STATE OF MAINE

\_\_\_\_\_ County Probate Court

Docket No. \_\_\_\_\_

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

## APPLICATION FOR INFORMAL PROBATE OF WILL OR APPOINTMENT OF PERSONAL REPRESENTATIVE UNDER WILL OR BOTH

1. Full legal name of Applicant:
  
2. Address, email address and telephone number of Applicant:
  
3. Legal interest of Applicant in Estate (Check all that apply):<sup>1</sup>
  - Personal Representative named in the Will
  - Surviving spouse
  - Domestic partner
  - Devisee
  - Heir
  - Creditor
  - Other (explain): \_\_\_\_\_
  
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 (i.e. town/city of permanent residence) of Decedent at date of death:
  
- 8(a). Names and addresses of spouse, registered domestic partner, children and other heirs (attach additional sheet(s) as necessary):<sup>2</sup>

Name	Address	Date of Birth (if Under 18) <sup>3</sup>	Relationship to Decedent

8(a). Continued.

Name	Address	Date of Birth (if Under 18) <sup>3</sup>	Relationship to Decedent

8(b). Is there a domestic partner (non-registered):<sup>4</sup> YES  NO  If yes, provide name and address below:

9. Names and addresses of devisees (attach additional sheet(s), as necessary):<sup>5</sup>

Name	Address

10(a). 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).

- 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 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.<sup>6</sup>
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. Did Decedent die more than three years before the date of this application? YES  NO  If yes, state below the circumstances that authorize commencing this proceeding.<sup>7</sup>
14. Has the Applicant received a Demand for Notice or is the Applicant 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?<sup>8</sup> YES  NO  If yes, include name and address of persons demanding notice below.

Name	Address

15. The Applicant is required to provide notice of this application to any person listed in item 14 above, and if the Decedent was fifty-five (55) years of age or older, to the Department of Health and Human Services. In addition, if this application seeks informal probate of a will, the Applicant must provide notice to any person listed in item 12 above, and/or if this application seeks informal appointment of a personal representative, notice must be provided to any person listed in item 19 below.<sup>9</sup>
- I hereby request that the Register serve the foregoing notices on the Applicant's behalf in accordance with Rule 4.
16. Check if desired:  Pursuant to Rule 80B(a), I request the Register to publish notice to creditors.<sup>10</sup>
17. The Decedent's Original 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.<sup>11</sup>
18. Name and address of Personal Representative whose appointment is sought. (Designate mailing and legal addresses if they are different.)

19. Is the person described in item 18 designated as the Personal Representative in the Will? YES  NO  If no, state the basis of the individual's priority below.<sup>12</sup> Also, provide the name and address of any person with a prior or equal right to appointment not waived in writing and filed with the Court.

20. Check one:

- No bond is required.
- A bond is required and attached.<sup>13</sup>
- 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.<sup>14</sup>

21. REQUEST FOR ACTION BY REGISTER (Check (a) and/or (b)):

- (a) I ask the Register to allow probate of this Will; and/or
- (b) I ask the Register to appoint the Personal Representative listed in item 18.

22. Under penalty of perjury, I, the undersigned Applicant, verify that the information contained in the foregoing application is accurate and complete to the best of my knowledge and belief.<sup>15</sup> I understand that by executing this verification I submit personally to the jurisdiction of this Court in any proceeding for relief from fraud relating to this application or for perjury that may be instituted against me.

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

\_\_\_\_\_  
Applicant

Attorney for Applicant, 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 \$ \_\_\_\_\_

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- <sup>1</sup> 18-C M.R.S. § 1-201(26).
  - <sup>2</sup> 18-C M.R.S. § 1-201(23).
  - <sup>3</sup> 18-C M.R.S. § 3-301(1)(A)(2).
  - <sup>4</sup> 18-C M.R.S. § 1-201(14).
  - <sup>5</sup> 18-C M.R.S. §§ 1-201(10) and 1-201(11).
  - <sup>6</sup> 18-C M.R.S. § 3-201.
  - <sup>7</sup> 18-C M.R.S. § 3-108.
  - <sup>8</sup> 18-C M.R.S. § 3-301(1)(A)(5).
  - <sup>9</sup> 18-C M.R.S. §§ 3-204, 3-306 and 3-310.
  - <sup>10</sup> 18-C M.R.S. § 3-801.
  - <sup>11</sup> 18-C M.R.S. § 3-301(1)(B).
  - <sup>12</sup> 18-C M.R.S. § 3-203.
  - <sup>13</sup> 18-C M.R.S. § 3-603.
  - <sup>14</sup> 36 M.R.S. § 4079.
  - <sup>15</sup> 18-C M.R.S. §§ 1-310 and 3-301.

MARP