

THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 182

Adopting the Alaska
Probate Forms

IT IS ORDERED:

I. The Alaska Probate Forms, appended hereto as Forms 1 through 112, inclusive, are hereby adopted. These forms shall be used in all probate matters in the courts of Alaska commenced on or after the effective date of this order.


II. All forms heretofore published or used in probate matters in the courts of Alaska are superseded by the Alaska Probate Forms adopted herein; provided, however, that the Alaska Probate Forms need not be used in pending probate matters in which an election has been made pursuant to Rule 1, Rules of Probate Procedure, to continue to conclusion under the procedures established under Title 13 as it existed prior to its repeal by 78 SLA 1972. In pending probate matters subject to the rules of procedure prescribed in present Title 13, the Alaska Probate Forms shall be used for all procedures undertaken and for all papers and documents filed on or after the effective date of this order.

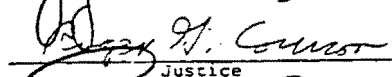
We wish to acknowledge and express our thanks to the author of these forms, Honorable Gerald F. Schroeder, Fourth District Court of the State of Idaho, and the State Bar of Idaho for granting permission to the Alaska Court System to modify, adopt and publish these forms as the Alaska Probate Forms.

EFFECTIVE DATE: July 1, 1974

DATED: June 5, 1974

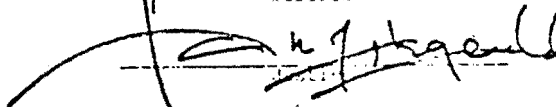
Distribution:
S/C Justices
Sup/Ct. Jdgs
Dist/Ct. Jdgs
Magistrates
Mag/Supr
Clks/Ct
Law Librarian
Probate Masters
Adm/Dir
All Members ABA
Gov
Dept/Law
Legs/Affairs
Pub/Def/Agency
Dept/Pub Safety
Alaska Legal Serv.


Chief Justice


Justice


Justice


Justice



FORM 1

RENUNCIATION OF SUCCESSION. AS 13.11.295

(Title of Court and Cause)

NO. _____

RENUNCIATION

The undersigned has an interest in property in the above-named estate, to-wit: _____
(describe interest)

Pursuant to AS 13.11.295, the undersigned hereby renounces

(specify whether the renunciation is to all or only to part of the property)

to the following described property:

(describe property or interest in property renounced.)

DATED this _____ day of _____, 19____.

Signature

Address

NOTE: The renunciation must be filed within six months after the death of the decedent or the donee of the power, or if the taker of the property is not finally ascertained then within six months after that event. It must be filed in the Court in the judicial district where the proceedings concerning the decedent's estate are pending or where they would be pending if commenced. A copy must be mailed to the personal representative of the decedent.

FORM 2

SELF-PROVED WILL. AS 13.11.165.

STATE OF ALASKA

Judicial District

We, _____, and _____, the testator and the witnesses, respectively, whose names are signed to the attached or foregoing instrument, being first duly sworn, do hereby declare to the undersigned authority that the testator signed and executed the instrument as his last will and that he had signed willingly or directed another to sign for him, and that he executed it as his free and voluntary act for the purposes therein expressed; and that each of the witnesses, in the presence and hearing of the testator, signed the will as witness and that to the best of his knowledge the testator was at that time 19 or more years of age, of sound mind and under no constraint or undue influence.

Testator

Witness

Witness

Subscribed, sworn to and acknowledged before me by _____

_____, the testator, and subscribed and sworn to before me by _____ and _____, witnesses, this _____ day of _____, 19_____.

Signature

(SFAL)

Official capacity of officer

NOTE: AS 13.16.165(b) provides that if a will is self-proved, compliance with signature requirements for execution is conclusively presumed and other requirements of execution are presumed subject to rebuttal without the testimony of any witness upon filing the will and the acknowledgment and affidavits annexed or attached thereto, unless there is proof of fraud or forgery affecting the acknowledgment or affidavit.

FORM 3

DEMAND FOR NOTICE. AS 13.16.070.

(Title of Court and Cause)

NO. _____

DEMAND FOR NOTICE

Please take notice that the undersigned has an interest in
the estate of _____ by reason of the fact
(decedent)
that _____
(state financial or property interest)

The undersigned hereby demands notice of all proceedings in
the above-named estate. Notice may be served upon the under-
signed at _____ or upon attorney _____
(address) (name of attorney)

(address)

DATED this _____ day of _____, 19____.

Demandant

Address

NOTE: Clerk must mail a copy of the demand to the Personal Rep-
resentative. No order or filing to which the demand relates shall
be made or accepted without notice as prescribed in AS 13.16.110.

FORM 4

NOTICE OF HEARING. (Method of giving) AS 13.06.110.

(Title of Court and Cause)

NO. _____

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that _____

_____ has filed herein a _____ (state
nature of pleading) _____, a copy of which is attached
hereto.

Hearing has been set upon said _____ (state
nature of pleading) on _____, the _____
day of _____, 19____, at _____ o'clock

_____.M., at Courtroom Number _____, _____ (state address of Court)
_____, _____, Alaska,
(City)

before _____
(state name of Judge or Master)

DATED this _____ day of _____, 19____.

Petitioner _____

Address _____

FORM 5

PROOF OF SERVICE BY MAIL. AS 13.06.110

(Title of Court and Cause)

NO. _____

PROOF OF SERVICE BY MAIL

STATE OF ALASKA)
) ss:
 _____ Judicial District)

I, _____, being first duly sworn, state
that I served the attached notice of hearing upon:

_____, _____
(name) (address)
by depositing a copy thereof in the United States mail at _____

_____, Alaska, on _____, enclosed in an
envelope addressed to each of the above-named person(s) at the
addresses set opposite his name with postage prepaid, by first
class mail (or certified or registered mail, if applicable).

Petitioner

Address

Subscribed and sworn to before me this _____ day of _____,

19 _____

Signature

Official Capacity

NOTE: Notice may be given, unless otherwise provided by a particular statute or Court order by mailing a copy of the notice, by certified, registered, or ordinary first class mail addressed to the person being notified at the post office address given in his Demand for Notice, if any, or at his office or place of residence, if known. The mailing must be at least fourteen days before the time set for hearing.

FORM 6

PROOF OF PERSONAL SERVICE OF NOTICE.
AS 13.06.110.

(Title of Court and Cause)

NO. _____

PROOF OF PERSONAL SERVICE
OF NOTICE

STATE OF ALASKA)

) ss:

_____ Judicial District)

I, _____, being first duly sworn, state that
I served the attached notice of hearing upon:

_____ (name)

_____ (address)

by delivering a copy thereof personally to the above-named per-
son at the address set opposite his name on _____, 19____.

Petitioner

Address

SUBSCRIBED AND SWORN to before me this _____ day of _____,

19____.

Signature

Official Capacity

NOTE: Service may be made by personally delivering a copy of the
notice to the person being notified at least fourteen days prior to
the time set for hearing, unless there is a specific statutory pro-
vision or Court order to the contrary.

FORM 7

CERTIFICATE. AS 13.06.080.

I, _____, Clerk of
The Superior Court of the _____ Judicial
District of the State of Alaska, do hereby certify that the
attached will is a true and correct copy of the original
probated will on file in this office and that the decedent
was/was not domiciled in this state and that said will was
admitted to probate in informal/formal proceedings.

In witness whereof, I have hereunto set my hand
and affixed my official seal this _____ day of _____,
19____.

Clerk of the Superior Court

By _____
Deputy

NOTE: It is important to note that a certified copy of a
probated will must indicate whether the decedent was domiciled
in Alaska and whether the probate was formal or informal.

Certificates relating to letters appointing personal representa-
tives must show the date of appointment.

FORM 10

PETITION FOR APPOINTMENT OF SPECIAL ADMINISTRATOR.
AS 13.16.510.

(Title of Court and Cause)

NO. _____

PETITION FOR APPOINTMENT OF
SPECIAL ADMINISTRATOR

Petitioner, _____, respectfully states as follows:

1. Decedent died on or about _____ 19____.
2. At the time of his death decedent was a resident of _____, _____, and left an estate
(Judicial District) (State)
in Alaska subject to administration.
3. Appointment of a special administrator is necessary to preserve the estate of the decedent for the following reasons:

(specify the property, so far as known, requiring administration

and the danger to which it is subject, such as the necessity to

sell perishable property, or to preserve an asset of the estate,

etc.)

4. Petitioner is _____
(state interest in estate)

Wherefore, petitioner prays that the court appoint _____ (name)
_____ as special administrator of the above estate.
(address)

Signature _____

Address _____

FORM 10/p.2

(VERIFICATION)

NOTE: Appointment of a special administrator may take place in informal proceedings without notice if the appointment is necessary to preserve the estate during a period in which there is no personal representative, or the appointment may be in formal proceedings with notice if there is a personal representative but for some reason (e.g., a conflict of interest) he cannot or should not act. If it appears that an emergency exists the Court may order appointment without notice.

FORM 11

ORDER FOR APPOINTMENT OF SPECIAL ADMINISTRATOR.
AS 15.16.310; 15.16.315.

(Title of Court and Cause)

NO. _____

ORDER FOR APPOINTMENT OF
SPECIAL ADMINISTRATOR

The above-entitled matter having duly and regularly come on
for hearing this _____ day of _____, 19____, and it
appearing necessary to appoint a special administrator;

IT IS HEREBY ORDERED AND DECREED that _____
is hereby appointed special administrator of the estate of _____
_____ to _____
(state the power and duties of the special
administrator)
amount of \$ _____,
upon his filing a bond in the

DATED this _____ day of _____, 19____.

Judge

NOTE: This order reflects a formal hearing with notice. An
appointment under informal proceedings does not require notice.

FORM 11

APPLICATION FOR INFORMAL PROBATE OF WILL.
AS 15.16.680

(Title of Court and Cause)

NO. _____

APPLICATION FOR INFORMAL PROBATE
OF WILL

Your applicant respectfully states as follows:

1. Your applicant is _____
(state interest of the applicant)

2. _____ died on _____, 19____.
(decedent)
at the age of _____ years. At the time of his death
the decedent was domiciled in _____,
(Judicial District)

_____, and is survived by the following persons:
(State)

(set forth the name and addresses of the decedent's spouse,
children, heirs and devisees, including the ages of any

who are minors so far as known or ascertainable with

reasonable diligence)

3. Venue for this proceeding is in _____
(Judicial District)

_____, because _____
(State) (this paragraph applicable if dece-

dent was not domiciled in this State at the time of his
death.)

4. No personal representative of the decedent has been appointed in this state or elsewhere. (Or name and address of personal representative whose appointment has not been terminated).
5. Applicant has/has not received a demand for notice and is/is not aware of a demand for notice of any probate or appointment proceeding concerning the decedent that may have been filed in this state or elsewhere.
6. The original of the decedent's last will was executed on _____, 19_____, and is _____ (in the possession

of the Registrar, or accompanies the application, or an

authenticated copy of the will probated in another juris-

diction accompanies the application)

7. To the best of the applicant's knowledge said will was validly executed, and, after the exercise of reasonable diligence, applicant is unaware of any instrument revoking said will. Applicant believes that said will is the decedent's last will.
8. The time limit for informal probate has not expired. _____

(if more than three years from death have passed set

forth circumstances authorizing tardy probate under

AS 13.16.040)

Wherefore, applicant prays that said will be admitted to informal probate and that the Registrar issue a written statement of informal probate.

DATED this _____ day of _____, 19_____.

Applicant _____

Address _____

(Verification)

FORM 13

STATEMENT OF INFORMAL PROBATE OF WILL.
AS 13.16.090

(Title of Court and Cause)

NO. _____

STATEMENT OF INFORMAL PROBATE
OF WILL

The application of _____ for the informal probate of the last will of _____, deceased, having come before the Registrar this _____ day of _____, 19____, and it appearing that the application is complete and contains the applicant's oath or affirmation that the statements contained therein are true to the best of his knowledge and belief, the Registrar makes the following findings based upon said application:

1. _____ died on _____, 19____, and at least 120 hours have elapsed since decedent's death.
2. The applicant is an interested person as defined by the laws of this State by reason of the fact that _____
(state interest)
3. Venue is proper because _____ (state reason, e.g. decedent was domiciled in the Judicial District at the time of his death)
4. The original, duly executed and apparently unrevoked will of decedent is in the Registrar's possession.
5. Any notice required by the laws of this State has been given and the application is not within AS 13.16.095.
6. The time limit for original probate has not expired.
7. A personal representative has not been appointed in this or in any other Judicial District of this State and neither this will nor any other will of the decedent has been the subject of a previous probate order.

FORM 15/p.2

THEREFORE, IT IS ORDERED that the application for informal probate is hereby granted and the last will of

dated _____, 19_____, is hereby admitted to informal probate.

DATED this _____ day of _____, 19_____.

Registrar

NOTE: AS 13.16.090(d), (e), set forth circumstances under which informal probate may take place when a will has been probated previously, or when a will is from a place which does not provide for probate of a will after death and the will is not eligible for probate under AS 13.16.090(a). If applicable, paragraph 7 of this form should be altered accordingly.

FORM 15

APPLICATION FOR INFORMAL APPOINTMENT OF A PERSONAL REPRESENTATIVE
(when a will has been probated). AS 13.16.080

(Title of Court and Cause)

NO. _____

APPLICATION FOR INFORMAL
APPOINTMENT OF A PERSONAL
REPRESENTATIVE

Your applicant respectfully states as follows:

1. Your applicant is _____
(state interest of applicant)

2. The original of the decedent's will was executed on
_____, 19____, and was admitted to probate in
the _____ in Cause No. _____, styled
(Court)

_____. Applicant adopts the statements
(title or case)
set forth in the application for probate filed in said
cause.

3. Applicant is entitled to be appointed as a personal rep-
resentative of decedent's estate because _____
(set forth basis

of claim and priority for appointment, e.g., named as exec-
utor in decedent's will)

4. Applicant's name and address are:

(name)

(address)

WHEREFORE, applicant prays that he be appointed personal representative of decedent's estate and that letters testamentary be issued to applicant.

DATED this _____ day of _____, 19____.

Applicant

Address

(VERIFICATION)

NOTE: If bond is required and the amount not specified by the provisions of the will or order, the person seeking appointment must file a statement under oath indicating his best estimate of the value of the personal estate and income expected from the personal and real property for the next year, unless this information is included in the application.
AS 13.16.260.

AS 13.16.255 provides that the personal representative need not give bond unless the will requires bond or unless a demand for bond has been made under AS 13.16.265. Further, bond is never required if the personal representative, pursuant to statute, has deposited cash or collateral with an agency of the state to secure performance of his duties.

FORM 16

INFORMAL APPOINTMENT OF A PERSONAL REPRESENTATIVE
(when will has previously been probated).
AS 13.16.115

(Title of Court and Cause)

NO. _____

INFORMAL APPOINTMENT OF A
PERSONAL REPRESENTATIVE

The application of _____ for the informal
appointment of a personal representative of the estate of
_____, deceased, having been considered this
_____ day of _____, 19____, and it appearing that
the application is complete and contains an oath or affirmation
that the statements contained therein are true to the best of
applicant's knowledge and belief, the Registrar makes the
following findings:

1. The applicant is an interested person as defined by
the laws of this state by reason of the fact that

(set forth interest)
2. Venue is proper because _____
(state reason).
3. The will to which the requested appointment relates
has been (formally/informally) probated.
4. Any notice required by the laws of this state has been
given.
5. The application indicates that there is no unrevoked
testamentary instrument that relates to property which
is the subject of these proceedings, and which has not
been filed for probate.
6. The proceeding was commenced within the limitation pre-
scribed by the laws of this state.
7. A personal representative has not been appointed in a
judicial district of this state.
8. The person whose appointment is sought has priority
entitling him to appointment as personal representative.

THEREFORE, IT IS ORDERED THAT:

1. The application for informal appointment of a personal representative is hereby granted.
2. _____ is hereby appointed as personal representative of the estate of _____, (with bond) for purposes of informal probate of said estate.
3. Letters testamentary shall be issued to _____ upon his qualification and acceptance.

DATED this _____ day of _____, 19____.

Registrar

NOTE: If bond is required the statement should set forth the amount.

FORM 17

APPLICATION FOR INFORMAL PROBATE OF WILL AND APPOINTMENT OF
A PERSONAL REPRESENTATIVE. AS 13.16.030.

(Title of Court and Cause)

NO. _____

APPLICATION FOR INFORMAL
PROBATE OF WILL AND APPOINT-
MENT OF A PERSONAL REPRESENTATIVE

Your applicant respectfully states as follows:

1. Your applicant is _____
(state interest of the applicant)
2. _____ died on _____, 19____,
at the age of _____ years. At the time of his death
the decedent was domiciled in _____
(Judicial District)
_____, and is survived by the following persons:
(State)

(set forth the name and addresses of the decedent's spouse,
children, heirs and devisees, including the ages of any
who are minors so far as known or reasonably ascertainable
with reasonable diligence)

3. Venue for this proceeding is in _____
(Judicial District)
_____, because _____
(State)

(this paragraph is applicable if the decedent was not
domiciled in this State at the time of his death)

4. No personal representative of the decedent has been appointed in this State or elsewhere (or name and address of personal representative whose appointment has not been terminated.)

5. Applicant has not/has received a demand for notice and is/is not aware of a demand for notice of any probate or appointment proceeding concerning the decedent that may have been filed in this State or elsewhere.

6. The original of the decedent's will was executed on _____, 19_____, and is _____
(in the possession

of the Registrar, or accompanies the application, or an

authenticated copy of the will probated in another

jurisdiction accompanies the application)

7. To the best of applicant's knowledge said will was validly executed, and, after the exercise of reasonable diligence, applicant is unaware of any instrument revoking said will. Applicant believes said will is the decedent's last will.

8. The time limit for informal probate has not expired (if more than three years from the decedent's death have passed, set forth the circumstances authorizing tardy probate under AS 13.16.040.)

9. Applicant is entitled to be appointed as personal representative of decedent's estate because _____

(set forth basis of claim and priority for appointment,

e.g., named executor in decedent's will)

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WHEREFORE, applicant prays that the decedent's will be admitted to informal probate and that he be appointed personal representative of decedent's estate and the letters testamentary be issued to applicant.

DATED this _____ day of _____, 19____.

Applicant

Address

(VERIFICATION)

NOTE: If bond is required and the amount is not specified by the provisions of the will or order, the person seeking appointment must file a statement under oath indicating his best estimate of the value of the personal estate and income expected from the personal and real property for the next year, unless this information is included in the application. AS 13.16.260.

AS 13.16.255 provides that the personal representative must give bond unless the will requires bond or unless demand for bond has been made under AS 13.16.265. Further, bond is not required if the personal representative is a qualified corporate fiduciary or has, pursuant to statute, deposited cash or collateral with an agency of the state to secure performance of his duties.

FORM 18

STATEMENT OF INFORMAL PROBATE OF WILL AND APPOINTMENT OF A
PERSONAL REPRESENTATIVE. AS 13.16.090; 13.16.115.

(Title of Court and Cause)

NO. _____

STATEMENT OF INFORMAL PROBATE OF
WILL AND APPOINTMENT OF A PERSONAL
REPRESENTATIVE

The application of _____ for the informal probate
of the will of _____, and the appointment of a per-
sonal representative having come before the Registrar this
day of _____, 19____, and it appearing that the application
is complete and contains the applicant's oath or affirmation that
the statements contained therein are true to the best of his know-
ledge and belief, the Registrar makes the following findings:

1. _____ died on _____, 19____
and at least 120 hours have elapsed since decedent's death.
2. The applicant is an interested person as defined by the
laws of this state by reason of the fact that _____

(state interest)
3. Venue is proper because _____
(state reason, e.g., decedent was
domiciled in the Judicial District at the time of his death)
4. The original, duly executed and apparently unrevoked will
of the decedent is in the Registrar's possession.
5. Any notice required by the laws of this State has been
given and the application is not within AS 13.16.095.
6. The time limit for original probate has not expired.
7. A personal representative has not been appointed in this
or any other Judicial District of this state and neither
this will nor any other will of the decedent has been the subject
of a previous probate order.

8. _____ is entitled to act as personal representative of the decedent's estate because _____
(state priority, e.g., named executor in the will)

THEREFORE, IT IS ORDERED THAT:

1. The application for informal probate is hereby granted and the last will of _____, dated _____, 19_____, is hereby admitted to informal probate.
2. The application for informal appointment of a personal representative is hereby granted and _____ is hereby appointed as personal representative of the estate of _____, deceased, without bond (or upon giving bond in the amount of \$ _____).
3. Letters Testamentary shall be issued to _____ upon his qualification and acceptance.

DATED this _____ day of _____, 19_____.

Registrar

NOTE: AS 13.16.090(d), (e) set forth circumstances under which informal probate may take place when a will has been probated previously. AS 13.16.115(b) indicates the circumstances under which informal appointment may take place even though a prior appointment has been made. If either circumstance exists, paragraph 7 should be altered accordingly.

FORM 19

LETTERS TESTAMENTARY AND ACCEPTANCE (Informal Probate). AS 13.16.24:
(Title of Court and Cause)

NO. _____

LETTERS TESTAMENTARY AND
ACCEPTANCE

The will of _____ having been admitted
to informal probate, _____ is hereby
(name of personal representative)
appointed personal representative of the estate.

DATED this _____ day of _____, 19 _____.

Registrar

I hereby accept the duties and responsibilities of the
office of personal representative of the estate of _____
(name of
decedent) which I will perform as required by law.

I have filed any required bond.

Personal Representative

Address

(VERIFICATION)

NOTE: AS 13.16.250 states that by accepting appointment a
personal representative submits personally to the jurisdiction
of the court in any proceeding relating to the estate.

FORM 20

APPLICATION FOR INFORMAL APPOINTMENT OF AN ADMINISTRATOR IN
INTESTACY. AS 13.16.080.

(Title of Court and Cause)

NO. _____

APPLICATION FOR INFORMAL APPOINT-
MENT OF AN ADMINISTRATOR IN
INTESTACY

Your applicant respectfully states as follows:

1. Your applicant is _____
(state interest of applicant)

2. _____ died on _____, 19____,
at the age of _____ years. At the time of his death the
decedent was domiciled in _____
(Judicial District) (State)
and is survived by the following persons:

(set forth the name and addresses of the decedent's spouse,
children, heirs and devisees, including the ages of any
who are minors so far as known or ascertainable with
reasonable diligence)

3. Venue for this proceeding is in _____
(Judicial District)
_____, because _____
(State) (this paragraph is applicable if
the decedent was not domiciled in this State at the time of
his death)

4. No personal representative of the decedent has been appointed in this State or elsewhere (or name and address of personal representative whose appointment has not been terminated).
5. Applicant has/has not received a demand for notice and is/is not aware of a demand for notice of any probate or appointment proceeding concerning the decedent that may have been filed in this State or elsewhere.
6. Applicant exercised reasonable diligence to determine if decedent died testate and has found no unrevoked testamentary instrument relating to property having a situs in Alaska. (When applicable this paragraph should contain a statement as to why any such instrument of which he is aware is not being probated.)
7. The applicant is entitled to be appointed personal representative of decedent's estate because _____
(set forth

_____ basis of claim and priority for appointment)

Other persons having a prior or equal right to the appointment under AS 13.16.065 are as follows:

| | |
|--------------|--|
| _____ (name) | _____ (basis of right to be appointed) |
|--------------|--|

WHEREFORE, applicant prays that he be appointed personal representative of decedent's estate and that letters of administration be issued to the applicant.

DATED this _____ day of _____, 19_____.

Applicant

Address

(Verification)

NOTE: Persons who have filed a demand for notice and persons with a prior or equal right to appointment must be given notice. No other notice of any informal appointment proceeding is required. If bond is required the person seeking appointment must file a

FORM 20/p.3

statement under oath indicating his best estimate of the value of the personal estate and expected income from the personal and real property for the next year, if this information is not included in the application. AS 13.16.260. Under AS 13.16.255 in an intestate estate a personal representative need not give bond unless a demand for bond has been made under AS 13.16.265. If the personal representative has deposited cash or collateral with an agency of the state to secure performance of his duties, bond is never required. However, under AS 13.16.260, the Court upon petition may change the normal bond requirements.

FORM 21

STATEMENT OF INFORMAL APPOINTMENT OF A PERSONAL REPRESENTATIVE.
AS 13.16.115.

(Title of Court and Cause)

NO. _____

STATEMENT OF INFORMAL APPOINTMENT
OF A PERSONAL REPRESENTATIVE

The application of _____ for informal appointment of a personal representative having come before the Registrar, and it appearing that the application is complete and contains the applicant's oath or affirmation that the statements contained therein are true to the best of his knowledge and belief, the Registrar makes the following findings based upon the application:

1. _____ died on _____, 19____, and at least one hundred twenty (120) hours have elapsed since the decedent's death.
2. The applicant is an interested person as defined by AS 13.06.050(20) of this State by reason of the fact that _____
(state interest)
3. Venue is proper because _____
(state reason, e.g., decedent domiciled in the Judicial District at the time of death.)
4. No personal representative of the decedent has been appointed in this State or elsewhere.
5. Notice of the application is not necessary by reason of the fact that applicant has not received a demand for notice and is not aware of a demand for notice of any probate or appointment proceeding filed in this State or elsewhere. Further, there are no persons with a prior or equal right to appointment to whom notice must be given.

OR

Applicant has served notice of the application on all persons who have filed a demand for notice and on all persons with a prior or equal right to appointment. No objections to the application have been filed.

FORM 21/p.2

6. No will of the decedent has been offered for probate in this State or elsewhere, and the applicant is not aware of any will of the decedent.

7. Applicant is entitled to be appointed personal representative of the decedent because _____
(state priority, e.g.,

surviving spouse)

THEREFORE, IT IS ORDERED that:

1. _____ is hereby informally appointed personal representative of the estate of _____, (decedent) without bond (or upon giving bond in the amount of \$_____.)
2. Letters of Administration shall be issued to _____ upon his qualification and acceptance.

DATED this _____ day of _____, 19____.

Registrar

NOTE: This form is intended for use in the intestate case.

FORM 24

PETITION FOR FORMAL PROBATE OF WILL. AS 13.16.145.

(Title of Court and Cause)

NO. _____

PETITION FOR FORMAL PROBATE
OF WILL

Your petitioner respectfully states as follows:

1. Your petitioner is _____
(state interest of the applicant)
2. _____ died on _____, 19____,
at the age of _____ years. At the time of his death the
decedent was domiciled in _____ (Judicial District) _____ (State),

and is survived by the following persons:

_____ (set forth the name and address of the decedent's spouse,

children, heirs and devisees, including the ages of any

who are minors so far as known or ascertainable with rea-

sonable diligence)

3. Venue for this proceeding is in _____ (Judicial District)
_____ (State) _____ (applicable if the decedent was not

domiciled in this State at the time of his death)

4. No personal representative of the decedent has been appointed
in this State or elsewhere (or name and address of personal
representative whose appointment has not been termi-
nated: _____.)

5. Petitioner has/has not received a demand for notice and is/is not aware of a demand for notice of any probate or appointment proceeding concerning the decedent that may have been filed in this State or elsewhere.
6. The original of the decedent's last will was executed on _____, 19_____, and is _____ (in the possession of the Court, or accompanies the petition, or an authenticated copy of the will probated in another jurisdiction accompanies the petition or is unavailable but contained the following provisions.)
7. To the best of the petitioner's knowledge said will was validly executed, and, after the exercise of reasonable diligence, petitioner is unaware of any instrument revoking said will. Petitioner believes that said will is the decedent's last will.

WHEREFORE, petitioner prays that the Registrar fix a time and place for hearing; that notice be given to all interested persons as provided by law; and that said will be admitted to probate.

DATED this _____ day of _____, 19_____.

Petitioner

Address

(Verification)

FORM 25

ORDER FIXING TIME AND PLACE OF HEARING. AS 13.16.150

(Title of Court and Cause)

NO. _____

ORDER FIXING TIME AND PLACE
OF HEARING

The petition of _____ for formal probate of t
will of _____ and appointment of a persor
(name of decedent)
representative having come before the Court;

IT IS HEREBY ORDERED that the _____ day of _____,
19____, at _____ o'clock _____-M., at Courtroom _____,

(address of Court)
before _____, be the
(state name of Judge or Master)
time and place for the hearing of said petition, and that any
person interested may appear and contest said will (and may
object to the appointment of petitioner as personal representa

(add if applicable)

IT IS FURTHER ORDERED that the petitioner give notice of
said hearing in the manner prescribed by AS 13.06.110 to all
persons entitled to notice pursuant to AS 13.16.150 and to all
persons who have filed a demand for notice pursuant to AS 13.16

DATED this _____ day of _____, 19____

Judge _____

FORM 26

NOTICE OF HEARING PETITION FOR FORMAL PROBATE OF WILL.

(Title of Court and Cause)

NO. _____

NOTICE OF HEARING PETITION
FOR FORMAL PROBATE OF WILL

NOTICE IS HEREBY GIVEN that _____ has
filed herein a petition for formal probate of will, a copy
of which is attached hereto.

Hearing has been set upon said petition on the _____ day
of _____, 19____, at _____ o'clock _____ .M. at the
courtroom of the above-named Court.

DATED this _____ day of _____, 19____.

Petitioner

Address

(PROOF OF SERVICE)

NOTE: This is the notice that is mailed or served personally.
It can be altered for publication by substituting "a copy of
which is on file in the above-named court" for "a copy of which
is attached hereto." This change eliminates the necessity of
publishing the entire petition.

FORM 27

OBJECTIONS TO FORMAL PROBATE OF WILL. AS 13.16.155

(Title of Court and Cause)

NO. _____

OBJECTIONS TO FORMAL PROBATE
OF WILL

I, _____ respectfully state
(name of person making objection)
as follows:

1. The petitioner has an interest in the above-named estate
by reason of the fact that _____
(state interest)
2. On _____, _____ filed
(date) (name of petitioner)
a petition for probate of will in the above-named estate.
3. Petitioner herein objects to admission of the will to
probate that has heretofore been offered for the reason(s)
that _____
(state grounds of objection)

WHEREFORE, petitioner prays that the Court set a time and
place for hearing petitioner's objections and that the will
heretofore offered for probate be denied admission to probate.

DATED this _____ day of _____, 19____.

Petitioner

Address

(Proof of Service)

FORM 28

AFFIDAVIT OF ATTESTING WITNESS. AS 13.16.160

(Title of Court and Cause)

NO. _____

AFFIDAVIT OF ATTESTING WITNESS
ON PROBATE OF WILL

STATE OF _____ }
_____ } ss.

I, _____, being duly sworn, state as follows:

1. I reside in the _____ Judicial District in the State of _____.
2. I knew _____ on the _____ day of _____, 19____, (decedent) the date of the instrument now shown to me, marked as filed in this Court on the _____ day of _____, 19____, purporting to be the last will and testament of said decedent. On that date I was _____ (age of witness).

OR

I knew _____ on the _____ day of _____, 19____, (decedent) the date of the instrument now shown to me, which is a photocopy or carbon copy of the original will on file with the Court. The copy I have examined is attached to this affidavit. On the date the copy bears, I was _____ (age)

3. I am one of the attesting witnesses to said instrument. I also know the other attesting witness.
4. The said instrument was signed (or acknowledged) by _____, at _____, in the _____ (decedent) Judicial District in the State of _____, on the _____ day of _____, 19____, in the presence of myself and _____ (name other witnesses).

FORM 28/p.2

_____ signed and executed the instrument as
(decedent)
his last will. He signed willingly, and executed it as
his free and voluntary act for the purposes therein expressed;
and each of the witnesses, in the presence and hearing of the
testator, signed the will as witness. To the best of my
knowledge the testator was at that time an adult of sound
mind and under no constraint or undue influence.

Witness

Address

Subscribed and sworn to before me this _____ day of _____,
19____.

Signature

Official Capacity

FORM 29

AFFIDAVIT OF WITNESS TO SIGNATURE OF TESTATOR WHERE ATTESTING
WITNESS IS NOT AVAILABLE. AS 13.16.160.

(Title of Court and Cause)

NO. _____

AFFIDAVIT OF WITNESS OF SIGNATURE
OF TESTATOR WHERE ATTESTING WIT-
NESS IS NOT AVAILABLE

STATE OF _____)
_____) ss
Judicial District)

I, _____, being duly sworn, state
as follows:

1. On _____ I knew _____
(date of execution of will) (testator)

On that date I was _____ years old.
(age)

I had known _____ for _____ years as a
(testator)

(Detail nature of acquaintance, e.g., friend, business
associate, etc.)

2. I have examined what purports to be _____
(testator's)

will dated _____, a copy of which is attached to
this affidavit.

3. I am well acquainted with the signature of _____
(testator)

4. I believe the signature of _____ on the will is
(testator)
genuine.

FORM 79/p.2

Witness _____

Address _____

Subscribed and sworn to before me this _____ day of _____,

19 _____.

Signature _____

Official Capacity _____

FORM 30

ORDER FOR FORMAL PROBATE OF WILL. AS 13.16.180

(Title of Court and Cause)

NO. _____

ORDER FOR FORMAL PROBATE OF WILL

The petition of _____ for formal probate of will having come before the Court, the Court makes the following findings:

1. _____ died on _____, 19____, while
(Decedent)
domiciled in _____,
(Judicial District) (State)
2. _____ died testate, having executed a will on
_____, 19____. Said will was validly
executed and is the last will of the decedent. The original
of said will is filed with the Court.
3. All notices required by law have been given.
4. No objections to the petition for formal probate of will
have been filed.
5. The heirs of the decedent are as follows:
_____, (name) (relationship) (age) (address)
6. The devisees of the decedent are as follows:
_____, (name) (relationship) (age) (address)
7. Venue is proper because _____
(this paragraph is superfluous if
paragraph 1 shows proper venue)

THEREFORE, IT IS ORDERED AND DECREED THAT:

The decedent died testate, and the will of the decedent
dated _____, 19____, is admitted to formal probate.

FORM 36/p.2

DATED this _____ day of _____, 19_____.

Judge _____

NOTE: Paragraph 1 will generally show that the proceeding was commenced within the limitation prescribed by AS 13.16.040. If it does not, an additional finding showing compliance with AS 13.16.040 should be made.

FORM 31

PETITION FOR FORMAL PROBATE OF WILL AND APPOINTMENT OF A
PERSONAL REPRESENTATIVE. AS 15.16.140; 15.16.145

(Title of Court and Cause)

NO. _____

PETITION FOR FORMAL PROBATE OF
WILL AND APPOINTMENT OF A PER-
SONAL REPRESENTATIVE.

Your petitioner respectfully states as follows:

1. Your petitioner is _____
(state interest of petitioner)
2. _____ died on _____, 19____ at
the age of _____ years. At the time of his death the
decedent was domiciled in _____,
(Judicial District) (State)
and is survived by the following persons:

(set forth the names and addresses of the decedent's spouse,
children, heirs and devisees, including the ages of any who
are minors so far as known or ascertainable with reasonable
diligence)

3. Venue for this proceeding is in _____,
(Judicial District)
_____, because
(State) (this paragraph is applicable if
the decedent was not domiciled in
this State at the time of his death.)
4. No personal representative of the decedent has been appointed
in this state or elsewhere (or name and address of personal
representative whose appointment has not been terminated.)

5. Petitioner has/has not received a demand for notice and is/is not aware of a demand for notice of any probate or appointment proceeding concerning the decedent that may have been filed in this state or elsewhere.
6. The original of decedent's last will was executed on _____, 19_____, and is _____
(in the possession of the Court, or accompanies the petition, or an authenticated copy of the will probated in another jurisdiction accompanies the petition).
7. To the best of the petitioner's knowledge said will was validly executed, and, after the exercise of reasonable diligence, petitioner is unaware of any instrument revoking said will. Petitioner believes that said will is the decedent's last will.
8. Petitioner is entitled to appointment as personal representative of decedent's estate because _____
(State interest, e.g., nominated in the will)

WHEREFORE, petitioner prays that the Court fix a time and place for hearing; that notice be given to all interested persons as provided by law; that said will be admitted to probate and that petitioner be appointed personal representative of said estate.

DATED this _____ day of _____, 19_____.

Petitioner

Address

(VERIFICATION)

NOTE: If the will is lost or unavailable that fact should be

FORM 31/p.3

set out in the petition.

If bond is required information to enable the Court to fix the amount must either be set forth in the petition or in a separate statement filed with the Court.

FORM 32

LETTERS TESTAMENTARY AND ACCEPTANCE (Formal Probate).

(Title of Court and Cause)

NO. _____

LETTERS TESTAMENTARY AND ACCEPTANCE

The Will of _____, deceased, having
been proved and admitted to probate in the above-named Court in
formal proceedings, _____, the person
who is named personal representative therein, is hereby appointed
personal representative.

DATED this _____ day of _____, 19____.

Judge

STATE OF ALASKA)
) ss.
 _____ Judicial District)

I hereby accept the duties of personal representative of
 the estate of _____, and do solemnly swear that
 (name of decedent)
 I will perform, according to law, the duties of personal rep-
 resentative.

I have filed any required bond.

 Personal Representative

 Address

Subscribed and sworn to before me, this _____ day of _____
 19____.

 Signature

 Official Capacity

NOTE: AS 13.60.250 states that by accepting appointment, a
 personal representative submits personally to the jurisdiction
 of the Court in any proceeding relating to the estate.

FORM 33

PETITION FOR ADJUDICATION OF INTESTACY AND DETERMINATION OF HEIRS. AS 13.16.140; 13.16.145

(Title of Court and Cause)

NO. _____

PETITION FOR ADJUDICATION OF INTESTACY AND DETERMINATION OF HEIRS

The petitioner respectfully states as follows:

1. Petitioner is _____
(state interest of the petitioner, e.g., surviving spouse)
2. _____ died on _____, 19____, at the age of _____ years. At the time of his death the decedent was domiciled in _____ (Judicial District), _____ (State), and is survived by the following heirs (and minor children, if applicable).
_____, _____, _____, _____
(name) (relationship) (age) (address)
3. Venue for this proceeding is in _____ (Judicial District), _____ (State) because _____ (state reason).
4. No personal representative of the decedent has been appointed in this state or elsewhere. (Name and address of personal representative whose appointment has not been terminated.)
5. Petitioner has/has not received a demand for notice and is/is not aware of a demand for notice of any probate or appointment proceeding concerning the decedent that may have been filed in this state or elsewhere.
6. Decedent left no will.

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WHEREFORE, petitioner prays that the Court fix a time and place for hearing; that notice be given to all interested persons as provided by law; and that the Court enter its finding that the decedent died intestate and its determination of heirs.

DATED this _____ day of _____, 19____.

Petitioner

Address

(Verification)

FORM 34

ORDER OF INTESTACY AND DETERMINATION OF HEIRS.
AS 13.16.145

(Title of Court and Cause)

NO. _____

ORDER OF INTESTACY AND
DETERMINATION OF HEIRS

The petition of _____ for an adjudication of intestacy and determination of heirs having come before the Court, the Court makes the following findings:

1. _____ died on _____, 19____, at the age of _____ years. At the time of his death, decedent was domiciled in _____ (Judicial District) _____ (State).
2. The decedent died intestate.
3. The decedent is survived by the following heirs:
_____, _____ (name) _____ (relationship) _____ (age) _____ (address)
4. Venue is proper because _____ (this paragraph may be unnecessary if paragraph 1 shows proper venue)
5. All notices have been given as required by law.

THEREFORE, IT IS ORDERED AND DECREED that the decedent died intestate and is survived by the following heirs:

_____, _____ (name) _____ (relationship) _____ (age) _____ (address)

DATED this _____ day of _____, 19____.

Judge

FORM 35

PETITION FOR ADJUDICATION OF INTESTACY AND APPOINTMENT OF
ADMINISTRATOR. AS 13.16.140; 13.16.145

(Title of Court and Cause)

NO. _____

PETITION FOR ADJUDICATION OF
INTESTACY AND APPOINTMENT OF
ADMINISTRATOR

The petitioner respectfully states as follows:

1. Petitioner is _____
(state interest, e.g., surviving spouse)

2. _____ died on _____, 19____, at
the age of _____ years. At the time of his death, the
decedent was domiciled in _____,
(Judicial District) (State)
and is survived by the following heirs (and minor children,
if applicable):

_____, (name) _____, (relationship) _____, (age) _____, (address) _____

3. Venue for this proceeding is in _____
(Judicial District)
_____, because _____
(State) (state reason)

4. No personal representative of the decedent has been appointed
in this state or elsewhere. (Name and address of personal
representative whose appointment has not been terminated.)

5. Petitioner has/has not received a demand for notice and
is/is not aware of a demand for notice of any probate or
appointment proceeding concerning the decedent that may
have been filed in this state or elsewhere.

6. Petitioner has exercised reasonable diligence to determine if
decedent died testate and has found no unrevoked testa-
mentary instrument relating to property having a situs in
Alaska. (When applicable, this paragraph should contain a
statement as to why any such instrument of which he is

aware is not being probated).

7. Petitioner is entitled to be appointed personal representative because _____
(set forth basis of claim and priority
for appointment)

Other persons having a prior or equal right to the appointment under AS 13.16.063 are as follows:

| _____ (name) | _____ (basis of right to be appointed) |
|-----------------|---|
|-----------------|---|

WHEREFORE, Petitioner prays that the Court fix a time and place for hearing; that notice be given to all interested persons as provided by law; and that the Court enter its finding that decedent died intestate and its determination of heirs.

DATED this _____ day of _____, 19____.

Petitioner

Address

(Verification)

NOTE: If bond is required the petition should set forth information to permit the Court to fix the amount or the information should be set forth in a separate statement filed with the Court.

FORM 36

ORDER OF INTESTACY AND APPOINTMENT OF ADMINISTRATOR IN
FORMAL PROCEEDINGS. AS 13.16.180

(Title of Court and Cause)

NO. _____

ORDER OF INTESTACY AND APPOINT-
MENT OF ADMINISTRATOR IN FORMAL
PROCEEDINGS.

The petition of _____ for adjudication of
intestacy and appointment of an administrator having come before
the Court, the Court makes the following findings:

1. _____ died on _____, 19____, at the age of
_____ years. At the time of his death, decedent was
domiciled in _____ (Judicial District) _____ (State).
2. The decedent dies intestate.
3. The decedent was survived by the following heirs:
_____, _____, _____, _____
(name) (relationship) (age) (address)
4. Venue is proper because _____
(this paragraph may be unnecessary
if paragraph 1 shows proper venue.)
5. All notices have been given as required by law.
6. No personal representative of the decedent has been
appointed to administer the decedent's estate.

THEREFORE, IT IS ORDERED AND DECREED that

1. The decedent died intestate and is survived by the following
heirs:
_____, _____, _____, _____
(name) (relationship) (age) (address)
2. _____ is appointed personal representative of
the decedent's estate.

3. Letters of Administration shall be issued to _____
upon qualification and acceptance.

DATED this _____ day of _____, 19 _____.

Judge

NOTE: If the Court determines that the administrator must give bond, a finding should be entered giving the amount and the basis.

FORM 40

PETITION FOR PROBATE OF WILL AND APPOINTMENT OF PERSONAL
REPRESENTATIVE UNDER SUPERVISED ADMINISTRATION. AS 13.16.220

(Title of Court and Cause)

NO. _____

PETITION FOR PROBATE OF WILL AND
APPOINTMENT OF PERSONAL REPRESENT-
ATIVE UNDER SUPERVISED ADMINISTRATION

Your petitioner respectfully states as follows:

1. Your petitioner is _____.
2. _____ died on _____, 19____, at the age of
(decedent) _____ years. At the time of his death decedent was
domiciled in _____ (Judicial District) (State), and is
survived by the following persons:

(set forth the name and address of the decedent's spouse,
children, heirs and devisees, including the ages of any
who are minors so far as known or ascertained with
reasonable diligence.)

3. Venue for this proceeding is in _____
(Judicial District), because
(State) _____ (this paragraph is applicable if
the decedent was not domiciled in
the State at the time of his death.)
4. No personal representative of the decedent has been appointed
in this state or elsewhere (or name and address of a personal
representative whose appointment has not been terminated.)
5. Petitioner has/has not received a demand for notice and
is/is not aware of a demand for notice of any probate or

appointment proceeding concerning the decedent that may have been filed in this state or elsewhere.

6. The original of decedent's last will was executed on _____, 19____, and is _____ (in the possession of _____ the Court, or accompanies the petition, or an authenticated copy of the will probated in another jurisdiction accompanies the petition, or has been previously admitted to informal probate, etc.)

7. To the best of petitioner's knowledge said will was validly executed, and after the exercise of reasonable diligence, petitioner believes that said will is decedent's last will.

8. Petitioner is entitled to appointment as personal representative of decedent's estate because _____ (state reasons, e.g., decedent's will directs supervised administration, it is necessary for protection of persons interested in the estate, etc.)

WHEREFORE, Petitioner prays that the Court fix a time and place for hearing; that notice be given to all interested persons as provided by law; that said will be admitted to probate and that petitioner be appointed personal representative of said estate under supervised administration.

DATED this _____ day of _____, 19____.

Petitioner _____

Address _____

(VERIFICATION)

FORM 41

ORDER ADMITTING WILL TO PROBATE AND APPOINTING PERSONAL
REPRESENTATIVE UNDER SUPERVISED ADMINISTRATION. AS 13.16.230

(Title of Court and Cause)

NO. _____

ORDER ADMITTING WILL TO PROBATE
AND APPOINTING PERSONAL REPRESENTATIVE
UNDER SUPERVISED ADMINISTRATION

The above-entitled matter having come on for hearing this
day of _____, 19____, the Court makes the
following findings:

1. _____ died on _____, 19____; in
(decendent) _____
(Judicial District) _____ (State) _____.
2. At the time of his death _____, was domiciled
in _____
(Judicial District) _____ (State) _____.
3. Decedent died testate, having executed a will on _____,
19____, which has heretofore been filed in the above-named
Court on _____, 19____.
4. _____ is entitled to be appointed personal
representative of decedent's estate.
5. The decedent's estate is proper for supervised administration
because _____
(set forth reasons necessitating supervised administration)

IT IS HEREBY ORDERED:

1. The decedent's will dated _____, is admitted to
probate.
2. _____ is appointed personal representative of
the estate under supervised administration with the following
restrictions _____.
3. The personal representative is not required to file a bond

FORM 41/p.2

and letters shall be issued forthwith to the personal representative in the manner provided by law.

OR

3. The personal representative is required to file a bond in the amount of \$ _____ and letters shall issue upon filing said bond.

DATED this _____ day of _____, 19____.

Judge _____

FORM 42

PETITION FOR PROBATE OF WILL AND APPOINTMENT OF PERSONAL REPRESENTATIVE UNDER SUPERVISED ADMINISTRATION AND REQUEST FOR RESTRAINING ORDER.

(Title of Court and Cause)

NO. _____

PETITION FOR PROBATE OF WILL AND APPOINTMENT OF PERSONAL REPRESENTATIVE UNDER SUPERVISED ADMINISTRATION AND REQUEST FOR RESTRAINING ORDER.

Your petitioner respectfully states as follows:

1. Your petitioner is _____.
2. _____ died on _____, 19____, at the age of _____ years. At the time of his death decedent was domiciled in _____ (Judicial District) _____ (State), and is survived by the following persons:

(set forth the name and address of the decedent's spouse, children, heirs, and devisees, including the age of any who are minors so far as known or ascertainable with reasonable diligence)

3. Venue for this proceeding is in _____ (Judicial District) _____ (State), because _____ (include only if the decedent was not domiciled in the State at the time of his death)

4. _____ was previously appointed personal representative of decedent's estate on _____ (date)

in _____ and should be restrained from
(Court and Case No.)
exercising any power as personal representative of decedent's
estate pending full hearing on this matter for the reasons
that _____
(state reasons)

5. Petitioner has/has not received a demand for notice and is/
is not aware of a demand for notice of any probate or
appointment proceeding concerning the decedent that may have
been filed in this State or elsewhere.
6. Decedent's last will was executed on _____, 19____,
and the original is presently _____
(in the possession of the
Court, or accompanies the petition, or an authenticated
copy of the will probated in another jurisdiction accompanies
the petition, or has been previously admitted to informal
probate, etc.)
7. To the best of petitioner's knowledge said will was validly
executed, and after the exercise of reasonable diligence,
petitioner believes that said will is decedent's last will.
8. Petitioner is entitled to appointment as personal repre-
sentative of decedent's estate because _____

WHEREFORE, petitioner prays that the Court fix a time and
place for hearing; that notice be given to all interested persons
as provided by law; that said will be probated under supervised
administration and that petitioner be appointed personal repre-
sentative of said estate under supervised administration. Further,
petitioner prays that _____
(previously appointed personal representative)
be restrained from exercising any powers as personal representative
of decedent's estate pending full hearing on this matter.

FORM 42/p.3

DATED this _____ day of _____, 19____.

Petitioner _____

Address _____

(VERIFICATION)

NOTE: Under AS 13.16.255(c) the filing of a petition for supervised administration prevents a previously appointed personal representative from distributing the estate. However, it does not affect his other powers and duties unless the Court restricts the exercise of any of them pending full hearing on the petition. Therefore, the petition must specifically request such a restraint if one is desired.

FORM 43

LETTERS TESTAMENTARY (supervised administration).

(Title of Court and Cause)

NO. _____

LETTERS TESTAMENTARY

The will of _____, deceased, having been proved
and admitted to probate in supervised proceedings, (Identify _____

_____, the person who was named executor therein
proceedings) is hereby appointed personal representative. Said personal
representative shall not exercise the following powers without
prior order of the Court: _____

(set forth restrictions)

DATED this _____ day of _____, 19 ____.

Judge _____

FORM 43/p.2

STATE OF ALASKA

Judicial District

ss.

I hereby accept the duties of personal representative of
the estate of _____ under supervised administration
and do solemnly swear that I will perform, according to law,
the duties of personal representative.

Signature

Address

Subscribed and sworn to before me, this _____ day of _____, 19____.

Signature

Official Capacity

NOTE: AS 13.16.230 provides that restrictions upon the power
of a supervised personal representative must be endorsed upon
the letters of appointment to be effective as to persons
dealing in good faith with the personal representative.

FORM 44

PETITION FOR ADJUDICATION OF INTESTACY AND APPOINTMENT OF
A PERSONAL REPRESENTATIVE UNDER SUPERVISED ADMINISTRATION.
AS 13.16.220

(Title of Court and Cause)

NO. _____

PETITION FOR ADJUDICATION OF
INTESTACY AND APPOINTMENT OF A
PERSONAL REPRESENTATIVE UNDER
SUPERVISED ADMINISTRATION.

The petitioner respectfully states as follows:

1. Petitioner is _____
(state interest, e.g., surviving spouse)

2. _____ died on _____, 19____, at the
age of _____ years. At the time of his death the decedent
was domiciled in _____
(Judicial District) (State)

and is survived by the following persons:

(set forth the name and address of the decedent's spouse,

children, heirs, including the ages of any who are minors so

far as known or ascertainable with reasonable diligence.)

3. Venue for this proceeding is in _____
(Judicial District)

_____, because _____
(State) (applicable only if the decedent

was not domiciled in the State at the time of his death.)

4. No personal representative of the decedent has been appointed
in this state or elsewhere. (Or statement of name and address
of personal representative whose appointment has not been
terminated.)

FORM 44/p.2

5. Applicant has/has not received a demand for notice and is/is not aware of a demand for notice of any probate or appointment proceeding concerning the decedent that may have been filed in this State or elsewhere.
6. Petitioner has exercised reasonable diligence to determine if decedent died testate and has found no unrevoked testamentary instrument relating to property having situs in the State of Alaska. (When applicable this paragraph should contain, in lieu of the above, a statement as to why any such instrument of which petitioner is aware is not being probated.)
7. Petitioner is entitled to be appointed personal representative because _____ (state priority)
Other persons having a prior or equal right to appointment under AS 13.16.065 are as follows:

| (name) | (basis of right to be appointed) |
|--------|----------------------------------|
|--------|----------------------------------|

8. The decedent's estate should be administered under supervised administration because _____ (state reasons)

WHEREFORE, petitioner prays that:

1. The Court fix a time and place for hearing.
2. The Court enter its finding that decedent died intestate and determining heirs and their respective shares.
3. Petitioner be appointed personal representative of decedent's estate under supervised administration and that Letters of Administration be issued to petitioner.

DATED this _____ day of _____, 19____.

Petitioner

Address

FORM 44/p.3

(VERIFICATION)

NOTE: If a bond is required the petitioner should set forth information concerning the value of the bondable estate.

FORM 45

ORDER OF INTESTACY AND APPOINTMENT OF AN ADMINISTRATOR UNDER
SUPERVISED ADMINISTRATION. AS 13.16.220

(Title of Court and Cause)

NO. _____

ORDER OF INESTACY AND APPOINTMENT
OF AN ADMINISTRATOR UNDER SUPERVISED
ADMINISTRATION

The petition of _____ for an adjudication of in-
testacy and appointment of an administrator under supervised
administration having come before the Court, the Court makes the
following findings:

1. _____ died on _____, 19____, at the age of _____
_____ years. At the time of his death, decedent was
domiciled in _____
(Judicial District) (State)

2. The decedent died intestate.

3. The decedent was survived by the following heirs:

(name) (relationship) (age) (address)

4. Venue is proper because _____
(include only if decedent was not
domiciled in the state at the time of his death)

5. All notices have been given as required by law.

6. _____ is a proper person to be appointed
personal representative of decedent's estate.

7. The decedent's estate should be administered under supervised
administration because _____
(state reasons)

FORM 45/p.2

THEREFORE, IT IS ORDERED AND DECREED that:

1. The decedent died intestate and is survived by the following heirs:

(name) (relationship) (age) (address)

2. is appointed personal representative of decedent's estate under supervised administration with the following restrictions:
3. Letters of administration shall be issued to upon qualification and acceptance.

DATED this day of , 19 .

Judge

NOTE: If the Court determines that the administrator must give bond, the order should fix the amount.

FORM 46

ORDER OF ADMINISTRATION. (Supervised Administration)
(Name of Court and Cause)

NO. _____

LETTERS OF ADMINISTRATION AND OATH

_____ is hereby appointed personal
representative of the estate of _____,
deceased, under supervised administration. Said personal
representative shall not exercise the following powers
without prior order of the Court:

(set forth restrictions)

DATED this _____ day of _____, 19____.

Judge

FORM 49

DEMAND FOR BOND BY INTERESTED PERSON. AS 13.16.265

(Title of Court and Cause)

NO. _____

DEMAND FOR BOND BY INTERESTED
PERSON

Petitioner respectfully states the following:

1. On _____, 19____, _____ was appointed
personal representative of the above-named estate without
bond.
2. Petitioner has an interest in the above-named estate in
excess of \$1,000 by reason of the fact that _____
(state basis
of interest, e.g., creditor, devisee.)

WHEREFORE, Petitioner makes demand that the personal
representative give bond in the amount of \$ _____ within
thirty days of the receipt of this demand, and that the personal
representative refrain from exercising any powers of his
office except as necessary to preserve the estate until such
bond is filed with the Court.

DATED this _____ day of _____, 19____.

Petitioner

Address

(Proof of Service Upon the Personal Representative)

FORM 50

STATEMENT OF RESIGNATION OF PERSONAL REPRESENTATIVE.
AS 13.16.290

(Title of Court and Cause)

NO. _____

STATEMENT OF RESIGNATION OF
PERSONAL REPRESENTATIVE

_____, respectfully states:
(Personal representative)

1. Petitioner was appointed personal representative of the above-named estate on _____, 19____.
2. Written notice of this statement of resignation has been served upon the persons interested in the above-named estate by mailing a statement of intention to resign, a copy of which is attached hereto, at least fifteen (15) days prior to the filing of this notice.
3. Petitioner hereby resigns as personal representative of the above-named estate, petitioner's resignation to be effective upon appointment of a successor representative and delivery of the assets of the estate to such successor.

WHEREFORE, petitioner prays that the Court appoint a successor representative and relieve petitioner of further duties and responsibilities as personal representative.

DATED this _____ day of _____, 19____.

Personal Representative

Address

(Proof of Service)

FORM 51

PETITION FOR ORDER RESTRAINING PERSONAL REPRESENTATIVE.
AS 13.16.275

(Title of Court and Cause)

NO. _____

PETITION FOR ORDER RESTRAINING
PERSONAL REPRESENTATIVE

Petitioner respectfully states as follows:

1. Petitioner has an interest in the above-named estate by reason of the fact that _____
(state interest)
2. The personal representative of said estate should be restrained from _____ because
(specify acts)

(specify reasons)
3. _____ is a person with whom the personal representative is likely to transact business and therefore should be restrained from _____
(specify acts)

WHEREFORE, petitioner prays that a hearing be set in accordance with AS 13.16.275 and that the Court enter its order restraining the personal representative from _____;
(specify acts)

and further, that said order extend to _____, who may transact business with said personal representative.

DATED this _____ day of _____, 19____.

Petitioner

Address

FORM 52

PETITION FOR REMOVAL OF PERSONAL REPRESENTATIVE. AS 13.16.295

(Title of Court and Cause)

NO. _____

PETITION FOR REMOVAL OF
PERSONAL REPRESENTATIVE

Petitioner respectfully states the following:

1. Petitioner is a person interested in the estate of the decedent by reason of the fact that _____
(state interest)
2. _____ was appointed personal representative of decedent's estate on _____, 19____.
3. The best interest of the estate would be served by removal of _____ as personal representative because _____
(state reasons)

OR

3. In seeking appointment as personal representative _____ intentionally misrepresented material facts in the proceedings leading to his appointment, to wit:

(state facts)

OR

3. As personal representative _____ has disregarded an order of the Court, to wit: _____
(state order and manner in which disregarded)

FORM 52/p.2

OR

3. _____ has become incapable of discharging the duties of personal representative because _____

(state disabilities)

OR

3. _____ has mismanaged the estate in that _____

(state mismanagement)

OR

3. _____ has failed to perform duties pertaining to the office of personal representative, to wit: _____

(specify failures)

OR

3. Petitioner was appointed personal representative at the decedent's domicile and seeks appointment as auxiliary personal representative in the above-named estate.

_____ has previously been appointed personal representative herein and should be removed so that the petitioner may proceed as ancillary personal representative.

FOP' 52/p.3

WHEREFORE, petitioner prays that the Court fix a time and place for hearing, that notice be given all interested persons, and that _____ be removed as personal representative of decedent's estate and be required to deliver all assets and records of the estate in his possession to _____.

DATED this _____ day of _____, 19 _____.

Petitioner

Address

FORM 53

ORDER FOR REMOVAL OF PERSONAL REPRESENTATIVE.
AS 13.16.295

(Title of Court and Cause)

NO. _____

ORDER FOR REMOVAL OF PERSONAL
REPRESENTATIVE

The petition of _____ having come on for hearing
the Court finds as follows:

1. _____
(state facts justifying removal)

Based upon the foregoing findings, IT IS HEREBY ORDERED
that _____ is removed from office as personal
representative and is directed to deliver all assets and
records of the estate in his possession to _____.

DATED this _____ day of _____, 19____.

Judge

FORM 54

NOTICE AND INFORMATION TO HEIRS AND DEVISEES.
AS 13.16.360

(Title of Court and Cause)

NO. _____

NOTICE AND INFORMATION TO HEIRS
AND DEVISEES

To the heirs and devisees of the above-entitled cause.

1. The decedent, _____ died on or about the _____
day of _____, 19____.

2. You have or may have an interest in the estate of the
decedent by reason of the fact that _____
(specify the interest

known to the personal representative)

3. _____, whose address is _____, was appointed
personal representative of said estate on the _____ day of
_____, 19____, and filed a bond in the amount of
\$ _____. (or filed no bond)

4. Papers and information relating to the estate are on
file in the above-named court.

DATED this _____ day of _____, 19____.

Personal Representative _____

Address _____

FORM 55

INVENTORY AND APPRAISEMENT. AS 13.16.365

(Title of Court and Cause)

NO. _____

INVENTORY AND APPRAISEMENT

states that the following

(personal representative)
inventory contains a true statement of all the property owned by the decedent at the time of his death, so far as known to the personal representative. Further, the values set forth for each item are the fair market values of the property as of the date of the decedent's death and the inventory sets forth the type and amount of any encumbrance that exists with reference to any item.

REAL PROPERTY

VALUE

ENCUMBRANCES

PERSONAL PROPERTY

VALUE

ENCUMBRANCES

DATED this _____ day of _____, 19 ____.

Personal Representative

Address

NOTE: Pursuant to AS 13.16.365(b) the personal representative shall send a copy of the inventory to interested persons who request it, or he may file the original with the Court.

FORM 56

NOTICE TO CREDITORS. AS 13.16.450

(Title of Court and Cause)

NO. _____

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above-named estate. All persons having claims against the said deceased are required to present their claims within four months after the date of the first publication of this notice or said claims will be forever barred. Claims must either be presented to _____ (personal representative) of the estate, at _____ (address), or filed with the Court.

DATED this _____ day of _____, 19____.

Personal Representative _____

Address _____

NOTE: Upon his appointment personal representative must publish* Notice to Creditors once a week for three (3) successive weeks in a newspaper of general circulation in the judicial district. With certain exceptions, creditors have four months after the date of first publication in which to file their claims.

FORM 57

WRITTEN STATEMENT OF CLAIM DELIVERED OR MAILED TO PERSONAL
REPRESENTATIVE OR FILED WITH COURT. AS 13.16.465

(Title of Court and Cause)

NO. _____

CLAIM AGAINST ESTATE

_____, creditor of the estate of _____,
deceased, hereby states that said estate is indebted to said
creditor in the amount of \$ _____ for _____ (set forth basis of

claim; state date claim due if not yet due; if contingent or

unliquidated, state the nature of the uncertainty; if secured,

describe security)

DATED this _____ day of _____, 19____.

Claimant

Address

FORM 58

NOTICE OF ALLOWANCE OF CLAIM. AS 13.16.475

(Title of Court and Cause)

NO. _____

NOTICE OF ALLOWANCE OF CLAIM

To: _____
(name) (address)

Your claim in the amount of \$ _____ has been allowed.

DATED this _____ day of _____, 19 _____.

Personal Representative

Address

NOTE: Failure of the personal representative to mail notice to the claimant of action on his claim for sixty days after the time for original presentation of the claim has expired has the effect of a notice of allowance. AS 13.16.475(a).

FORM 59

NOTICE OF DISALLOWANCE OF CLAIM. AS 13.16.475

(Title of Court and Cause)

NO. _____

NOTICE OF DISALLOWANCE OF CLAIM

TO: _____

1. Your claim against the above-named estate presented
_____, 19____, in the amount of \$ _____
has been disallowed.

OR

1. Your claim against the above-named estate presented
_____, 19____, in the amount of \$ _____
has been allowed in the amount of \$ _____ and
disallowed in the remaining amount.

2. You are further notified that failure to protest this
disallowance by filing a petition for allowance with the
Court or commencing a proceeding against the personal
representative within sixty days of the mailing of this
notice shall result in your claim being forever barred.

DATED this _____ day of _____, 19____.

Personal Representative

Address

FORM 60

PETITION OF CLAIMANT FOR EXTENSION OF 60-DAY PERIOD.
AS 13.16.465(3)

(Title of Court and Cause)

NO. _____

PETITION OF CLAIMANT FOR EXTENSION
OF 60-DAY PERIOD

Petitioner, _____, respectfully requests
an extension of time for commencing a proceeding on a claim
against the estate of _____, deceased, and
in support thereof, states:

1. On _____, 19____, petitioner presented, by
delivering to the personal representative of said estate, (or
filing with the Court) a written statement of petitioner's
claim against said estate. Said claim is not yet due (or is
contingent or is unliquidated) as more fully described in said
statement, a copy of which is attached hereto and made a part
of this petition.

2. On _____, 19____, the personal representative
mailed a notice of disallowance of this claim to petitioner.

3. The time period in which to commence a proceeding upon
said claim will expire on _____, 19____.

4. Petitioner requests an extension of time until _____
within which to commence proceedings for the reasons that

(state reasons)

5. Petitioner further states that the applicable statute
of limitations will not run on this claim until after said date.

WHEREFORE, petitioner prays that the Court extend the time
period in which to commence a proceeding upon petitioner's
claim until the _____ day of _____, 19____.

Petitioner

Address

FORM 61

CONSENT OF PERSONAL REPRESENTATIVE TO EXTENSION OF 60-DAY PERIOD FOR COMMENCEMENT OF PROCEEDING WHERE CLAIM IS FILED AND DISALLOWED BY PERSONAL REPRESENTATIVE AND CLAIM IS NOT DUE OR IS CONTINGENT OR UNLIQUIDATED. AS 13.16.465 (3)

(Title of Court and Cause)

NO. _____

CONSENT TO EXTEND TIME TO
COMMENCE PROCEEDINGS

_____, personal representative of the estate
of _____, deceased, hereby consents to an extension
of _____ days from and after the sixty-day statutory
period for commencement of a proceeding upon the claim of
_____, creditor of said estate, which was presented
to me as personal representative (or filed with the Court) on
_____, 19____, and upon which claim a notice of dis-
allowance was mailed by me to said creditor on _____, 19____;
provided that this consent is conditioned on the fact that no
applicable statute of limitations is hereby violated.

DATED this _____ day of _____, 19____.

Personal Representative

Address

FORM 62

ORDER GRANTING EXTENSION. AS 13.16.465(c)

(Title of Court and Cause)

NO. _____

ORDER GRANTING EXTENSION

The petition of _____, requesting an extension of the time allowed for commencing a proceeding on petitioner's claim against the estate of _____, deceased, having come on for hearing and petitioner's request being well-taken;

IT IS HEREBY ORDERED that the time period in which to commence a proceeding on petitioner's claim be and the same is hereby extended until the _____ day of _____, 19 _____.

Judge _____

FORM 63

NOTICE OF CHANGE OF DECISION ON CLAIM. AS 13.16.475

(Title of Court and Cause)

NO. _____

NOTICE OF CHANGE OF DECISION
ON CLAIM

TO: _____, Claimant:

1. I, _____, personal representative of the
estate of _____, deceased on _____, 19____,
wholly/partially allowed/disallowed the claim of _____,
against the above estate in the amount of \$____ (and dis-
allowed any amount in excess of the heretofore stated amount).

2. Notice is hereby given to claimant that said claim is
now wholly disallowed (allowed in the amount of \$____;
partially allowed in the amount of \$____, with any
amount in excess of the above-stated amount disallowed).
(If change is from an allowance to a disallowance, add
paragraph 3)

3. You are further notified that failure to protest this
disallowance by filing a petition for allowance with the Court
or commencing a proceeding against the personal representative
within sixty days of the mailing of this notice shall result in
your claim being forever barred.

DATED this _____ day of _____, 19____.

FORM 63/p.2

Personal Representative

Address

NOTE: A claim that has been disallowed and barred may not thereafter be allowed. AS 13.16.475(a).

FORM 64

PETITION BY PERSONAL REPRESENTATIVE FOR ALLOWANCE OF CLAIM.
AS 13.16.475(b)

(Title of Court and Cause)

NO. _____

PETITION FOR ALLOWANCE OF CLAIM

Petitioner, _____, personal representative of the
estate of _____, deceased, hereby petitions the Court
to allow the claim of _____ against said estate, and
in support thereof states:

1. Said claim in the amount of \$ _____ was filed with the
clerk of this Court (or was presented to the personal representa-
tive) and has not been barred. A copy of the written statement
of said claim is attached hereto and made a part of this petition.

2. Petitioner seeks allowance by the Court of said claim for
the reason that _____.

WHEREFORE, petitioner prays that the Court enter an order
allowing the claim of _____ in the amount of \$ _____,
and for such other relief as this Court deems just and proper
and to which the petitioner or the claimant may be entitled.

Petitioner

Address

NOTE: The use of this procedure is necessary only in the event
the personal representative feels that he needs judicial protec-
tion to support his determination to allow a claim that may be
disputed. A routine claim may and should be paid without petition
or order and may be paid without a formal claim. AS 13.16.480.

FORM 65

PETITION BY CLAIMANT FOR ALLOWANCE OF CLAIM. AS 13.16.475

(Title of Court and Cause)

NO. _____

PETITION FOR ALLOWANCE OF CLAIM

Petitioner, _____, respectfully requests the Court to allow his claim against the estate of _____, deceased, and in support thereof states:

1. A written statement of petitioner's claim against said estate in the amount of \$ _____ was served upon the personal representative of the decedent of said estate (or filed with the Court) on _____, 19____. A copy of said written statement of petitioner's claim is attached hereto and made a part of this petition. Said claim has been disallowed by the personal representative.

2. Petitioner's claim is a valid, just debt of the estate owing to petitioner.

WHEREFORE, petitioner prays that this Court allow said claim in the amount of \$ _____ against the estate of _____, deceased, for legal interest thereon and costs expended herein, and for other such relief as this Court deems just and proper and to which the petitioner may be entitled.

DATED this _____ day of _____, 19____.

Petitioner _____

Address _____

FORM 66

ORDER FOR NOTICE OF PETITION OF PERSONAL REPRESENTATIVE OR
CLAIMANT FOR ALLOWANCE.

(Title of Court and Cause)

NO. _____

ORDER

The petition for allowance of the claim of _____,
personal representative of the estate of _____,
deceased (or claimant against the estate of _____,
deceased), having come before the Court and the Court finding
that notice of the hearing on this petition should be given to
the following individuals:

(Names and addresses.)

IT IS ORDERED that hearing upon said petition shall be held
on the _____ day of _____, 19____, at _____ M.;
and that notice of that time, place and date be given to the
individuals named herein by _____
(specify method of notice)

DATED this _____ day of _____, 19____.

Judge _____

FORM 71

NOTICE OF PROPOSED DISTRIBUTION. AS 13.16.560(b)

(Title of Court and Cause)

NO. _____

NOTICE OF PROPOSED DISTRIBUTION

You are hereby notified that you are entitled to a portion
of the estate of _____ as an _____
(heir or devisee)

The personal representative proposes to distribute the estate
in the following manner: _____
(set forth proposed distribution)

You are further notified that failure to object to the kind
of or value of the distribution to you in writing received by
the personal representative within thirty days after mailing or
delivery of this proposal will result in termination of your
right to object.

DATED this _____ day of _____, 19 _____.

Personal Representative

Address

FORM 72

PETITION FOR PARTITION OR SALE OF PROPERTY FOR PURPOSES OF
DISTRIBUTION. AS 13.16.585

(Title of Court and Cause)

NO. _____

PETITION FOR PARTITION OR SALE OF
PROPERTY FOR PURPOSES OF DISTRIBUTION

I, _____, personal representative of the above-
named estate, respectfully state as follows:
(This petition may be brought by an heir or devisee also.)

1. The assets of the estate include the following property:

(describe property)

2. _____, and _____
(heir or devisee) (heir or devisee)
have undivided interests in the foregoing property and are
entitled to receive the property from the estate but are
unable to agree upon an appropriate division and distri-
bution of the property.

3. The estate has not been closed.

4. The property may be partitioned without prejudice to the
interested parties.

OR

4. The property cannot be partitioned without prejudice to
the interested parties and cannot conveniently be allotted
to any one party.

WHEREFORE, petitioner prays that, following notice to the
interested parties, the Court order partition of the above-
described property for the purposes of distribution to the
persons entitled.

OR

WHEREFORE, petitioner prays that, following notice to the
interested parties, the Court declare that the above-described
property is not capable of being partitioned without prejudice
to the interested parties and that the Court order the personal

FORM 72/p.2

representative to sell said property and distribute the proceeds to the persons entitled, according to the proportion to which each is entitled.

DATED this _____ day of _____, 19____.

Petitioner _____

Address _____

FORM 73

NOTICE OF HEARING ON PETITION FOR PARTITION.
AS 13.16.585

(Title of Court and Cause)

NO. _____

NOTICE OF HEARING ON PETITION
FOR PARTITION.

TO: _____
(The interested parties)

NOTICE is hereby given that on the _____ day of _____,
19____, at _____ M., in the courtroom of the above-
named Court, the Court will hear and consider a petition by
_____ requesting that the Court partition and
(petitioner)
distribute the following described property: _____
(describe property)

You are further notified that if you wish to be heard upon
said petition, you should appear in person or by counsel at the
above-stated time and place on the date indicated.

DATED this _____ day of _____, -19____.

Petitioner

Address

(PROOF OF SERVICE)

NOTE: If the petition alleges that the property is incapable
of being partitioned without prejudice, the notice should so
state.

FORM 74

ORDER FOR PARTITION. AS 13.16.585

(Title of Court and Cause)

NO. _____

ORDER FOR PARTITION

The petition of _____ for partition having
come on for hearing, the Court makes the following findings:

1. _____, and _____, have
(heirs or devisees) (heirs or devisees)
undivided interests in the following property:

(describe property)

2. The _____ are unable to agree upon an appropriate division and distribution of the property.
(heirs or devisees)
3. The property may be partitioned without prejudice to the interested parties.
4. Proper notice has been given.

THEREFORE, IT IS ORDERED that the above-described
property is partitioned as follows:

(set forth manner of partition)

IT IS FURTHER ORDERED that the personal representative make
distribution to _____ and _____
of the property in the proportion described above.

Judge

NOTE: If the property is not subject to being partitioned
without prejudice to the interested parties, and must be sold,
the order would be altered to reflect that ruling.

FORM 75

FINAL ACCOUNT, PETITION FOR SETTLEMENT AND DISTRIBUTION OF A
TESTATE ESTATE BY PERSONAL REPRESENTATIVE. AS 13.16.620

(Title of Court and Cause)

NO. _____

FINAL ACCOUNT, PETITION FOR
SETTLEMENT AND DISTRIBUTION
OF A TESTATE ESTATE BY
PERSONAL REPRESENTATIVE

The petitioner respectfully shows the Court as follows:

1. _____ died testate on _____, 19____.
Petitioner is the duly appointed qualified and acting
personal representative of the decedent's estate.
2. Petitioner has filed a true inventory and appraisalment
of all property of the estate known to petitioner.
3. Petitioner has published notice to creditors of the dece-
dent as required by law and has filed proof of publication
of such notice. The time for presenting claims that
arose prior to the death of the decedent has expired.
4. All debts of the decedent and of the estate, and all
expenses of administration thus far incurred, and all
taxes that have attached to or accrued against the estate
have been paid.
5. Petitioner has filed a final account, attached hereto,
detailing all receipts and disbursements in the admini-
stration of the estate, and the estate is in a condition
to be closed.
6. On _____, 19____, the decedent's will was admitted
to probate in formal testacy proceedings following notice
as required by law.
7. The decedent's will directs that the property remaining
after the payment of debts, claims, taxes, costs and ex-
penses be distributed as follows:
(set forth distribution established by will)

FORM 75/p.2

WHEREFORE, petitioner prays for an order of the Court that:

1. The Court fix a time and place for hearing on the final account, petition for settlement and distribution.
2. The account filed herewith be allowed and settled and the personal representative be discharged.
3. The distribution of the estate of the decedent remaining in the hands of the petitioner, and any other property of the decedent or the estate not now known or discovered be made to the person entitled thereto, as set forth above, in accordance with the decedent's will.

DATED this _____ day of _____, 19__.

Personal Representative

Address

FORM 76

PETITION FOR SETTLEMENT AND DISTRIBUTION OF A TESTATE ESTATE
BY AN INTERESTED PERSON. AS 13.16.620

(Title of Court and Cause)

NO. _____

PETITION FOR SETTLEMENT AND
DISTRIBUTION OF A TESTATE ESTATE
BY AN INTERESTED PERSON

The petitioner respectfully states as follows:

1. _____ died testate on _____, 19____.
Petitioner is an interested person in the decedent's estate
by reason of the fact that _____
(state interest, e.g., devisee)
2. _____ was appointed personal representative of the
estate on _____, 19____, more than one year prior to
the filing of this petition.
3. A true inventory and appraisement of all of the property of
the estate has heretofore been filed.
4. Notice to creditors of the decedent as required by law has
been published and proof of publication has been filed. The
time for presenting claims that arose prior to the death of
the decedent has expired.
5. All debts of the decedent and of the estate, and all expenses
of administration thus far incurred, and all taxes that have
attached to or accrued against the estate have been paid.

OR

5. Debts of the decedent remain to be paid. There are sufficient
estate assets to pay the debts of the decedent.
6. The personal representative has filed a final account, and
the estate is in a condition to be closed.

OR

6. The personal representative has failed to file a final account.
The personal representative should be required to file a final
accounting of his administration of the decedent's estate
and bring the administration of the estate to a close.

7. On _____, 19____, the decedent's will was admitted to probate in informal testacy proceedings following notice as required by law.
8. The decedent's will directs that the property remaining after the payment of debts, claims, taxes, costs and expenses be distributed as follows:

(set forth distribution established by will)

WHEREFORE, petitioner prays that:

1. The Court fix a time and place for hearing on the final account, and this petition for settlement and distribution.
2. The account of the personal representative be allowed and settled.
3. The personal representative be directed to distribute the assets remaining in his possession to the persons entitled according to the terms of the decedent's will, as set forth above.

OR

WHEREFORE, petitioner prays that:

1. The Court fix a time and place for hearing his petition.
2. The personal representative be directed to pay the debts of the decedent and the estate.
3. The personal representative be required to file a final accounting of this administration of the estate.
4. Upon payment of the debts and approval of the final account the personal representative be directed to distribute the assets of the estate remaining in his possession to the persons entitled according to the terms of the decedent's will, as set forth above.

DATED this _____ day of _____, 19____.

Petitioner

Address

FORM 77

PETITION FOR DETERMINATION OF TESTACY AND SETTLEMENT AND
DISTRIBUTION. AS 13.16.620

(Title of Court and Cause)

NO. _____

PETITION FOR DETERMINATION OF
TESTACY AND SETTLEMENT AND DIS-
TRIBUTION.

The petitioner respectfully states as follows:

1. _____ died on _____, 19____. Petitioner is the duly appointed, qualified and acting personal representative of the above-named estate, having been appointed personal representative in informal proceedings.
2. Petitioner has filed a true inventory and appraisal of all property of the estate known to the petitioner.
3. Petitioner has published notice to creditors of the decedent as required by law and has filed proof of publication of such notice. The time for presenting claims that arose prior to the death of the decedent has expired.
4. All debts of the decedent and of the estate, and all expenses of administration thus far incurred, and all taxes that have attached to or accrued against the estate have been paid.
5. Petitioner has filed a final account and the estate is in a condition to be closed.
6. On _____, 19____, the decedent's will was admitted to probate in informal proceedings in which the testacy status of the decedent was not finally determined. The will previously admitted to probate in informal proceedings is the last will of the decedent, and the testacy status of the decedent should be determined at this time, following notice to the heirs and devisees of the decedent.
7. The decedent's will directs that the property remaining after the payment of debts, claims, taxes, costs and expenses be distributed as follows:

(set forth proposed distribution)

WHEREFORE, petitioner prays that:

1. The Court set a time and place for hearing this petition.
2. Following notice to the heirs and devisees, a formal order of testacy of the decedent be entered determining that the decedent died testate and that the will previously admitted to informal probate is the last will of the decedent.
3. The final account of the personal representative be allowed and settled.
4. The personal representative of the estate be authorized to distribute the assets remaining, and any other property of the decedent or of the estate not now known or discovered, to the persons entitled according to the terms of decedent's will, as set forth above.

DATED this _____ day of _____, 19____.

Personal Representative

Address

FORM 78

PETITION FOR SETTLEMENT AND DISTRIBUTION OF AN INTESTATE
ESTATE BY PERSONAL REPRESENTATIVE. AS 13.16.620

(Title of Court and Cause)

NO. _____

PETITION FOR SETTLEMENT AND
DISTRIBUTION OF AN INTESTATE
ESTATE BY PERSONAL REPRESENTATIVE.

The petitioner respectfully states as follows:

1. _____ died on _____, 19____. Petitioner
is the duly appointed qualified and acting personal rep-
resentative of the decedent's estate.
2. Petitioner has filed a true inventory and appraisalment of
all property of the estate known to the petitioner.
3. Petitioner has published notice to creditors of the dece-
dent as required by law and has filed proof of publication
of such notice. The time for presenting claims that
arose prior to the death of the decedent has expired.
4. All debts of the decedent and of the estate, and all ex-
penses of administration thus far incurred, and all taxes
that have attached to or accrued against the estate have
been paid.
5. Petitioner has filed a final account, and the estate is
in a condition to be closed.
6. The decedent died intestate, and is survived by the fol-
lowing heirs who are entitled to distribution of the
property remaining in the estate in the following manner:

(set forth names and relationship of heirs and proposed
distribution)

FORM 78/p.2

WHEREFORE, petitioner prays that:

1. The Court set a time and place for hearing this petition.
2. The final account of the personal representative be allowed and settled.
3. The personal representative be authorized to distribute the assets of the estate, and any other property of the decedent or of the estate not now known or discovered, to the persons entitled according to law, as set forth above.

DATED this _____ day of _____, 19____.

Personal Representative

Address

FORM 79

NOTICE OF HEARING OF FINAL ACCOUNT AND PETITION FOR DISTRIBUTION.
AS 13.16.620; 13.06.110

(Title of Court and Cause)

NO. _____

NOTICE OF HEARING OF FINAL ACCOUNT
AND PETITION FOR DISTRIBUTION

Notice is hereby given that the personal representative of the above-named estate has filed his final account and petition for settlement and distribution of the above-named estate, a copy of which is attached hereto.

Hearing upon said account and petition will be held on _____, at _____ M., in the above-named Court, at which time objections to said account and petition will be heard.

DATED this _____ day of _____, 19____.

Personal Representative

Address

(PROOF OF SERVICE)

FORM 80

OBJECTION TO FINAL ACCOUNT.
AS 13.16.620

(Title of Court and Cause)

NO. _____

OBJECTION TO FINAL ACCOUNT

Petitioner _____ respectfully states:

1. Petitioner has an interest in the above-named estate
by reason of the fact that _____
(state interest)
2. Petitioner objects to the final account for the reasons
that _____
(state objections)

WHEREFORE, petitioner requests that the Court fix a time
and place for hearing the objection, and that following hearing
the petitioner's objection be allowed.

DATED this _____ day of _____, 19____.

Petitioner

Address

(PROOF OF SERVICE)

FORM 81

ORDER APPROVING FINAL ACCOUNT AND DECREE OF DISTRIBUTION.
AS 13.16.620

(Title of Court and Cause)

NO. _____

ORDER APPROVING FINAL ACCOUNT
AND DECREE OF DISTRIBUTION

The petition of _____ for settlement and distribution of the above-named estate having come before the Court for hearing, the Court makes the following findings:

1. _____ is the duly appointed, qualified and acting personal representative of the above-named estate.
2. The personal representative has filed an inventory and appraisal of all property of the estate known to him.
3. Notice to creditors has been published and the time for presenting claims that arose prior to the death of the decedent has expired.
4. All debts of the decedent and of the estate, and all expenses of administration, and all taxes that have attached to or accrued against the estate have been paid.
5. The personal representative has filed a final account, and the estate is in a condition to be closed.
6. Proof of service of the notice of the time for filing objections to the final account and petition for distribution has been filed herein. No objections have been filed.
7. The decedent died testate on _____, 19____, and decedent's will was admitted to probate on _____, 19____. By the terms of the decedent's will the following persons are entitled to distribution of the remaining estate property:

(set forth proposed distribution)

IT IS HEREBY ORDERED AND DECREED:

1. The final account is allowed and settled.
2. The personal representative is directed to make distribution of the remaining estate property, and any other property of the decedent or the estate not now known or discovered, to the persons and in the manner set forth above.

DATED this _____ day of _____, 19 _____.

Judge

NOTE: If debts or administrative expenses remain to be paid the order should recite that fact and set forth the arrangements that have been made.

FORM 85

PERSONAL REPRESENTATIVE'S SWORN STATEMENT TO CLOSE ESTATE.
AS 13.16.630

(Title of Court and Cause)

NO. _____

PERSONAL REPRESENTATIVE'S SWORN
STATEMENT TO CLOSE ESTATE

STATE OF ALASKA)
) ss.
_____, Judicial District)

_____, being duly sworn, states as follows:

1. I am the duly appointed qualified and acting personal representative of the above-named estate.
2. I have published notice to creditors as provided in AS 13.16.450 and have filed proof of publication of such notice. The first publication occurred more than six (6) months prior to the date of this statement.
3. I have fully administered the estate of the decedent by making payment, settlement, or other disposition of all claims which were presented, expenses of administration and estate, inheritance and other death taxes, (add if applicable: except as follows _____
(list unpaid liabilities of

the estate and state arrangements made to accomodate the
outstanding liabilities)

4. I have distributed the assets of the estate to the persons entitled to the assets in the amount and manner to which they are entitled. (ADD IF APPLICABLE: By agreement with the distributees the assets were distributed subject to outstanding liabilities of the estate.)
5. I have sent a copy of this statement to all distributees of the estate. (ADD IF APPLICABLE: and to all creditors or claimants of the estate of whom I am aware and whose claims are neither paid nor barred), and I have furnished a full account in writing of my administration to the distributees.

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6. This statement is filed for the purpose of closing this estate and terminating the appointment of the undersigned pursuant to AS 13.16.630.

Personal Representative

Address

Subscribed and sworn to before me this _____ day of ___, 19__.

Signature

Official Capacity

FORM 86

APPLICATION BY PERSONAL REPRESENTATIVE FOR CERTIFICATE.
AS 13.16.650

(Title of Court and Cause)

NO. _____

APPLICATION BY PERSONAL REPRESENTATIVE FOR CERTIFICATE

The applicant, _____, respectfully shows as follows:

1. The applicant was the duly appointed, qualified and acting representative of the above-named estate.
2. The estate has been fully administered according to law.
3. As far as is known to the applicant no action concerning the estate is pending in any court.
4. The applicant is entitled to a certificate stating that the estate has been fully administered and discharging the lien on the following property given to secure the obligation of the personal representative in lieu of bond or surety:

(list property upon which there is a lien)

WHEREFORE, applicant prays that the registrar issue a Certificate Discharging Liens Securing Fiduciary Performance on the above-listed property.

DATED this _____ day of _____, 19 ____.

Personal Representative

Address

(VERIFICATION)

FORM 87

CERTIFICATE DISCHARGING LIENS SECURING FIDUCIARY PERFORMANCE.
AS 13.16.650

(Title of Court and Cause)

NO. _____

CERTIFICATE DISCHARGING LIENS
SECURING FIDUCIARY PERFORMANCE

The application of _____, personal representative of the above-named estate having come before the registrar, and it appearing that _____ has fully administered the estate and that there is no action concerning the estate pending in any Court, the lien upon the following property, given to secure the obligation of the personal representative in lieu of bond or surety, is discharged:

(list property)

Witness my hand and seal this _____ day of _____, 19____

Registrar

FORM 88

PETITION FOR SUBSEQUENT ADMINISTRATION.
AS 13.16.655

(Title of Court and Cause)

NO. _____

PETITION FOR SUBSEQUENT ADMINISTRATION

Petitioner respectfully shows the following:

1. Petitioner is an interested person in the above-named estate by reason of the fact that _____ (state interest)
2. The estate has been settled and the assets distributed by the personal representative. The personal representative has previously been discharged.
3. Petitioner has discovered additional property of the estate that was not known to the personal representative and that has not been administered or distributed by the personal representative. The subsequently discovered property is as follows:

(describe property)

4. _____ is a proper person to serve as a personal representative to administer the subsequently discovered property.

WHEREFORE, petitioner requests that the Court, following such notice as it may direct, appoint _____ as personal representative to administer the subsequently discovered property.

Petitioner

Address

NOTE: The statute is not clear as to the pleading requirements. Should all of the allegations in the original petition or application be repeated? Since those matters were settled in the original proceedings, it would seem not. But opinions may vary. Also, if bond is required, the petition or a separate statement should set forth sufficient information to set bond.

FORM 39

ORDER FOR SUBSEQUENT ADMINISTRATION. AS 15.16.655

(Title of Court and Cause)

NO. _____

ORDER FOR SUBSEQUENT ADMINISTRATION

The petition of _____ for subsequent administration of newly discovered property having come on for hearing, the Court finds as follows:

1. Petitioner is an interested person in the above-named estate by reason of the fact that _____ (state interest)
2. The estate has been settled and the assets distributed by the personal representative. The personal representative has previously been discharged.
3. Petitioner has discovered additional property of the estate that was not known to the personal representative and that has not been administered or distributed by the personal representative. The subsequently discovered property is as follows:

(describe property)

4. _____ is a proper person to serve as a personal representative to administer the subsequently discovered property.

IT IS THEREFORE ORDERED That _____ is appointed personal representative to administer the subsequently discovered property.

DATED this _____ day of _____, 19____.

Judge

NOTE: Additional recitations may be necessary if bond required or if any special conditions are required.

FORM 90

ORDER APPROVING COMPROMISE AGREEMENT.
AS 13.15.670

(Title of Court and Cause)

NO. _____

ORDER APPROVING COMPROMISE
AGREEMENT

The petition of _____ for approval of a compromise agreement having come on for hearing, the Court finds as follows:

1. Notice of the hearing upon said petition was given to all interested persons.
2. A controversy as to the disposition of the estate exists between _____ and _____. The controversy between the parties is in good faith.
3. The parties to the controversy have entered into a proposed agreement that has been filed with the Court on _____, 19____. The compromise contained in the proposed agreement is just and reasonable.

IT IS THEREFORE ORDERED That the compromise agreement between _____ and _____ heretofore filed with the Court _____, 19____, is approved, and that _____ and _____ are directed to execute the agreement. Further disposition of the estate shall be in accordance with the agreement.

DATED this _____ day of _____, 19____.

Judge

FORM 91

AFFIDAVIT FOR COLLECTION OF PERSONAL PROPERTY OF THE DECEDENT.
AS 13.16.680

(Title of Court and Cause)

NO. _____

AFFIDAVIT FOR COLLECTION OF
PERSONAL PROPERTY OF THE
DECEDENT

STATE OF ALASKA)
) ss.
____ Judicial District)

I, _____ being duly sworn state the following:

1. Affiant is the successor of _____ who died on
____, 19____. Affiant is the successor by reason
of the fact that _____
(state basis upon which affiant

claims to be successor.)

2. The value of the entire estate of the decedent, wherever
located, less liens and encumbrances, does not exceed
\$6,000.
3. Thirty days have elapsed since the death of the decedent.
4. No application or petition for the appointment of a
personal representative of the decedent's estate is
pending or has been granted in any jurisdiction.
5. The affiant, as successor of the decedent, is entitled
to the payment of any sums of money due and owing the
decedent and to the delivery of all tangible personal
property belonging to the decedent and to the delivery
of all instruments evidencing a debt, obligation, stock
or chose in action belonging to the decedent.

OR

5. The affiant as successor of the decedent is entitled to
payment or delivery of that certain _____
(specify debt, per-

sonal property, instrument, obligation, stock, or chose

in action)

FORM91/p.2

belonging to the decedent and presently held by _____

(name person or business to whom directed)

Affiant _____

Subscribed and sworn to before me this _____ day of _____, 19____.

Signature _____

Official Capacity _____

NOTE: The statute does not provide for filing the affidavit with the Court. This procedure relates only to the transfer of personal property.

FORM 92

SWORN STATEMENT OF PERSONAL REPRESENTATIVE CLOSING A SMALL ESTATE. AS 13.16.690; 13.16.695.

(Title of Court and Cause)

NO. _____

SWORN STATEMENT OF PERSONAL REPRESENTATIVE CLOSING A SMALL ESTATE

STATE OF ALASKA)
) ss.
____ Judicial District)

I, _____, being duly sworn, state the following under oath:

1. Affiant is the duly appointed qualified and acting personal representative of the above-named estate, appointed on _____, 19____, in the above-named Court.
2. To the best of affiant's knowledge, the value of the entire estate, less liens and encumbrances, did not exceed the homestead allowance, exempt property, family allowance, costs and expenses of administration, reasonable funeral expenses, and the reasonable, necessary medical and hospital expenses of the last illness of the decedent.
3. Affiant has fully administered the estate by disbursing and distributing it to the persons entitled thereto.
4. Affiant has sent a copy of the closing statement to all distributees of the estate and to all creditors or other claimants of whom he is aware whose claims are neither paid nor barred and has furnished a full account in writing of his administration to the distributees whose interests are affected.
5. No order of the Court prohibits closing of the estate and the estate is not being administered by a supervised personal representative.

This statement is filed by affiant for the purpose of closing the above-named estate and terminating affiant's appointment as personal representative pursuant to AS 13.16.695.

FORM 92/p.2

Affiant

Address

Subscribed and sworn to before me this _____ day of _____, 19____.

Signature

Official Capacity

(PROOF OF SERVICE)

NOTE: If no actions or proceedings involving the personal representative are pending in the Court one (1) year after the closing statement is filed, the appointment of the personal representative terminates. A closing statement filed under this section has the same effect as one filed under AS 13.16.630.

FORM 93

AFFIDAVIT OF DOMICILIARY FOREIGN PERSONAL REPRESENTATIVE FOR
PAYMENT OR DELIVERY WITHOUT LOCAL ADMINISTRATION. AS 13.21.015

NO. _____

AFFIDAVIT OF DOMICILIARY FOREIGN
PERSONAL REPRESENTATIVE FOR PAY-
MENT OR DELIVERY WITHOUT LOCAL
ADMINISTRATION

I, _____, being duly sworn, state as follows:

1. Affiant is the personal representative of the estate of
_____, who died on _____, 19____, while a
resident of _____, (address) _____ (State) _____. Affiant
was appointed personal representative of decedent's
estate in proceedings in _____
(state title of court and cause)
Proof of affiant's appointment is attached hereto and
made a part of this affidavit.
2. Sixty (60) days have elapsed since the date of decedent's
death.
3. No administration of decedent's estate, or application or
petition therefor, is pending in the State of Alaska.
4. Affiant, as domiciliary foreign personal representative,
is entitled to payment or delivery of that certain _____

(specify debt or personal property belonging to the
decedent.)

Affiant

Address

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Subscribed and sworn to before me this _____ day of _____, 19____.

Signature

Official capacity

FORM 94

RESIDENT CREDITOR NOTICE. AS 13.21.025

Please take notice that the undersigned is a resident creditor of _____ who died on _____, 19____, while a resident of _____. You are further notified that _____ (domiciliary foreign personal representative) has been appointed personal representative of decedent's estate in _____ and as domiciliary foreign personal representative of decedent's estate may attempt to collect this certain debt (or personal property) due the decedent from you: _____. Pursuant to AS 13.21.025 you are notified that you should not make payment of the above-mentioned debt (or delivery of the above-mentioned property) to the domiciliary foreign personal representative.

DATED this _____ day of _____, 19_____.

Resident Creditor

Address

FORM 96

PROOF OF AUTHORITY OF DOMICILIARY FOREIGN PERSONAL REPRESENTATIVE.
AS 13.21.030

(Title of Court and Cause)

NO. _____

PROOF OF AUTHORITY OF DOMICILIARY
FOREIGN PERSONAL REPRESENTATIVE

I, _____ respectfully
(domiciliary foreign personal representative)
state:

1. _____ died _____, 19____, while a resident of
(decedent)

_____, _____
(address) (State)

2. _____ owned property in _____
(decedent) (Judicial District)

Alaska.

3. On _____, 19____,
was appointed personal representative of decedent's estate
in _____ and gave bond in
(Judicial District) (State)
the amount of _____ as a condition of acting as
personal representative. Authenticated copies of the
appointment and bond are attached hereto.

4. There is no administration, or application or petition
therefor, pending in the State of Alaska for administration
of decedent's estate.

5. This Proof of Authority is filed pursuant to AS 13.21.030 to
enable the undersigned to exercise the powers of a local
personal representative in the State of Alaska to maintain
action and proceedings in the State of Alaska subject to any
conditions imposed upon nonresident parties generally, all
as provided in AS 13.21.035.

DATED this _____ day of _____, 19____.

Domiciliary Foreign Personal Representative

Address

FORM 100

GUARDIAN'S ACCEPTANCE OF TESTAMENTARY APPOINTMENT.
AS 13.26.035

(Title of Court and Cause)

NO. _____

GUARDIAN'S ACCEPTANCE OF
TESTAMENTARY APPOINTMENT

I, _____, respectfully state as follows:
(guardian)

1. _____ died testate on _____.
(decedent)

2. The decedent's will has heretofore been admitted to
probate in the above-named court on _____, and by the
(date)
terms of said will _____ is appointed guardian
of _____, a minor.

3. _____ hereby accepts the testamentary
(guardian)
appointment as guardian of _____.
(minor)

4. All persons formerly having legal custody of the
minor _____ are now deceased or have been
adjudicated incapacitated.

DATED this _____ day of _____, 19____.

Testamentary Guardian

Address

FORM 101

NOTICE OF TESTAMENTARY APPOINTMENT OF GUARDIAN OF MINOR.
AS 13.26.035

(Title of Court and Cause)

NO. _____

NOTICE OF TESTAMENTARY APPOINT-
MENT OF GUARDIAN OF MINOR

TO _____
(minor and person having his care or nearest adult relation)

Please take notice that the undersigned was appointed
guardian of _____ in the will of _____
(minor) (decedent)

which is on file and probated in the above-named court.

You are hereby notified that the undersigned has accepted
the testamentary appointment as guardian of _____
(minor)

by filing with the above-named Court a guardian's acceptance,
a copy of which is attached hereto.

DATED this _____ day of _____, 19 _____.

Testamentary Guardian

Address

FORM 102

OBJECTION BY MINOR TO TESTAMENTARY APPOINTMENT OF GUARDIAN.
AS 13.26.040

(Title of Court and Cause)

NO. _____

OBJECTION BY MINOR TO TESTAMENTARY
APPOINTMENT OF GUARDIAN.

Petitioner, _____, respectfully shows:

1. Petitioner is a minor of the age of _____
(14 or older)
years.
2. On _____, 19____, _____
(decedent)
_____ 19____, the decedent's will was admitted to
probate in the above-named Court.
3. Decedent's will contains a testamentary appointment of
_____ as guardian of petitioner.
4. _____ has not accepted the testamentary
appointment as guardian.

OR

4. _____ has accepted the testamentary appointment
as guardian, but thirty (30) days have not elapsed since
notice of the acceptance.
5. Petitioner objects to the appointment of _____
as his guardian.
6. _____ is a proper person to serve as petitioner's
guardian. (optional)

WHEREFORE, petitioner prays that the Court withhold appoint-
ment of _____ as petitioner's guardian.

OR

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WHEREFORE, petitioner prays that the Court vacate the appointment of _____ as petitioner's guardian.

Petitioner further prays that _____ be appointed as his guardian. (optional)

DATED this _____ day of _____, 19 _____.

Petitioner

Address

NOTE: The statute does not mention the appointment of an alternative person to serve as guardian. That provision is included in this form since the Courts will probably require that a minor have the protection of a guardianship.

FORM 103

PETITION FOR APPOINTMENT OF A GUARDIAN OF A MINOR.
AS 13.26.045; 13.26.060

(Title of Court and Cause)

NO. _____

PETITION FOR APPOINTMENT OF
GUARDIAN OF A MINOR

Petitioner respectfully states as follows:

1. _____ is an unmarried minor of the age of _____ years residing in _____ (Judicial District) State of Alaska.
2. Said minor is presently in the care and custody of _____.
3. All parental rights of custody have been terminated.
4. No guardian has been appointed by a will or by order of any court, and no other proceedings for the appointment of a guardian are pending in any other court.
5. Petitioner is competent and qualified to serve as the guardian of said minor and is interested in the welfare of said minor by reason of the fact that _____.

WHEREFORE, petitioner prays that the Court set a time and place for the hearing of this petition, and that following notice to all persons entitled thereto, petitioner be appointed guardian of _____.

DATED this _____ day of _____, 19 _____.

Petitioner

Address

NOTE: Notice of the time and place for hearing of a Petition for Appointment of Guardian of a Minor is to be given by the petitioner in the manner prescribed by AS 13.06.110 to the minor if he is fourteen or older; to the person who has had the principal care and custody of the minor during the sixty days preceding the date of the petition, and to any living parent of the minor.

FORM 104

ORDER APPOINTING GUARDIAN. AS 13.26.060

(Title of Court and Cause)

NO. _____

ORDER APPOINTING GUARDIAN

The petition of _____ for appointment of guardian having come before the Court, the Court makes the following findings:

1. _____ is an unmarried minor of the age of _____ years, residing in _____, State of Alaska.
(Judicial District)
2. All parental rights of custody have terminated.
3. No guardian has been appointed by a will or by order of any court, and no other proceedings for the appointment of a guardian are pending in any other court.
4. _____ is in need of a guardian by reason of the fact that _____.
5. _____ is a qualified person to be appointed guardian of said minor.
6. Notice has been given as required by AS 13.06.110 and there are no objections to the appointment.

THEREFORE, IT IS ORDERED that _____ is appointed guardian of _____ and that Letters of Guardianship shall issue to _____.

DATED this _____ day of _____, 19____.

Judge

FORM 105

PETITION FOR APPOINTMENT OF GUARDIAN FOR AN INCAPACITATED PERSON.
AS 13.26.105; 13.26.110

(Title of Court and Cause)

NO. _____

PETITION FOR APPOINTMENT OF
GUARDIAN FOR AN INCAPACITATED PERSON

Petitioner respectfully shows the Court as follows:

1. _____ resides in _____ Judicial District,
State of Alaska, and is an incapacitated person by reason
of the fact that _____
(set forth disability)
2. No guardian has been appointed for _____,
either by will or by order of any court.
3. _____ is presently in the care and custody of
_____.
4. _____ is a proper person to serve as guardian of
(petitioner) _____
by reason of the fact that _____

(set forth reasons)
5. The following persons are entitled to notice of hearing on
this petition: _____
(notice must be given to the person alleged
to be incapacitated, his spouse, parents, adult children,
any person who is serving as his guardian, conservator, or
who has his care and custody, or if none of the listed
relatives are notified, notice must be given to at least one
of his closest relatives, if any can be found. AS 13.26.135)

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WHEREFORE, petitioner prays that the Court fix a time and place for hearing this petition, and that, following notice to those persons entitled, petitioner be appointed the guardian of _____.

DATED this _____ day of _____, 19 ____.

Petitioner

Address

NOTE: Notice of hearing for appointment of a guardian shall be given to: the person alleged to be incapacitated; his spouse; parents; adult children; any person serving as his guardian, conservator, or who is responsible for his care and custody; and, if none of the above can be located, at least one of his adult relatives, if any can be found. AS 13.26.135. Notice must be personally served on the alleged incapacitated person and his spouse and parents if they can be found within the state. Notice to the spouse and parents, if they cannot be found within the state, and to all other persons except the alleged incapacitated person shall be given as provided in AS 13.06.110. Waiver of notice by the person alleged to be incapacitated is not effective unless he attends the hearing or his waiver of notice is confirmed in an interview with the visitor appointed by the Court.

FORM 106

ORDER APPOINTING ATTORNEY TO REPRESENT AN ALLEGED INCAPACITATED
PERSON. AS 13.26.105(b)

(Title of Court and Cause)

NO. _____

ORDER APPOINTING ATTORNEY TO
REPRESENT AN ALLEGED INCAPACITATED
PERSON

The petition of _____ for appointment of guardian of
an incapacitated person having come before the Court, and it
appearing that the alleged incapacitated person is not
represented by legal counsel of his own choice, _____
is hereby appointed to represent _____ in the
proceedings before the Court, and shall have the powers and
duties of a guardian ad litem.

DATED this _____ day of _____, 19 _____.

Judge

FORM 107.

ORDER APPOINTING PHYSICIAN. AS 13.26.105(b)

(Title of Court and Cause)

NO. _____

ORDER APPOINTING PHYSICIAN

The petition for the appointment of a guardian of _____, alleged to be an incapacitated person, having come before the Court, _____, a physician, is hereby appointed to examine _____ and is hereby directed to submit to the Court a report in writing concerning the condition of him.

DATED this _____ day of _____, 19____.

Judge

FORM 108

ORDER APPOINTING VISITOR. AS 13.26.105(b)

(Title of Court and Cause)

NO. _____

ORDER APPOINTING VISITOR

The petition of _____ for the appointment of a guardian of _____, alleged to be an incapacitated person, having come before the Court, _____ is hereby appointed visitor and is hereby directed to interview _____ and to visit the present (person seeking appointment) place of abode of _____, and (alleged incapacitated person) the place it is proposed he will be detained or reside if the requested appointment is made, and submit his report in writing to the Court.

DATED this _____ day of _____, 19____.

Judge

NOTE: AS 13.26.130 states: "A visitor is, with respect to guardianship proceedings, a person who is trained in the law, nursing, or social work and is an officer, employee or special appointee of the Court with no personal interest in the proceedings."

FORM 109

ORDER APPOINTING GUARDIAN OF INCAPACITATED PERSON.
AS 13.26.110

(Title of Court and Cause)

NO. _____

ORDER APPOINTING GUARDIAN OF
INCAPACITATED PERSON

The petition of _____ for appointment of guardian of
an incapacitated person having come on for hearing, the alleged
incapacitated person appearing in person and through _____
(attorney)
and the petitioner appearing in person and through _____
(attorney)
the Court makes the following findings:

1. Notice has been given as required by law.
2. The written report of _____, a physician appointed
by the Court to examine _____, and the written
report of _____, appointed visitor by the Court,
having been submitted to the Court for review,
_____ is an incapacitated person and is in need
of the continuing care and supervision of a guardian.
3. _____ is a suitable person to act as guardian
of _____.

THEREFORE, IT IS ORDERED THAT _____ is hereby
appointed guardian of _____, and Letters of Guardi-
anship shall issue to _____.

DATED this _____ day of _____, 19____.

Judge

NOTE: AS 13.26.125(b) provides: "An order adjudicating incapacity
may specify a minimum period, not exceeding one year, during
which no petition for an adjudication that the ward is no
longer incapacitated may be filed without special leave. Subject
to this restriction the ward or any person interested in his
welfare may petition for an order that he is no longer incap-
acitated and for removal or resignation of the guardian...." It
is important to note that the statute specifically provides
that this request may be made by informal letter to the Court.

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AS 13.26.125(c) provides that the Court may send a visitor to the residence of the present guardian, and to the place where the ward resides or is detained, to observe conditions and report in writing to the Court before removing a guardian, accepting the resignation of a guardian, or ordering that a ward's incapacity has terminated.

FORM 110

PETITION FOR APPOINTMENT OF CONSERVATOR.
AS 13.26.180; 13.26.180(a); 13.26.185

(Title of Court and Cause)

NO. _____

PETITION FOR APPOINTMENT OF
CONSERVATOR

The petitioner respectfully shows the Court as follows:

1. The petitioner has an interest in the welfare of

_____ by reason of the
(name of person to be protected)
fact that _____
(state the interest of the petitioner)

2. _____ resides at _____
(name of person to be protected) (address)
_____ and is _____ years old.
(age)

3. _____
(name) (address)

has heretofore been appointed guardian of _____
(name of person
to be protected)

4. _____
(name) (address)

is the nearest relative of _____
(name of person to be protected)
known to petitioner.

5. _____ is unable to manage his
(name of person to be protected)
his property and affairs effectively because _____
(set forth

_____ the reason, e.g., mental illness, mental deficiency,

physical age or disability, advanced age, chronic use of
drugs, chronic intoxication, confinement, detention by a
foreign power, or disappearance)

6. _____ has property which
(name of person to be protected)
will be wasted or dissipated unless proper management is
provided. The property consists of _____
(set forth the property,
including any compensation, insurance, pension or allowance)
_____ and has the estimated value of _____
(value of property)

WHEREFORE, Petitioner prays that the Court fix a time and
place for hearing, and that, following notice to those persons
entitled, petitioner be appointed conservator of the property
and affairs of _____
(name of person to be protected)

DATED this _____ day of _____, 19 _____.

Petitioner

Address

FORM 111

ORDER APPOINTING ATTORNEY. AS 13.26.195

(Title of Court and Cause)

NO. _____

ORDER APPOINTING ATTORNEY

The petition of _____ for appointment
of a conservator of _____ having come
before the Court, and it appearing that _____
(person to be protected)
is not represented by counsel of his choosing, it is hereby
ordered that _____ is appointed to represent
(attorney)
_____ in the above-named
(name of person to be protected)
proceedings.

DATED this _____ day of _____, 19____.

Judge

FORM 112

ORDER APPOINTING CONSERVATOR. AS 13.26.180

(Title of Court and Cause)

NO. _____

ORDER APPOINTING CONSERVATOR

The petition of _____ for appointment of a
(petitioner)
conservator having come before the Court, the petitioner appearing
in person and through _____, and _____
(attorney) (person to be protected)
appearing through _____, the Court makes the following
(attorney)
findings:

1. Notice has been given as required by law.
2. _____ has property that will be wasted or
dissipated unless proper management is provided.
3. _____ is entitled to be appointed conservator of
the estate of _____
(person to be protected)

THEREFORE, IT IS ORDERED THAT _____
is hereby appointed conservator of _____
upon giving bond in the amount of _____ and that Letters
of Conservatorship shall issue to _____.

DATED this _____ day of _____, 19 ____.

Judge

NOTE: Under AS 13.26.200 there is a wide range of protective
orders that may be made by the Court. Also, protective proceedings

FORM 112/p.2

may be for a single transaction under AS 13.26.205. Thus, the petitions and orders for protective proceedings may vary from the petition and order suggested and forms should be used to reflect the particular circumstances and relief sought.

See AS 13.26.215 for provisions concerning bond.