

STATE OF VERMONT

SUPERIOR COURT

PROBATE DIVISION

Unit

Case No.

In re ESTATE of:

[Empty box for estate name]

PETITION TO OPEN SMALL ESTATE

14 V.S.A. Ch. 81

\_\_\_\_\_ was a resident of \_\_\_\_\_
Decedent Town/State

and died on \_\_\_\_\_ leaving personal property valued at \$45,000 or less and no real estate.

- Decedent left: [ ] No known Last Will and Testament OR
[ ] Last Will and Testament dated \_\_\_\_\_
[ ] Codicil(s) to the Will, if any, dated \_\_\_\_\_

Attached are:

- 1. Filing fee; checks or money orders payable to Vermont Superior Court,
2. Original or Certified copy of the death certificate,
3. List of Interested Persons (form 700-00002),
4. ORIGINAL Will and Codicils, if any,
5. Inventory of the estate, including information or estimates available at the time of filing (form 700-00030),
6. Affidavit of paid and outstanding funeral expenses and any other known or reasonably ascertainable debts of the decedent (form 700-00402),
7. Bond without surety in the amount of the fair market value of the estate.

Petitioner requests a small estate be opened and the following named person be appointed to administer the estate:

Proposed Executor/Administrator
Mailing Address
Telephone / Email

[ ] This is the person named as executor in the Will.

ACCEPTANCE OF APPOINTMENT

I accept the appointment as Executor/Administrator and ask that the appointment documents be issued to me at the address above.

Date Signature of Executor/Administrator

**CONSENT OF SURVIVING SPOUSE, IF ANY, AND CONSENT OF ALL HEIRS AT LAW**

Please note that 14 V.S.A. Section 107(a) provides that if Consents are filed with the Court from all the heirs at law and the surviving spouse, if any, then a Will and/or Codicil may be allowed without a hearing. If all consents are not obtained, then the Court shall schedule a hearing and notice shall be given as provided by the Rules of Probate Procedure.

Please see the Instructions for Notifying Interested Persons of a Hearing on the Allowance of a Decedent’s Last Will & Testament available at [vermontjudiciary.org](http://vermontjudiciary.org) for further details on who needs to sign the consent form.

I acknowledge I have been served with the Petition to Open Decedent’s Estate in the above entitle action, including all papers referred to in the Petition. I waive the right to object to any action of the Court, regarding the Petition referred to above, and I waived the requirements for a Hearing regarding such Petition.

| <b>Signature</b> | <b>Printed Name</b> | <b>Date</b> |
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I declare that the above statements are true and accurate to the best of my knowledge and belief. I understand that if the above statements are false, I will be subject to the penalty of perjury or to other sanctions in the discretion of the court.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Printed Name