

**IN THE TRIBAL COURT OF THE
FORT McDOWELL YAVAPAI NATION (Arizona)**

In the Matter of the Estate of:

) **Case No.:**

_____,

Deceased.

)
) **PETITION FOR ADJUDICATION OF**
) **INTESTACY, DETERMINATION OF**
) **HEIRS AND APPOINTMENT OF**
) **PERSONAL REPRESENTATIVE TO**
) **ADMINISTER ESTATE**

1. _____, Petitioner hereby files this Petition for the appointment of Personal Representative to administer the the Estate of _____, decedent who died INTESTATE, without leaving a valid will.

2. Petitioner's name and address: _____

3. I am entitled to file this petition because:
 I am the surviving spouse of the decedent; or
 I am a parent of the decedent; or
 I am an adult child of the decedent; or
 I am a sibling of the decedent;
 I am related to the decedent as follows: _____
 I am an individual entitled to property of the decedent under the law.
 I am a creditor of the decedent and at least 45 days have passed since the decedent's death.

4. _____, the decedent died on _____, 20__ at the age of _____ years. At the time of death, the decedent was living at the following address: _____
_____. One hundred twenty hours have passed since the decedent's death.

5. The Court has jurisdiction because (check all that apply):
 At the time of death, Decedent was an enrolled member of the Fort McDowell Yavapai Nation;
 At the time of death, Decedent was a resident of the Fort McDowell Yavapai Nation;
 At the time of death, Decedent owned property located on the Fort McDowell Yavapai Nation; or
 Other: _____

6. Decedent owned personal property with a probable value in excess of \$ _____

1 7. A necessity exists for the administration of the Decedent's estate.

2 8. The following persons are the surviving spouse, children and other heirs entitled to take
3 property and their names, addresses and description of relationship:

Name:	Age:	Address:	Relationship:

10 9. All children born or adopted by the Decedent are listed above Yes No

11 10. Petitioner is qualified to act as Personal Representative of Decedent's estate.

12 11. To the best of my knowledge,

13 A Personal Representative for the Decedent's estate has NOT been appointed in
14 this jurisdiction or elsewhere; or

A Personal Representative for the Decedent's estate has been appointed in this
15 jurisdiction or in another jurisdiction as follows:

Name: _____

Jurisdiction: _____

17 12. I have not or have received a demand for notice from any interested person.

18 13. I am not or am aware of any demand for notice by any interested person or any
19 proceedings concerning the decedent at Fort McDowell or elsewhere.

20 14. After the exercise of reasonable diligence, Petitioner is unaware of any unrevoked
21 testamentary instrument executed by decedent relating to property subject to the
jurisdiction of this Court.

22 15. I have priority for my appointment as Personal Representative because:

I am the decedent's surviving spouse.

I am a parent of the decedent; or

I am an adult child of the decedent; or

I am a sibling of the decedent;

I am related to the decedent as follows: _____

I am an individual entitled to property of the decedent under the law.

1 16. The names, relationships and address of all parties who have a prior or equal right to
2 appointment are as follows:

3 Name: Age: Address: Relationship:
4
5
6
7
8

9 17. During the Decedent's lifetime, he/she was married as follows:

10 a. Name and Address of Spouse: _____

11 Name and Addresses of children of this marriage: _____

12 b. Name and Address of Spouse: _____

13 Name and Addresses of children of this marriage: _____

14 c. Name and Address of Spouse: _____

15 Name and Addresses of children of this marriage: _____

16 18. Bond Information:

17 The Personal Representative is not required to post a bond as all the legal heirs
18 have filed written waivers of bond and Petitioner requests to be appointed without
19 bond, or

20 A bond is required and my best estimate of the fair market value of all Decedent's
21 property (less encumbrances), subject to probate is \$ _____. I
22 hereby request to be appointed Personal Representative to administer the estate
23 with an appropriate bond.

24 19. The time for appointment has not expired because:

25 Two years have not passed since Decedent's death; or

Other _____

1 WHEREFORE, Petitioner prays that the Court

- 2 Schedule a hearing to find that the decedent died intestate.
- 3 Determine decedent's lawful heirs.
- 4 Appoint _____ as Personal Representative of the
- 5 Decedent's estate.
- 6 Give the appointed Personal Representative full authority to administer the
- 7 Decedent's estate.
- 8 Grant the Petitioner such other relief as to which he or she may be entitled.

9 SUBMITTED this _____ day of _____, 20_____.

10 _____
11 Signature

12 **This document MUST be notarized**

13 OATH AND VERIFICATION

14 I swear under penalty of perjury that the foregoing is true and correct to the best of my
15 knowledge.

16 _____
17 Date

16 _____
17 Signature

18
19 SUBSCRIBED and SWORN to before me this ____ day of _____, 20__

20
21 _____
22 Notary