

In the Court of Common Pleas of York County, Pennsylvania
Orphans' Court Division

Estate of :
:
also known as : No.
:
Late of :
York County, Pennsylvania, deceased :

Petition for Settlement of Small Estate

(Gross Estate of \$25,000 or less for decedents dying before August 31, 2013)
(Gross Estate of \$50,000 or less for decedents dying on or after August 31, 2013)

Pursuant to section 3102 of the Probate, Estates and Fiduciaries Code, the undersigned Petitioner respectfully represents:

(1) Estate.

- i. The name and address of each petitioner and relationship of each petitioner to the decedent:

- ii. The decedent's name, date of death, and domicile in York County, Pennsylvania, with a last family or principal residence:

- iii. The decedent died:
 - intestate.
 - testate. If the decedent died testate:

the will and any codicil(s) has / have been probated, a copy is filed with the Clerk of Orphans' Court and Letters have been issued to:

the will and any codicil(s) has/have not been probated, and the original will and any codicil(s) is/are attached. *[If not attached, explain, and attach a copy of the Will.]* The personal representative(s) named therein is (are):

iv. The name, address, relationship, and interest of all beneficiaries or heirs are: *[Give details as to whether the decedent was survived by a spouse, children or stepchildren. If a minor, use Confidential Information Form (CIF) and provide information of representative.]*

<u>Name and Address</u>	<u>Relationship</u>	<u>Interest</u>	<u>Sui Juris</u>
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- v. Is the Family Exemption claimed?
- (1) If claimant is not the surviving spouse, state relationship to decedent:
 - (2) If claimant is surviving spouse, has spouse forfeited the right to claim the exemption?
 - (3) Did claimant reside with decedent at death? If not, state why not.
- vi. A spouse's elective share:
- has not been claimed.
- has been claimed. *[Give details.]*
- vii. If the decedent died testate, the decedent:
- was not married or divorced after the date of execution of the will.
- was married or divorced after the date of execution of the will.
- [Give details.]*
- viii. If the decedent died testate, the decedent:
- did not have a child or children born or adopted after the date of execution of the will.
- had a child or children born or adopted after the date of execution of the will. *[Give the name and date of birth or adoption of each such child. If minors, use initials and Confidential Information Form (CIF) for names and date of birth.]*

Name

Date of Birth or Adoption

(2) **Assets.** All assets other than real estate.

The decedent died owning property (exclusive of real property and property payable under section 3101 of the Probate, Estates and Fiduciaries Code) of a gross value not exceeding \$50,000, (or \$25,000.00 if prior to August 31, 2013) which is itemized below. *[Include only last four (4) digits of account numbers and registration numbers, etc.]*

<u>Asset</u>	<u>Amount</u>
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Total \$ _____

(3) Liabilities.

(i) Names and addresses of all known creditors, amounts claimed, if satisfied, and to which objection is made or not:

<u>Name and Address</u>	<u>Amount Claimed</u>	<u>Satisfied or not</u>	<u>Objection</u>
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Total \$ _____

(ii) Itemized list of unpaid administrative expenses, unpaid taxes, unpaid debts, and, if the estate were insolvent, are prioritized under 20 PA.C.S. § 3392:

<u>Priority</u>	<u>Description (Identify each)</u>	<u>Amount</u>
1.	Administrative Expenses	
2.	Family Exemption	
3.	Funeral and Medical Expense within 6 months	
4.	Marker or Headstone	
5.	Rents and medical expenses more than 6 months before death	
5.1	Commonwealth and other political subdivisions	
6.	All other claims	
	Total	\$ _____

(iii) As to decedents 55 years of age and older, when the request was made to Pennsylvania Department of Human Services:

(iv) The following persons claim reimbursement for debts, expenses, and other claims (including inheritance tax, if applicable) they have paid with their own funds:

<u>Person Claiming Reimbursement</u>	<u>Date of Payment</u>	<u>Payee</u>	<u>Nature of Debt or Expense</u>	<u>Amount</u>
			Total	\$ _____

(4) Distribution.

(i) Name of Distributees paid prior to filing the Petition:

<u>Name</u>	<u>Description</u>	<u>Amount Paid</u>
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Total \$ _____

(ii) Name of each proposed Distributee and proposed Distribution

<u>Name</u>	<u>Description</u>	<u>Amount</u>
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Total \$ _____

(iii) Name of each interested party who has Consented to, or Joined in, the Petition.

(iv) Name of each beneficiary or heir who has Consented to, or Joined in, the Petition.

(v) All holders of claims that are disputed, which in the case of this estate, all holders of claims that will not be paid in full, have either:

- Joined in this Petition which is hereto attached; or
- been mailed at least twenty (20) days written notice of the date, time, and place of the Orphans' Court Audit session.

(5) Taxes.

(i) Tax Return

- Pennsylvania Inheritance Tax Return has been filed
- Pennsylvania Inheritance Tax Return has not been filed.

[Give details.]

(ii) Payment

- Pennsylvania Inheritance Tax has been paid
- Pennsylvania Inheritance Tax has not been paid.

If inheritance taxes due have not been paid, Petitioner should list the Register of Wills, Agent, as a creditor.

[Give details of why tax has not been paid.]

Signature of Petitioner
Typed Name:
Telephone Number:

Signature of Attorney for Petitioner
Typed Name:
Supreme Court No.:
Office Address:

Telephone Number:

Certificate of Compliance

I certify that this filing complies with the provisions of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: _____

Signature: _____

Name: _____

Attorney No. (if applicable): _____

Exhibits

The following are attached hereto:

(1) Death Certificate:

- Death certificate is already filed with the Register of Wills.
- Death certificate is already filed with the Clerk of Orphans' Court.
- If attaching Death Certificate, use Confidential Document Form (CDF)

(2) Will and Codicil, if any.

- the will and any codicil(s) has / have been probated, a copy is filed.
- the will and any codicil(s) has/have not been probated, and the original will and any codicil(s) is/are attached. *[If not attached, explain, and attach a copy of the Will.]*

(3) Pennsylvania Department of Revenue Notice of Resident Appraisement, Allowance or Disallowance of Deductions, and Assessment of Tax.

(4) Original Consents, Joinders, and Letters of No Objections, as signed.

(5) Copy of letter from Pennsylvania Department of Human Services (DHS) as to the existence and amount of the estate recovery claim.

(6) Copy of Notice of filing the Petition, as mailed.

(7) Confidential information Form, if needed.

(8) Confidential Document Form, if needed.

Verification

The undersigned Petitioner hereby verifies, subject to the penalties of 18 Pa. C.S.A. §4904 (relating to unsworn falsification to authorities), that the facts set forth in the foregoing petition which are within his (her) knowledge are true, and, as to the facts based on information received, after diligent inquiry, he (she) believes them to be true.

Date: _____

Signature of Petitioner

Joinder

I (we), the undersigned, being parties other than the petitioner beneficially interested in the estate and/or surviving spouse, children or stepchildren of the foregoing decedent, do hereby certify that I (we) have read the foregoing petition and join in the prayer thereof.

_____	_____
_____	_____
_____	_____
_____	_____

Consent

I (we), the undersigned, being parties other than the Petitioner beneficially interested in the estate and/or surviving spouse, children or stepchildren of the foregoing decedent, do hereby certify that I (we) have read the foregoing petition and consent to the prayer thereof.

_____	_____
_____	_____
_____	_____
_____	_____

In the Court of Common Pleas of York County, Pennsylvania
Orphans' Court Division

Estate of _____ :
: No.
also known as _____ :
Late of _____ :
York County, Pennsylvania, deceased _____ :
:

PRELIMINARY DECREE

AND NOW, this _____ day of _____, 20____, upon consideration of the foregoing Petition, it is hereby DECREED, as follows:

1. The Clerk shall issue a Citation and Rule upon all Respondents identified as beneficiaries, heirs, creditors and interested parties who have not signed a Joinder, Consent, or Letter of No Objection, to Show Cause Why the Petitioner is not entitled to the relief requested.

2. All Respondents shall file an Answer or Objection to the Petition within twenty (20) days of service, or if no Answer or Objection is filed, then the Rule may be made Absolute without Hearing at the call of the Audit List.

3. The Petition shall be decided under Pa. R.C.P. No. 206.7, if necessary.

4. The Petitioner and those Respondents who file an Answer or Objection must appear at the call of the Audit List at _____ a.m./p.m. on the ____ day of _____, 2021 in Court Room ____ of the York County Judicial Center, 45 North George Street, York, Pennsylvania, either in person or via Advanced Communication Technology, with such latter arrangement being made through the chambers of the undersigned.

5. Notice of the entry of this Preliminary Decree shall be provided to all interested parties by the Petitioner in accordance with Pa. O.C. Rule 3.5(a)(2). The Petitioner shall file a Certificate of Service in advance of the call of the audit, confirming compliance with this directive.

BY THE COURT:

Judge

In the Court of Common Pleas of York County, Pennsylvania
Orphans' Court Division

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ORDER

AND NOW, this _____ day of _____, 20____, upon consideration of the foregoing Petition, it is ORDERED and DECREED that the Petitioner disburse and distribute the property of the decedent under section 3102 and section 3392, if applicable, of the Probate, Estates and Fiduciaries Code, as follows, to:

Name (*If minor, initials only, and refer to Confidential Information Form (CIF).*) Amount

Total \$ _____

This decree of distribution shall constitute sufficient authority to all transfer agents, registrars and others dealing with the property of the estate to recognize the persons named as entitled to receive such property without administration and shall in all respects have the same effect as a decree of distribution after an accounting by a personal representative.

BY THE COURT,

Judge

In the Office of the Register of Wills of York County, Pennsylvania

Estate of :
: No.
also known as :
Late of :
York County, Pennsylvania, deceased :

REGISTER OF WILLS CERTIFICATION

WHEREAS, upon receipt of a certified copy of the foregoing Order of the Judge of the Orphans' Court Division of the Court of Common Pleas of York County, Pennsylvania, I, BRYAN K. TATE, Register of Wills in and for the County of York in the Commonwealth of Pennsylvania, hereby certify that neither LETTERS TESTAMENTARY nor LETTERS OF ADMINISTRATION were issued to anyone on a Petition arising out of the death of the aforesaid Decedent, all of which appears fully of record in my Office at the York County Judicial Center, 45 North George Street, York, Pennsylvania.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my Office on the ____ day of _____, 20____.

Register of Wills