

Re: Petition for Temporary Letters of Administration

INSTRUCTIONS

I. Specific Instructions

1. This form is to be used for a petition for temporary letters of administration pursuant to O.C.G.A. §53-6-30.
2. The attached form consists of 4 pages.

II. General Instructions

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

PETITION FOR TEMPORARY LETTERS OF ADMINISTRATION

GEORGIA, _____ COUNTY

To the Honorable Judge of the Probate Court:

The petition of _____, whose domicile is _____, and whose mailing address is _____ shows to the Court the following:

1.

_____, whose
domicile was _____, whose
First Middle Last Name
Street City County State
departed this life on _____, _____, leaving an estate of real property valued at approximately _____ and personal property valued at approximately _____.

2.

Petitioner's appointment is in the best interests of the estate by reason of the estate's being unrepresented and it is necessary for Temporary Letters of Administration to be granted for the sole purpose of collecting and preserving the assets of the decedent.

3.

Petitioner is entitled to be appointed Temporary Administrator by reason of (check one):

- being the nominated executor in decedent's purported will (a copy of which is attached hereto and made a part hereof).
- being unanimously selected by all the heirs.
- being the sole heir or being the surviving spouse.
- having been selected by a majority in interest of the heirs.
- being an eligible person as defined in O.C.G.A. §53-6-1.
- being a creditor of the decedent (evidence of the indebtedness is attached).
- being the county administrator.

4.

Listed below are the names of all the decedent's heirs with the age or majority status, address, and relationship to decedent set opposite the name of each:

Name	Age (Or over 18)	Address	Relationship

5.

Additional Data: Where full particulars are lacking, state here the reasons for any such omission. If any heirs listed above are cousins, grandchildren, nephews or nieces of the decedent, please indicate the deceased ancestor through whom they are related to the decedent.

6.

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

Wherefore, petitioner prays for an order appointing petitioner Temporary Administrator of said estate.

Signature of Attorney (or
petitioner if pro se)
Address:

Telephone Number:
State Bar #:

Signature of Attorney (or
petitioner if pro se)
Address:

Telephone Number:
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.

Petitioner

Petitioner

Residence Address:

Residence Address:

Telephone Number:

Telephone Number:

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

Clerk of Probate Court or Notary Public

SELECTION BY HEIRS

GEORGIA, _____ COUNTY

For the court's consideration in determining the person whose appointment would serve the best interests of the estate, _____ of the heirs of _____, deceased, hereby select, and request the appointment of _____ to act as Temporary Administrator of the estate of said decedent.

SIGNATURE(S) OF HEIRS

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

NOTARY/CLERK OF PROBATE COURT

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

NOTARY/CLERK OF PROBATE COURT

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

NOTARY/CLERK OF PROBATE COURT

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

NOTARY/CLERK OF PROBATE COURT
PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

RE: ESTATE OF) ESTATE NO. _____
)
_____,)
DECEASED) RE: PETITION FOR TEMPORARY
) LETTERS OF ADMINISTRATION

ORDER

The petition of _____ for Temporary Letters of Administration on the estate of _____, deceased, has been duly filed. It appears that said decedent died domiciled in said county, that said petitioner is lawfully qualified for said administration, that such appointment will be in the best interests of the estate, and that it is necessary that temporary letters should issue for the sole purpose of collecting and preserving the assets of said decedent until permanent letters are granted. It is, therefore, ordered that the petitioner be, and is hereby, appointed Temporary Administrator of the estate, and that Letters be issued upon said Administrator's giving bond with approved surety in the sum of _____ dollars and taking the oath as the law requires; provided, however, that no disbursements from said estate may be made by said Temporary Administrator unless permission is granted by further order of this Court for the purpose of preserving the estate.

DATE

JUDGE OF THE PROBATE COURT

OATH

Georgia, _____ County

I do solemnly swear or affirm that _____, deceased, died _____ with an estate that is currently unrepresented, so far as I know or believe, and that I will well and truly administer on all the estate of the decedent, and discharge to the best of my ability all my duties as Temporary Administrator. So help me God.

Temporary Administrator

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

Clerk, Probate Court

**CERTIFICATE IN ACCORDANCE WITH
UNIFORM PROBATE COURT RULE 21(F)**

I certify that the content of the foregoing is identical in all material respects with Georgia probate court standard form entitled **Petition for Temporary Letters of Administration**, except for additions or deletions indicated as required by the Uniform Probate Court Rules.

Date

Signature of Attorney
Address:

Telephone Number:
State Bar#: