

Rules of Probate Procedure

Rule 66. Inventory and Accounts

(a) **Inventory.** The inventory of an executor, administrator, trustee or guardian shall be filed within 30 days after appointment. Copies shall be served on all parties entitled to notice. On motion of the executor, administrator, trustee or guardian, the court may extend the time limit for filing the inventory up to 90 days. The court may decide the motion with or without hearing.

(b) **Accounts; notice and hearing.** The account of an executor, administrator, trustee or guardian shall be filed in accordance with law. Copies shall be served on persons entitled to notice. The notice of hearing upon the account shall inform each recipient of the obligation to file a written objection in order to contest an account. If a decree of distribution is to follow upon allowance of an account, the notice shall so state. If a trust is contained in the will, the executor shall file along with a final account a petition to commence a trust proceeding.

(c) **Accounts; form.** The account of an executor, administrator, guardian or trustee shall substantially conform to the approved forms contained in the Appendix of Forms, which forms shall be selected by the court and shall be verified. Any attorney's fees or fiduciary's fees shall be justified in terms of the factors for determining the reasonableness of a fee contained in Rule 1.5(a) of the Vermont Rules of Professional Conduct.

(d) **Interim accounts.** Unless a fiduciary or a party requests allowance or a party files a written objection, the court may file an interim account without allowing or disallowing it. Except for good cause shown, interim accountings in a guardianship proceeding shall be accompanied by a motion to allow the accounting each year. In decedents' estate proceedings, trust proceedings and guardianship proceedings in which good cause has been shown, the motion shall be filed no less frequently than every third year.

(e) **Accounts; necessity of a written objection.** Unless the court directs otherwise, no party who fails to file a written objection to the allowance of an account, specifying the grounds of objection, at least 3 days before the hearing on the account shall be heard in opposition to the account. In the absence of any objections, the court may allow a verified account without hearing.

(f) **Appraisals.** The fiduciary may, but unless required by the court, need not, employ one or more disinterested persons to appraise a decedent's estate, a trust estate, or the property of a ward.

Amended May 14, 1986, eff. July 1, 1986; Dec. 8, 1988, eff. March 1, 1989; Nov. 20, 2001, eff. March 1, 2002.