

PETITION FOR ORDER OF COMPLETE SETTLEMENT PURSUANT TO G. L. c. 190B, § 3-1001 <input type="checkbox"/> ORIGINAL FORM <input type="checkbox"/> AMENDED FORM	Docket No. _____	Commonwealth of Massachusetts The Trial Court Probate and Family Court
Estate of: _____ <div style="display: flex; justify-content: space-between; font-size: small;"> First Name Middle Name Last Name </div>		_____ <div style="text-align: right; font-size: small;">Division</div>
Date of Death: _____		

I. GENERAL INFORMATION

The Petitioner(s) (hereafter "Petitioner") makes the following statements:

1. Information about the Petitioner:

Name: _____

First Name
Middle Name
Last Name

_____ (Address) _____ (Apt, Unit, No. etc.) _____ (City/Town) _____ (State) _____ (Zip)

Mailing Address, if different: _____ (Address) _____ (Apt, Unit, No. etc.) _____ (City/Town) _____ (State) _____ (Zip)

Primary Phone #: _____

Interest of the Petitioner: ☐ Personal Representative Date of appointment: _____
☐ Other: _____ (relationship)

2. One year has passed since the appointment of the original Personal Representative or the Petitioner is the Personal Representative.

3. The time for presenting claims that arose prior to the Decedent's death has expired (i.e. one year from date of death; see G. L. c. 190B, § 3-803).

II. PERSONS INTERESTED IN THE ESTATE

4. The names and addresses of all interested persons and their interest in the estate are as follows:

ALL PETITIONERS MUST COMPLETE 5 AND 6, IF APPLICABLE

5. NONE of the interested persons listed in 4. are under a legal disability except for:

	<div> <input type="checkbox"/> Minor List age: _____ </div> <div> <input type="checkbox"/> Incapacitated Person <i>(adjudicated or alleged)</i> </div> <div> <input type="checkbox"/> Protected Person <i>(adjudicated or alleged)</i> </div>	<div> <input type="checkbox"/> Unrepresented or only represented by the accountant (appointment of GAL requested) </div> <div> <input type="checkbox"/> Independent Guardian </div> <div> <input type="checkbox"/> Independent Conservator </div> <div> <input type="checkbox"/> Parent of Minor* </div> <div> <input type="checkbox"/> Holder of General Power of Appointment* (copy of proof attached) </div> <div> <input type="checkbox"/> Virtual Representative* </div> <div> <input type="checkbox"/> Non-Accounting co-fiduciary pursuant to Uniform Practice XVIA* </div>	<div> FOR DISTRIBUTIONS PURSUANT TO § 3-915 ONLY: </div> <div> <input type="checkbox"/> UTMA Custodian* (copy of proof attached) </div> <div> <input type="checkbox"/> UCTA Custodian* (copy of proof attached) </div> <div> <input type="checkbox"/> Agent under POA* (copy of proof attached) </div> <div> <input type="checkbox"/> Other as authorized by G. L. c. 190B, § 3-915*: _____ (list relationship) </div>
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6. NONE of the interested persons who survived the decedent are deceased at the time of this filing except for:

	<div> <input type="checkbox"/> Unrepresented (NOTE: Publication is required; Guardian ad litem may be appointed) </div> <div> <input type="checkbox"/> Personal Representative </div>
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III. ALLOWANCE OF THE FINAL ACCOUNT

(complete only if requesting)

7. ☐ A _____ and final account is on file with the court or accompanies this Petition.
(specify whether 1st, 2nd, etc.) _____

IV. DETERMINATION OF TESTACY

(complete only if requesting; you must also complete Section V)

8. ☐ Testacy has not been previously formally adjudicated. This Petition is filed within the time period permitted by law (G. L. c. 190B, § 3-108). Three (3) years or less have passed since the Decedent's death, or the following circumstances authorize tardy proceedings (include statutory reference): *If you filed in formally, you may now request a determination of testacy (post MUPC) Publication required Three year time limit.*

9. The Decedent died (select one):

☐ Intestate (without a will)

After the exercise of reasonable diligence, the Petitioner is unaware of any unrevoked testamentary instrument relating to property in Massachusetts, or ☐ see attached statement of why such an instrument is not being probated.

☐ Testate (with a will)

The date of the Decedent's last will is _____

☐ The dates of all codicils are _____

(select one of the following):

☐ The original will is in the possession of the court or accompanies this Petition.

☐ The original will was informally admitted to probate on: _____ (date)

☐ The will has been probated in the state or country of _____

An authenticated copy of the will and proof of its probate is in the possession of the court.

The will and any codicils are referred to as the will. The Petitioner, to the best of his or her knowledge, believes the will was validly executed. After the exercise of reasonable diligence, the Petitioner is unaware of any instrument revoking the will and believes that the will is the Decedent's last will.

FORM ALERT: Form MPC 163 Devisees must be on file with the court or accompany this Petition.

V. DETERMINATION OF HEIRS

(complete only if requesting or if Section IV is completed.)

10. ☐ The heirs at law of the estate have not been previously formally adjudicated by the court. The Decedent's surviving spouse, children, heirs at law, so far as known or ascertainable with reasonable diligence by the Petitioner are as stated in the attached MPC 162 Surviving Spouse, Children, Heirs at Law dated: _____ (date) incorporated herein.

☐ There are additional heirs at law who are not known to the Petitioner.

VI. OTHER REQUESTS AS AUTHORIZED BY G. L. c. 190B, § 3-1001

(complete only if requesting.)

11. ☐ The persons or entities entitled to distribution and the amounts to be distributed must be determined.

The Petitioner proposes the following:

NAME OF PROPOSED DISTRIBUTEE	INTEREST	PROPOSED DISTRIBUTION

12. ☐ Provisions of the will which the Petitioner wants construed and the construction sought by the Petitioner are as provided in the attached statement.

Is the Will ambiguous?

*You may deal with it here
by asking the court to
construe the Will*

13. ☐ Other (as authorized by G. L. c. 190B, § 3-1001):

VII. RELIEF REQUESTED

Wherefore the Petitioner requests that the court (select only as requested above):

- ☐ Approve the _____ and final account(s) as filed, including the distributions stated therein, and adjudicate a final settlement of the estate.
- ☐ Determine testacy and the heirs at law as stated herein.
- ☐ Determine the heirs at law of the Decedent.
- ☐ Determine and approve the distribution as proposed.
- ☐ Construe the will as provided in the attached statement.
- ☐ Other:

SIGNED UNDER THE PENALTIES OF PERJURY

I certify under the penalties of perjury that the foregoing statements are true to the best of my knowledge and belief.

Date: _____

Signature of Petitioner _____

Information on Attorney for Petitioner, if any

Signature of Attorney _____

(Print name)

(Address)

(Apt, Unit, No. etc.)

(City/Town)

(State)

(Zip)

Primary Phone #: _____

B.B.O. # _____

Email: _____