

O.C. No. 00-101(Form where decedent died Intestate)
The Court requires that this form shall be used in all cases.
Counsel is required to supply all of the information requested
in this form. Note particularly marginal instructions.

**IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION**

Estate of

Deceased

The Petition of

(Name of Petitioner(s))

respectfully represents:

State whether decedent was married or unmarried; if married whether a spouse survived; and his or her name and residence. If deceased, the date of death and whether or not the decedent left issue or adopted children and, if so, their names and residences.

(a) The decedent died _____
(Date)

intestate and letters of administration on his/her estate were granted _____
(Date)

Decedent was/was not married at the date of death.

(b) The names and residences of all persons having any interest as heirs or next of kin, their relationship to the decedent (and, where applicable, the names of their parents, thereby disclosing the relationships and interests derived therefrom), and the proportion of their interests are as follows:

Name and Residence	Relationship	Interest
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State exceptions, if any, as to those parties in interest who are under legal disability, specifying the reason therefor, and the names and residences of their guardians or representatives and how appointed (specifying the court term and number, where applicable); the dates of the deaths of any of the beneficiaries who are deceased, the names and residences of their personal representatives and the dates and places of the grant of their letters; or the names and residences of their issue, when material. If there are no exceptions, insert the word "none".

State method, date and exceptions, if any. In those instances where notice has been given, a copy of said notice, as well as the names and addresses of the parties notified, shall be appended to the Petition for Adjudication. In those instances where notice is yet to be given, a copy of said notice as well as the names and addresses of the parties notified, shall be filed with the Court at the time and place of audit together with a certificate of notice executed by counsel. Strike out subsection (1) or (2), whichever is applicable.

All of said parties in interest are living, of age, and sui juris except:

(c) All parties in interest, including unpaid creditors and claimants, and any parties with arguable interests under Delaware County O.C.D. Rule 6.9.2(c);

(1) Have had notice of the filing of the account, the Petition for Adjudication, and of the time and place of audit by

(2) Shall be given notice of the filing of the account, the Petition for Adjudication, and of the time and place of audit as required by the Rules of Court.

(NOTE: Delaware County O.C.D. Rule 6.9.2(c) provides as follows: "(c) In those instances where there exists any fairly disputable issue or question, including a question of interpretation, known to or reasonably ascertainable by the accountant or his counsel, the aforesaid written notice to all parties in interest affected thereby shall state the same, the position and/or conclusion of the accountant with regard thereto, if any, and shall include a copy of the instrument or material parts thereof containing any provision which forms the basis of the dispute or question and a statement that if the person notified does not agree with the accountant's position and/or conclusion, he must appear at the audit in person or by counsel to present his contention, under penalty for failure to appear that the court will assume that he agrees with the accountant's position and/or conclusion.")

Strike out the inapplicable words.

(d) The Estate is/is not subject to Pennsylvania inheritance or estate taxes, and such tax has/has not been paid.

If too many for the space, annex a list thereof. If no such claims, insert the word "none".

(e) The names and addresses of unpaid creditors from whom the accountant has received written notice, the amounts of their claims, and whether or not such claims are admitted to be correct, as well as the names of any other unpaid claimants of whom the accountant has notice or knowledge, are as follows:

Here insert a reference to all questions requiring adjudication; a statement of any material facts not already given; and the position and/or conclusion of the accountant, if any. If none, insert the word "none". If any share has been assigned or disclaimed or attached, state the pertinent facts and attach copies of pertinent documents. Attach an addendum page if additional space is necessary.

(f) The following issues or claims are set forth for the court's consideration:

If so, state the present status thereof and the court, term and number thereof, if any.

(g) The decedent was/was not at the time of death a fiduciary in another estate which has not been terminated by a final adjudication or in writing by receipt and release, agreement or other form of written release.

If none, insert the word "none". With the exception of filing fees and credits of a minor nature, credits not set forth herein shall not be considered or approved by the Court, including, but not limited to commissions and/or fees of fiduciaries or their counsel, unless written notice thereof has been given to all parties in interest at least 10 days prior to the date of audit, in which event the same shall be set forth on the appearance slip of the attorney for the accountant. Further, in such event, copies of the aforesaid written notice shall be submitted with the appearance slip of the attorney for the accountant.

(h) An itemization of additional charges and/or credits sought to be included in the adjudication for receipts or disbursements not set forth in the account is as follows:

Strike out the inapplicable word or words. If a reserve is requested, state the amount and purpose thereof.

(i) A reserve is/is not requested.

If none, insert the word "none". If pertinent, list and attach hereto such items as a legal description of any real estate to be awarded as part of the adjudication, copies of assignments, and/or disclaimers, etc. Do not list items 1 and 2 set forth on the backer thereof.

(j) The following additional documents or instruments are submitted herewith:

If the distributees are identical with those set forth in Paragraph (b) hereof, so state, in which event it is unnecessary to repeat same. If so, indicate that distribution should be awarded to those persons or entities, and in the proportionate shares set forth in paragraph (b) above.

(k) The accountant requests that the court award the following real estate, for which the legal description is attached:

WHEREFORE, your Petitioner(s) ask(s) that distribution of principal and income be awarded as follows:

And your petitioner(s) will, etc.

(Signature of Petitioner(s))

COMMONWEALTH OF PENNSYLVANIA :
: COUNTY OF DELAWARE :

SS

_____, the within Petitioner(s), being duly sworn/affirmed according to law, depose(s) and say(s) that the facts set forth in the foregoing Petition which are within the personal knowledge of the Petitioner(s) are true, and as to facts based on the information of others, the Petitioner(s), after diligent inquiry believe(s) them to be true.

Signature(s) of individual Petitioner(s)

Sworn to and subscribed before me this

_____ day of _____, 20_____.

Notary Public

COMMONWEALTH OF PENNSYLVANIA :
: COUNTY OF DELAWARE :

SS

_____, being duly sworn/affirmed, according to law, deposes and says that he/she is the _____, of the Corporate Petitioner, and that the facts set forth in the foregoing Petition which are within the personal knowledge of the Deponent are true, and as to facts based on the information of others, the Deponent, after diligent inquiry believe(s) them to be true.

Signature of Officer of Corporate Petitioner

Sworn to and subscribed before me this

_____ day of _____, 20_____.

Notary Public