IN THE SUPERIOF AT	R COURT FOR THE STATE OF ALASKA
In the Matter of the Estate of:	
Decedent (Person Who Died) Date of Birth:	) ) ) CASE NO.

## REQUEST TO START INFORMAL PROBATE AND APPOINT A PERSONAL REPRESENTATIVE WHEN THERE IS NO WILL

(Application for Informal Probate and Appointment of Personal Representative)

- 1. Interest. I, \_\_\_\_\_, have an interest in this estate, because:
- 2. Decedent (Person Who Died). The decedent died on \_\_\_\_\_ [date] at the age of \_\_\_\_\_. At least five full days have passed since the death. The decedent lived in \_\_\_\_\_\_ [city and state] at the time of death and considered this location to be a permanent home.
- **3. Filing Location.** This is the correct court to file in, because the decedent lived in this judicial district at the time of death.

did not live in Alaska at the time of death, but had property located in this judicial district at the time of death.

**4. Time.** I am filing this probate case within the required time period, because three years or less have passed since the person died, OR

more than three years have passed. **STOP**. Under Alaska law, you cannot open an estate case more than three years after the person died except in very limited circumstances. You should talk to a lawyer about your options and whether you can open a probate case. If you file this form, be aware that the court may dismiss the case unless you show a basis for filing this action under AS 13.16.040. A waiver of the 3-year time limit under AS 13.16.040 is legally permitted, because:

**5. Will.** To the best of my knowledge after a reasonable search, the decedent did not make a valid will about property in Alaska.

## 6. <u>Current Personal Representative.</u>

No court has appointed a personal representative of the estate.			
A court appointed a personal representative, but later ended the appointment.			
There is currently a personal representative of the estate. A court appointed			
[name] as personal representative who lives			
at [address]			

- 7. Right to be Appointed as Personal Representative. The court should appoint me as personal representative. I am 19 years old or older and have priority to serve, because
  - I am the surviving spouse.
  - I am an heir (someone with the right to inherit property from the decedent).
  - I am a creditor, and at least 45 days have passed since the person died.
  - Other:
- 8. Persons With a Greater or Equal Right to Appointment. [Priority is determined in the following order: (1) surviving spouse; (2) someone with the right to inherit property from the decedent if no will was made; (3) 45 days after the death of decedent, any creditor.]

The following persons have a greater or equal right than I do to be appointed as personal representative:

[**IMPORTANT**: Every person who has a greater or equal priority over you must consent by completing the "Nomination for Appointment of Personal Representative with Lower Priority" (form <u>P-306</u>).]

**9. Bond**. [A bond is a cash payment or pledge of property that guarantees the personal representative will fulfill the person's duties. However, the requirement is commonly waived by all heirs.]

☐ I request the court waive the bond, because all of the heirs agree to waive the bond requirement. [IMPORTANT: Each heir must file a separate written "Waiver of Bond Requirement" (form <u>P-334</u>) or must have requested a waiver of the bond requirement in form <u>P-306</u> that was already filed under section 8.]

☐ I request the court set a bond amount of \$\_\_\_\_\_, because this amount covers the estimated value of the estate's property and income for the next year.

**10. Survivors of the Decedent.** The decedent is survived by the persons listed below. [Include all biological or adopted children of the person who died, unless an adoption decree terminated the child's inheritance rights.]

Relationship to Decedent	<b>Name</b> [If a minor, provide the minor's age and the name of the minor's legal guardian]	Address
Spouse		
Child 1		
Child 2		
Child 3		
Parent		
Heir (person entitled to inherit property)		
Heir		

[Attach extra pages if necessary.]

**11. Demand for Notice.** [Any interested person may file a document called a "demand for notice" that tells the personal representative and the court to send a copy of every document filed with the court to the person who filed the notice.]

☐ I have not received a demand for notice concerning the decedent and do not know of any demand for notice that may have been filed in Alaska or elsewhere.

☐ I received or I am aware of a demand for notice concerning the decedent from the following persons:

**12. Notice.** I gave notice of this application to (1) all persons who filed a demand for notice, (2) all persons with a greater or equal right to appointment as personal representative of this estate, and (3) any current personal representative whose position has not been ended.

Therefore, I request a court appoint me as personal representative of the estate and issue letters of administration.

Date

Signature of Applicant

Printed Name

Address Line 1

Address Line 2

Email Address

Phone Number

Verification

I swear or affirm that I read this entire document and believe that all of the statements made in the document are true.

Applicant's Signature

Subscribed and sworn to or affirmed before me at	ī,	Alaska
on .		

(SEAL)

Court clerk, notary public, or other person authorized to administer oaths. My commission expires:

Certificate of Service					
[You must give notice of this application to all persons listed in Section 12.]					
I certify that on [date], a copy of this [List everyone served and attach extra pages if necess 					