

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.

II. General Instructions

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

PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

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

TO THE HONORABLE JUDGE OF THE PROBATE COURT:

The petition of _____, whose domicile
is/are _____,
and whose mailing address is/are _____
_____ show(s) to the Court the following:

1.

_____, whose
First Middle Last Name
domicile was _____
Street City County State
departed this life on _____, 20____, leaving an estate of real property located in
_____ County(ies), Georgia having
a total fair market value of approximately \$ _____ and personal property as
follows (provide approximate):

- a. cash/bank accounts/certificates of deposit \$ _____
 - b. stocks/bonds/brokerage accounts \$ _____
 - c. other assets of significant value (list) \$ _____
- _____
- _____
- _____

APPROXIMATE TOTAL \$ _____

2.

Petitioner's(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(s) is/are entitled to be appointed Temporary Administrator(s) by reason of (initial one):

- _____ a. being the nominated executor in decedent's purported will (a copy of which is attached hereto and made a part hereof).
- _____ b. being unanimously selected by all the heirs.
- _____ c. being the sole heir or being the surviving spouse.
- _____ d. having been selected by a majority in interest of the heirs.
- _____ e. being (an) eligible person(s) as defined in O.C.G.A. §53-6-1.
- _____ f. being (a) creditor(s) of the decedent (evidence of the indebtedness is attached).
- _____ g. 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(s), no other proceedings with respect to this estate are pending, or have been completed, in any other probate court in this state.

WHEREFORE, petitioner(s) pray(s) for an order appointing petitioner(s) Temporary Administrator(s) of said estate.

Signature of first petitioner

Signature of second petitioner if any

Printed Name

Printed Name

Address:

Address:

Phone Number

Phone Number

Signature of Attorney: _____

Type/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

SELECTION BY HEIRS

GEORGIA, _____ COUNTY ESTATE NO. _____

IN RE: PETITION OF _____
FOR TEMPORARY LETTERS OF ADMINISTRATION

ESTATE OF _____, DECEASED

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

SIGNATURES(S)

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

NOTARY/CLERK OF PROBATE COURT Printed Name

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

NOTARY/CLERK OF PROBATE COURT Printed Name

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

NOTARY/CLERK OF PROBATE COURT Printed Name

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

NOTARY/CLERK OF PROBATE COURT Printed Name

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

NOTARY/CLERK OF PROBATE COURT Printed Name

NOTARY/CLERK OF PROBATE COURT

Printed Name

PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

RE: ESTATE OF _____) ESTATE NO. _____
)
)
_____,)
DECEASED) 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(s) is/are 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(s) be, and is/are hereby, appointed Temporary Administrator(s) of the estate, and that Letters be issued upon said Administrator's(s') giving bond with approved surety in the sum of \$ _____ dollars and taking the oath as the law requires.

IT IS FURTHER ORDERED that no disbursements from said estate may be made by said Temporary Administrator(s) unless permission is granted by further order of this Court for the purpose of preserving the estate.

SO ORDERED this _____ day of _____, 20_____.

Probate Judge

PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

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

OATH

I do solemnly swear or affirm that _____
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 _____, 20____.

Probate Clerk/Deputy Clerk

STATE OF GEORGIA

COUNTY OF _____

ESTATE NO. _____

TEMPORARY LETTERS OF ADMINISTRATION

By _____, Judge of the Probate Court of said County.

WHEREAS, _____ died domiciled in this County, owning certain assets within this State; and the estate is unrepresented, and it appears necessary that such assets be collected and preserved until permanent letters are issued;

I do, therefore, here appoint _____ as Temporary Administrator(s) of the estate of the said decedent, for the sole purpose of collecting and preserving the assets of the said decedent until permanent letters are issued; and thereupon to deliver up such assets to whomsoever this Court shall commit the administration of the estate of said decedent, as provided by law.

Temporary administrators are authorized to carry out existing contracts of the decedent, to carry on the business of the decedent, and to do such acts as are necessary for the protection and preservation of the estate provided proper orders are secured from the probate court after due notice to all parties in interest.

IN TESTIMONY WHEREOF, I have hereunto affixed my signature as Judge of the Probate Court of said County and the seal of this office this _____ day of _____, 20_____.

Probate Judge

(SEAL)

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

PROBATE CLERK/DEPUTY CLERK