

Petition for Letters of Administration with Will Annexed (Will Previously Probated)

INSTRUCTIONS

I. Specific Instructions

1. This form is to be used in connection with a petition for letters of administration with the Will annexed (sometimes called letters of administration C.T.A.), when the Will has been previously probated pursuant to O.C.G.A. §53-6-15(b).

II. General Instructions

General instructions applicable to all Georgia probate court standard forms are available in each probate court.

IN THE PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF)	ESTATE NO. _____
)	
_____ ,)	PETITION FOR LETTERS OF
DECEASED)	ADMINISTRATION WITH WILL
)	ANNEXED (WILL PREVIOUSLY
)	PROBATED)

TO THE HONORABLE JUDGE OF THE PROBATE COURT:

The petition of _____,
whose mailing address is/are _____, shows:

1.

On _____, _____, the Last Will and Testament of
 _____, deceased, was probated
 First Middle Last Name
 in this Court in _____ Form.

2.

Listed below are all of the beneficiaries under said Will who have a present interest, including but not limited to a vested remainder interest but not including trust beneficiaries where there is a trustee who is not the nominated administrator with Will annexed, and whose identity and whereabouts are known or may be determined by reasonable diligence.

Name	Age (Or over 18)	Address

3.

Additional Data: Where full particulars are lacking, state here the reasons for any such omission. Also, state here all pertinent facts which may govern the method of giving notice to any party and which may determine whether or not a guardian ad litem should be appointed for any party. If the petitioner is not a beneficiary under the Will, state how the petitioner is interested in the administration of the estate. If it is alleged that a nominated executor has failed to qualify, state here the name and address of such nominated executor. _____

4.

To the knowledge of the petitioner(s), no other proceedings with respect to this estate are pending, or have been completed, in any other probate court in this state.

5.

Petitioner(s) further show(s) that the circumstances giving rise to the need for an administrator with the Will annexed are as follows:

(Initial all which apply:)

- _____ The decedent failed to name an Executor in the Will.
 - _____ The named Executor is deceased.
 - _____ The named Executor has renounced his/her right to serve as such.
 - _____ Other reason a testate estate is unrepresented: _____
- _____

6.

(The Petitioner(s)) (_____) is/are entitled to be appointed Administrator(s) C.T.A. by reason of:

_____ having been unanimously selected by the beneficiaries of the Will who are capable of expressing a choice. If the sole beneficiary is the decedent's surviving spouse, no action for divorce or separate maintenance was pending at the time of death.

_____ appointment of the proposed Administrator(s) C.T.A. named above will best serve the interest of the estate and the proposed Administrator(s) C.T.A. is/are:

- _____ A beneficiary or the trustee of any trust that is a beneficiary under the Will.
- _____ An eligible person as defined in O.C.G.A. §53-6-1.
- _____ A creditor of the estate.
- _____ The county administrator.

GEORGIA PROBATE COURT
STANDARD FORM

7.

The proposed Administrator(s) C.T.A. should be allowed to qualify without the necessity of posting bond, since only personal representatives of intestate estates and temporary administrators are normally required to post bond. See O.C.G.A. §53-6-50(a).

WHEREFORE, Petitioner(s) pray(s):

1. That due and legal notice of this petition be given as the law requires.
2. That Letters of Administration with Will Annexed issue to the proposed Administrator(s) C.T.A. named above.
3. That this Court grant such other and further relief as it deems proper under the circumstances.

Signature of first petitioner

Signature of second petitioner if any

Printed Name

Printed Name

Address

Address

Phone Number

Phone Number

Signature of Attorney: _____

Typed/printed name of Attorney: _____

Address: _____

Telephone: _____ State Bar # _____

VERIFICATION

GEORGIA, _____ COUNTY

Personally appeared before me the undersigned petitioner(s) who on oath state(s) that the facts set forth in the foregoing petition are true.

Sworn to and subscribed before
me this ____ day of _____, 20____.

First Petitioner

NOTARY/CLERK OF PROBATE COURT

Printed Name

Sworn to and subscribed before
me this ____ day of _____, 20____.

Second Petitioner, if any

NOTARY/CLERK OF PROBATE COURT

Printed Name

**ACKNOWLEDGMENT OF SERVICE AND
SELECTION BY BENEFICIARIES CAPABLE OF EXPRESSING A CHOICE**

PROBATE COURT OF _____ COUNTY

IN RE: PETITION OF _____
FOR LETTERS OF ADMINISTRATION WITH WILL ANNEXED ON THE ESTATE OF
_____, DECEASED.

Each of the undersigned hereby acknowledges service of the petition referred to above, waives copies of same and all further service and notice, selects the person proposed in said petition to be Administrator with Will Annexed and consents to the petition.

SIGNATURE(S) OF BENEFICIARIES

Sworn to and subscribed before
me this ____ day of _____, 20____.

NOTARY/CLERK OF PROBATE COURT

Printed Name

Sworn to and subscribed before
me this ____ day of _____, 20____.

NOTARY/CLERK OF PROBATE COURT

Printed Name

Sworn to and subscribed before
me this ____ day of _____, 20____.

NOTARY/CLERK OF PROBATE COURT

Printed Name

Sworn to and subscribed before
me this ____ day of _____, 20____.

NOTARY/CLERK OF PROBATE COURT

Printed Name

Sworn to and subscribed before
me this ____ day of _____, 20____.

NOTARY/CLERK OF PROBATE COURT

Printed Name