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Pa.O.C.Rules, Rule 1.1  
Formerly cited as PA ST ORPHANS CT Rule 17

Rule 1.1. Short Title and Citation

[Currentness](#)

These Rules shall be known as the Pennsylvania Orphans' Court Rules, shall be referred to individually herein as "Rule," and cited as "Pa. O.C. Rule \_\_\_\_\_."

*Note:* Rule 1.1 is substantively similar to former [Rule 17](#).

#### **Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 1.1, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 1.1  
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Pa.O.C.Rules, Rule 1.2  
Formerly cited as PA ST ORPHANS CT Rule 2.1

Rule 1.2. Construction and Application of Rules

[Currentness](#)

(a) The Rules adopted by the Supreme Court regulating the practice and procedure of the Orphans' Court Divisions of this Commonwealth and the local rules adopted by such courts shall be liberally construed to secure the just, timely and efficient determination of every action or proceeding to which they are applicable. The court at every stage of any action or proceeding may disregard any error or defect of procedure that does not affect the substantive rights of the parties in interest.

(b) The principles of interpretation and related matters set forth in Pa.R.C.P. Nos. 102 through 153 inclusive, with the exception of [Pa.R.C.P. No. 126](#), shall apply to these Rules.

*Note:* Rule 1.2(a) is identical to former Rule 2.1. Rule 1.2(b) is new.

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 1.2, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 1.2  
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Pa.O.C.Rules, Rule 1.3  
Formerly cited as PA ST ORPHANS CT Rule 2.3

Rule 1.3. Definitions

[Currentness](#)

The following words and phrases when used in these Rules shall have the following meanings, respectively, unless the context clearly indicates otherwise or the particular word or phrase is expressly defined in the Chapter in which the particular Rule is included:

**“Accountant”**--a fiduciary or other party who has filed an Account;

**“Account”**--a financial report by a fiduciary of the principal and income transactions in the form prescribed by [Rule 2.1](#), excluding the annual reports of Guardians;

**“Adult”**--an individual eighteen years of age or over;

**“Clerk”**--the Clerk of the Orphans' Court Division or its equivalent;

**“Commonwealth”**--the Commonwealth of Pennsylvania;

**“Court”**--the Orphans' Court Division of the Court of Common Pleas or any judge thereof having jurisdiction;

**“Electronic Filing”**--the electronic transmission via the internet of a legal paper to the clerk;

**“Facsimile copy”**--a copy of a document transmitted and received by facsimile equipment;

**“Fiduciary”**--an agent under a power of attorney, custodian under the Uniform Transfers to Minors Act, personal representative, guardian, trustee, guardian *ad litem*, or trustee *ad litem*, and any other person acting in any similar capacity, whether domiciliary or ancillary, individual or corporate, subject to the jurisdiction of the court;

**“Filing Party”**--a party, or an attorney acting on behalf of a party, who files a legal paper;

**“Guardian”**--a fiduciary who has the care and management of the estate, the person, or both, of a minor or an incapacitated person;

**“Guardian *ad litem* or Trustee *ad litem*”**--a fiduciary who is appointed by a court in a legal proceeding to represent an individual or class of individuals under a legal disability;

**“Incapacitated Person”**--a person determined to be incapacitated under the provisions of Chapter 55 of Title 20 (relating to incapacitated persons);

**“Interested Party”**--one or more individuals or entities having or claiming an interest in the estate, trust, person or other entity that is the subject of the legal proceeding;

**“Legal Paper”**--a document that is filed with the court;

**“Local Rule”**--every Rule promulgated in accordance with [Rule 1.5](#);

**“Majority”**--when used in reference to age, means of the age of eighteen years or over;

**“Minor”**--an individual under the age of eighteen years;

**“Motion”**--if in writing, a legal paper that must be signed, but does not need to be verified, does not plead any facts not of record, and does not require the court to obtain jurisdiction over an Interested Party;

**“Objector”**--an individual or entity filing objections to an Account and/or Petition for Adjudication/Statement of Proposed Distribution pursuant to [Rule 2.7](#);

**“Personal Representative”**--the executor or administrator of any description of a decedent’s estate;

**“Petition for Adjudication/Statement of Proposed Distribution”**--a uniform, statewide form promulgated by the Supreme Court used in conjunction with the filing of an Account (see Appendix of forms);

**“Pleading”**--a type of legal paper that must be signed and verified in accordance with Rules 3.12 and 3.13 and includes, but is not limited to, petitions, answers, replies, and certain preliminary objections;

**“Publication”**--the publication in a newspaper of general circulation where such newspaper is originally issued and circulated;

### Rule 1.3. Definitions, PA ST ORPHANS CT Rule 1.3

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**“Register of Wills” or “Register”**--the Register of Wills or its equivalent having jurisdiction or authority to probate wills and grant letters as provided by [20 Pa.C.S. § 901](#);

**“Supreme Court”**--the Supreme Court of the Commonwealth;

**“Verified”**--when used in reference to a written statement of fact, means supported by the signer’s oath or affirmation or made subject to the penalties of [18 Pa.C.S. § 4904](#) relating to unsworn falsification to authorities.

*Note:* This definitional section is new; but, some of the definitions are substantively identical to the definitions in former [Rule 2.3](#) and other definitions are taken from and are similar to [Pa.R.C.P. No. 76](#).

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 1.3, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 1.3  
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Pa.O.C.Rules, Rule 1.4  
Formerly cited as PA ST ORPHANS CT Rule 2.2

Rule 1.4. Extension of Time Limitations

[Currentness](#)

The court, upon its own motion or the motion of any party, may extend any time period prescribed by these Rules.

*Note:* Rule 1.4 is identical to former [Rule 2.2](#).

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 1.4, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 1.4  
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Pa.O.C.Rules, Rule 1.5  
Formerly cited as PA ST ORPHANS CT Rule 1.2; PA ST ORPHANS CT Rule 14.1

Rule 1.5. Local Rules

[Currentness](#)

(a) All previously promulgated local rules are hereby vacated, effective September 1, 2016, except for those local rules promulgated under Chapter 14 regarding guardianship of incapacitated persons, Chapter 15 regarding adoptions, and Chapter 16 regarding proceedings pursuant to section 3206 of the Abortion Control Act.

(b) The requirements for the promulgation and amendment of local procedural rules for orphans' court proceedings are set forth in Pennsylvania Rule of Judicial Administration 103(d).

(c) The local rules applicable to practice in the Civil or Trial Division of the local Court of Common Pleas shall not be applicable in the Orphans' Court Division unless so directed by these Rules or by local rule adopted by the court of the particular judicial district in accordance with [Pa.R.J.A. No. 103](#).

*Note:* Effective August 1, 2016, Pennsylvania Rule of Judicial Administration 103 was amended to consolidate and include all local rulemaking requirements. Accordingly, the rulemaking requirements under Pa. O.C. Rule 1.5 for the promulgation and amendment of local procedural rules for orphans' court proceedings were rescinded and replaced.

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016. Rescinded and replaced June 28, 2016, effective Aug. 1, 2016.

Pa.O.C. Rule 1.5, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 1.5  
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Pa.O.C.Rules, Rule 1.6

Rule 1.6. Mediation by Agreement, Local Rule, or Court Order

[Currentness](#)

All parties having an interest in a matter may participate by written agreement, or the court by local rule or order in a particular matter may provide for the parties to participate, in private mediation or in court-supervised mediation.

*Note:* Rule 1.6 has no counterpart in former Orphans' Court Rules.

#### **Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 1.6, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 1.6  
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Pa.O.C.Rules, Rule 1.7

## Rule 1.7. Entry and Withdrawal of Counsel

[Currentness](#)

**(a) Appearance.** Any counsel appearing before the court or the Register shall enter a written appearance by any one of the following means:

- (1) filing an entry of appearance with the clerk or the Register;
- (2) signing a legal paper that is filed with the clerk or the Register; or
- (3) as prescribed by local rule, which may include submitting an appearance slip to the court, entering counsel's information when a legal paper is filed, or signing a cover sheet.

**(b) Withdrawal.** Counsel who has entered an appearance before the court as provided in subparagraph (a) shall not be permitted to withdraw without filing a petition to withdraw and obtaining the court's leave, unless co-counsel, if any, will continue representing the party or there is a simultaneous entry of appearance by other counsel that will not delay the litigation.

*Note:* Rule 1.7 has no counterpart in former Orphans' Court Rules, but is based upon many local rules of similar import.

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 1.7, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 1.7

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Pa.O.C.Rules, Rule 1.8  
Formerly cited as PA ST ORPHANS CT Rule 1.3

Rule 1.8. Forms

[Currentness](#)

(a) The forms approved by the Supreme Court for statewide practice and procedure before the Registers and courts shall be used exclusively by all Registers and clerks. Where a Supreme Court-approved form exists, no other form shall be allowed or required by local rule or practice.

(b) The forms approved by the Supreme Court for statewide practice are set forth in an Appendix to these Rules. The forms may be revised and supplemented from time to time. The forms shall also be maintained for public access at the official website of the Administrative Office of Pennsylvania Courts.

(c) A court may require a legal paper to be accompanied by a cover sheet or checklist. A court that imposes such requirements must promulgate a local rule, numbered Local Rule 1.8(c), stating the requirements and setting forth the form of the cover sheet or checklist.

*Note:* Rule 1.8 is substantively similar to former Rule 1.3, but with some modifications.

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 1.8, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 1.8  
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[Chapter II. Accounts, Objections and Distributions](#)

Pa.O.C.Rules, Rule 2.1

Formerly cited as PA ST ORPHANS CT Rule 6.1; PA ST ORPHANS CT Rule 12.5

Rule 2.1. Form of Account

[Currentness](#)

(a) Except where otherwise provided by an order of the court in a particular matter, Accounts shall be prepared and filed with the clerk in conformity with the form of the Model Accounts set forth in the Appendix or in conformity with any other form adopted by the Supreme Court subsequent to the date of adoption of these Rules.

(b) As illustrated in the Model Accounts, Accounts shall conform to the following rules:

(1) The dates of all receipts, disbursements and distributions, the sources of the receipts, and the persons to whom disbursements and distributions are made and the purpose thereof shall be stated. When a number of payments have been received from the same source or disbursed or distributed to the same recipient for the same purpose over a period of time, such receipts, disbursements or distributions need not be itemized, but may be stated in total amounts only, with beginning and ending dates within the period covered.

(2) Except where otherwise provided by an order of the court in a particular matter, principal and income shall be accounted for separately within the Account.

(3) Assets held by the accountant on the closing date of the Account shall be separately itemized.

(4) Every Account shall contain:

(i) a cover page;

(ii) a summary page with page references;

(iii) separate schedules, as needed, which set forth receipts, gains or losses on sales or other dispositions, disbursements, distributions, investments made, changes in holdings, and other schedules as appropriate; and

(iv) signature and verification pages signed by all the accountants stating the Account and verified by at least one of the accountants. The verification of a personal representative's Account shall contain a statement that the Grant of Letters and the first complete advertisement thereof occurred more than four months before the filing of the Account, unless the personal representative has been directed by the court to file an Account prior to that time.

(c) The Uniform Fiduciary Accounting Principles with accompanying commentaries and illustrations, recommended by the Committee on National Fiduciary Accounting Standards in collaboration with the National Center for State Courts, shall serve as an elaboration of the requirements of this Rule.

(d) When a non-profit corporation incorporated for charitable purposes or a cemetery company is required to file an Account, such corporation or company may file its financial statements for its three most recent fiscal years in lieu of filing an Account in the form required by this Rule. Financial statements shall be verified to be true and correct by a representative of the non-profit corporation or cemetery company.

(1) The court may require the corporation or company to submit its financial information in some other form or for some longer period.

(2) The court may require more or less financial information as it deems appropriate, including some or all of the following:

(i) the statute or other authority under which the corporation or company was incorporated and the date of its incorporation;

(ii) the names and addresses of the trustees or directors of the corporation or company;

(iii) a concise statement of the general purpose of the corporation or company; and

(iv) a copy of the corporation's or company's charter or articles of incorporation and bylaws.

*Note:* Rule 2.1 is substantively similar to former Rule 6.1 and Rule 12.15, except that certain subparagraphs have been reordered and Rule 12.15 and its Official Note have become subparagraph (d).

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 2.1, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 2.1  
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Pa.O.C.Rules, Rule 2.2  
Formerly cited as PA ST ORPHANS CT Rule 6.1

Rule 2.2. Form; Assets Transferred by the Exercise of a Power of Appointment

[Currentness](#)

Assets that are appointed pursuant to the exercise of a power of appointment shall be accounted for separately, and testamentary assets shall be segregated from appointive assets.

*Note:* Rule 2.2 has been revised but remains substantively similar to subparagraph (d) of former [Rule 6.1](#).

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 2.2, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 2.2  
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Pa.O.C.Rules, Rule 2.3  
Formerly cited as PA ST ORPHANS CT Rule 6.2

Rule 2.3. Form; Separate Accounts for Minors

[Currentness](#)

Unless the court for cause shown directs otherwise, the estate of each minor or the custodial account of each minor shall be accounted for separately.

*Note:* Rule 2.3 is substantively similar to former [Rule 6.2](#), except that Rule 2.3 now also expressly encompasses the Account of a minor's custodial account.

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

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Pa.O.C.Rules, Rule 2.4  
Formerly cited as PA ST ORPHANS CT Rule 6.9

Rule 2.4. Petition for Adjudication/Statement of Proposed Distribution; Virtual Representation

Currentness

(a) A petition for adjudication/statement of proposed distribution shall be filed with the clerk at the time of filing an Account.

(b) In addition to other information required by the form, the petition for adjudication/statement of proposed distribution shall set forth the name of each interested party (whether *sui juris* or not) who is not receiving notice of the filing of the Account and the filing of the petition for adjudication/statement of proposed distribution because another individual or entity is proposed to represent such interested party pursuant to 20 Pa.C.S. § 751(6) or §§ 7721--7726, and shall set forth additional facts as to the following:

(1) a statement of the interested party's interest in the property; and

(2) for representation being proposed pursuant to 20 Pa.C.S. § 751(6),

(i) a statement that the interested party is not *sui juris* or is unborn, unknown or unascertained; and

(ii) one of the following:

(A) a statement that the proposed representative has an interest in the property similar to that of the interested party who is not *sui juris* or is unborn, unknown or unascertained; or

(B) a statement that the proposed representative is the *sui juris* living ancestor of the interested party who is not *sui juris* or is unborn, unknown or unascertained and that such living *sui juris* ancestor has an interest in the property that is not

adverse to that of the interested party who is not *sui juris* or is unborn, unknown or unascertained; and

(3) for representation in trust matters being proposed pursuant to [20 Pa.C.S. §§ 7721--7726](#),

(i) an explanation about how the interested party's interest in the property can be adequately represented by the proposed representative pursuant to [20 Pa.C.S. § 7723](#),

(ii) a statement that with respect to the matter at issue there is no conflict of interest between the proposed representative and the interested party to be represented that will or might affect the impartiality of the proposed representative (except as provided pursuant to [20 Pa.C.S. § 7723\(7\)](#)); and

(iii) one of the following:

(A) either a statement that the proposed representative has been informed of the right to decline such representation pursuant to [20 Pa.C.S. § 7725](#) within the time period set forth therein and has failed to inform the trustee in writing that he or she declines to be the proposed representative; or

(B) that the proposed representative's signed consent to serve is attached as an exhibit to the petition for adjudication/statement of proposed distribution.

(c) The petition for adjudication/statement of proposed distribution shall be accompanied by such legal paper as is required by the form.

(d) At least one of the accountants stating the Account shall sign and verify the petition for adjudication/statement of proposed distribution in accordance with Rules 3.12 and 3.13.

(e) Counsel for the accountant shall sign the petition for adjudication/statement of proposed distribution in accordance with and pursuant to [Rule 3.12](#).

*Note:* Although substantially modified, Rule 2.4 is derived from former Rule 6.9. One modification is to require averments for virtual representation under [20 Pa.C.S. § 751\(6\)](#) generally and representation in "trust matters" pursuant to [20 Pa.C.S. § 7721 et seq.](#) Another substantial modification is the addition of subparagraph (e) that requires counsel to sign the petition for adjudication/statement of distribution attesting that the submitted petition for adjudication/statement of distribution accurately replicates the Model Form and subjects counsel to rules and sanctions as provided in Pa.R.C.P. Nos. 1023.1 through 1023.4. (*See* [Rule 3.12](#).)

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 2.4, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 2.4  
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Pa.O.C.Rules, Rule 2.5  
Formerly cited as PA ST ORPHANS CT Rule 6.3

Rule 2.5. Notice of Account Filing

[Currentness](#)

(a) No Account shall be confirmed or statement of proposed distribution approved unless the accountant has given written notice of the filing of the Account as provided in subparagraph (d) of this Rule to the following, as applicable:

(1) every unpaid claimant who has given written notice of his or her claim to the accountant or who has performed any action that is the equivalent of giving written notice as provided in [20 Pa.C.S. §§ 3384 or 7755](#);

(2) any other individual or entity with an asserted claim known to the accountant that is not shown in either the Account or the petition for adjudication/statement of proposed distribution as being either paid in full or to be paid in full;

(3) any other individual or entity known to the accountant to have or claim an interest in the estate or trust as a beneficiary, heir, or next of kin, except for those legatees or claimants whose legacies or claims have been satisfied in full as reflected in the Account or will be satisfied in full as proposed in the petition for adjudication/statement of proposed distribution; and

(4) For an Account where a charitable interest is involved, refer to [Rule 4.4](#).

(b) Notice to an individual or entity shall be given in accordance with [Rule 4.2](#); provided, however, that if the individual or entity is represented by counsel who has entered his or her appearance in accordance with [Rule 1.7\(a\)](#), notice shall be given to counsel and the individual or entity.

(c) If the proposed distribution is to an estate or trust and a charity is a "qualified beneficiary," as defined in [20 Pa.C.S. § 7703](#), of that recipient estate or trust, then notice shall be given to the Attorney General on behalf of the charitable beneficiary. If the proposed distribution is to an estate or trust and any one of the accountants stating the Account is a personal representative or a trustee of the recipient estate or trust, then notice shall also be given to the beneficiaries of the

estate or trust, to the extent known.

(d) Written notice, as provided in subparagraph (a) of this Rule, shall be mailed at least 20 days prior to the audit in those counties having a separate Orphans' Court Division or 20 days prior to the date by which objections must be filed in all other counties, and the written notice shall state the date of the audit or the date by which objections must be filed, and the time and place of the audit, if one is to be held, to the extent then known. If an audit is to be held and the time and place of the audit is not known at the time the notice is mailed, the notice shall state that the time and place of the audit will be provided upon request. A copy of the Account, petition for adjudication/statement of proposed distribution, and any legal paper filed therewith shall be sent with the notice, unless the recipient of the notice is a trust beneficiary who is not a "qualified beneficiary" as defined in [20 Pa.C.S. § 7703](#), or unless the court orders otherwise in a particular matter.

(e) If the audit of an Account is continued or the date for filing written objections is extended, additional notice shall be mailed at least 20 days prior to the date of the continued audit or the new date for filing written objections to all of those who initially received notice of the Account's filing. The additional notice shall state the date of the continued audit or the date by which objections must be filed, and the time and place of the continued audit, if one is to be held, to the extent then known. If the time and place of the continued audit is not known at the time the additional notice is mailed, the additional notice shall state that the time and place of the continued audit will be provided upon request.

(f) All notices and additional notices shall be sent by first-class United States mail, postage prepaid. Service by mail is complete upon mailing.

(g) A certificate of service and a copy of the notice shall be appended to the petition for adjudication/statement of proposed distribution or filed with the clerk prior to the audit or continued audit date, in those counties having a separate Orphans' Court Division, or by the date when objections must be filed in all other counties.

(h) The notice shall contain the information provided in subparagraphs (1), (2), and (3), as applicable, and, in all cases, shall contain a statement as provided in subparagraph (4):

(1) the accountant's position on any known dispute or interpretation question, together with a copy of any instrument or material parts thereof containing any provision which forms the basis of the dispute or question;

(2) the accountant's understanding of the nature of each contested or unpaid claim, a detailed explanation that specifically identifies the claim, whether the claim is admitted or contested, and if admitted, why the claim is not being paid in full;

(3) if the Account and petition for adjudication/statement of proposed distribution is not sent with the notice pursuant to subparagraph (d) of this Rule, the notice shall state the amount of all compensation paid or payable to the accountant, all attorneys' fees paid or payable, and that copies of the Account and petition for adjudication/statement of proposed distribution are available upon request; and

## Rule 2.5. Notice of Account Filing, PA ST ORPHANS CT Rule 2.5

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(4) that any recipient of the notice who objects to any transaction shown in the Account, any interpretation or position taken by the accountant, or to any payment, failure to pay, distribution proposed, or any other aspect of the petition for adjudication/statement of proposed distribution must file written objections in accordance with [Rule 2.7](#) with the clerk on or before the audit date in those counties holding an audit and by a specified date in all other counties, and if there is no such objection, then no action need be taken as such recipient will be deemed to have approved the Account, as stated, and agreed with the accountant's position on any dispute or question as set forth in the petition for adjudication/statement of proposed distribution, if any, and with the accountant's proposed disbursements and distribution.

*Note:* Although substantially modified, Rule 2.5 is derived from former Rule 6.3.

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 2.5, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 2.5  
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Pa.O.C.Rules, Rule 2.6  
Formerly cited as PA ST ORPHANS CT Rule 6.6

Rule 2.6. Filing with the Clerk

[Currentness](#)

All Accounts shall be filed with the clerk.

*Note:* Rule 2.6 is derived from what was formerly [Rule 6.6](#). Former Rule 6.4 regarding the time for filing the first Account of the personal representative has been deleted as it is codified in [20 Pa.C.S. § 3501.1](#).

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 2.6, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 2.6  
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Orphans' Court Rules (Refs & Annos)

Chapter II. Accounts, Objections and Distributions

Pa.O.C.Rules, Rule 2.7  
Formerly cited as PA ST ORPHANS CT Rule 6.10

Rule 2.7. Objections to Accounts or Petitions for Adjudication/Statements of Proposed Distribution

Currentness

(a) Objections to an Account and/or a petition for adjudication/statement of proposed distribution shall be filed with the clerk on or before the time and date of the audit in those counties holding an audit, and by a specified date in all other counties, with a copy sent by first-class United States mail, postage prepaid, to the accountant or the accountant's counsel, if represented, and to each interested party and claimant who received the notice pursuant to [Rule 2.5](#), to the extent known.

(b) Objections shall be in writing, with consecutively numbered paragraphs, signed by counsel, or if not represented by counsel, then by all the objectors in accordance with [Rule 3.12](#). Objections shall be verified by at least one of the objectors in accordance with [Rule 3.13](#).

(c) Each objection shall:

(1) be specific as to description and amount;

(2) raise one issue of law or fact, but if there are several objections relating to the same issue, all such objections shall be included in the same paragraph as subparts; and

(3) briefly set forth the reason or reasons in support thereof.

(d) The court may extend the time for filing objections.

*Note:* Although substantially modified, Rule 2.7 is derived from former Rule 6.10.



**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 2.7, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 2.7  
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Pa.O.C.Rules, Rule 2.8

### Rule 2.8. Pleadings Allowed After Objections are Filed

[Currentness](#)

(a) Answers to objections, preliminary objections to objections, and answers to preliminary objections are permitted, but a party does not waive any rights by failing to file any of the foregoing. If an answer to objections is filed, no responsive pleading to the answer is permitted.

(b) Preliminary objections to objections shall be limited to lack of jurisdiction over the subject matter and lack of standing.

(c) If filed, answers to objections, preliminary objections to objections, and answers to preliminary objections must be filed within 20 days after service of the applicable preceding pleading, with a copy served upon the accountant, if applicable, and to each interested party and claimant who received the notice pursuant to [Rule 2.5](#), or to his or her counsel, if represented.

(d) The court may summarily decide preliminary objections to objections and may do so prior to the filing of an answer to the preliminary objections.

*Note:* Rule 2.8 has no counterpart in former Orphans' Court Rules.

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 2.8, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 2.8  
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Chapter II. Accounts, Objections and Distributions

Pa.O.C.Rules, Rule 2.9  
Formerly cited as PA ST ORPHANS CT Rule 6.11

Rule 2.9. Confirmation of Accounts; Awards

Currentness

(a) An Account shall be confirmed or petition for adjudication/statement of proposed distribution approved when an adjudication or a decree of distribution is issued by the court and docketed by the clerk, expressly confirming the Account or approving the petition for adjudication/statement of proposed distribution and specifying, or indicating by reference to the petition for adjudication/statement of proposed distribution, the names of those to whom the balance available for distribution is awarded and the amount or share awarded to each.

(b) An adjudication confirming an Account discharges the fiduciaries as to those transactions set forth in the Account.

(c) The practice related to Schedules of Distribution shall be prescribed by local rule.

*Note:* Rule 2.9 is substantively similar to former Rule 6.11(a). Former Rule 6.11(b) has been deleted.

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 2.9, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 2.9  
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[Chapter II. Accounts, Objections and Distributions](#)

Pa.O.C.Rules, Rule 2.10

Formerly cited as PA ST ORPHANS CT Rule 13.2; PA ST ORPHANS CT Rule 13.3

Rule 2.10. Foreign Heirs and Unknown Distributees

[Currentness](#)

(a) If it appears that the decedent may have heirs in a foreign country but their location, existence or identity is unknown, the accountant or his or her counsel shall notify the consulate of the country, prior to audit, of the facts indicating that the decedent may have had heirs in that country.

(b) Whenever the existence, identity or whereabouts of a distributee is unknown, or it appears that a distributee may not have the actual benefit, use, enjoyment or control of the money or other property if awarded to him or her, or the court is requested to withhold distribution or to make an award other than to the distributee or his or her nominee, the accountant or his or her counsel shall submit to the court or auditor, as the case may be, a written report outlining the investigation made and the facts relevant thereto. The report shall be in such form and may be filed at such place and time as shall be prescribed by local rule or order of the court.

*Note:* With only minor modifications, Rule 2.10 is substantively similar to former Rules 13.2 and 13.3. Former Rule 13.1 has been deleted.

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 2.10, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 2.10

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[Chapter II. Accounts, Objections and Distributions](#)

Pa.O.C.Rules, Rule 2.11  
Formerly cited as PA ST ORPHANS CT Rule 9.1

Rule 2.11. Appointment of Official Examiners

[Currentness](#)

The court, by local rule or order in a particular matter, may appoint an official examiner who shall examine the assets held by or the transactions of any fiduciary.

*Note:* Rule 2.11 is substantively identical to former [Rule 9.1](#). The appointment and conduct of Auditors and Masters is provided for in Chapter IX.

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 2.11, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 2.11  
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[Orphans' Court Rules](#)

[Chapter III. Petition Practice and Pleading](#)

Pa.O.C.Rules, T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. III, Refs & Annos

[Currentness](#)

Pa.O.C. T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. III, Refs & Annos, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. III, Refs & Annos  
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<a href="#">Chapter III. Petition Practice and Pleading (Refs &amp; Annos)</a>
<a href="#">Part A. Petition Practice</a>

Pa.O.C.Rules, Rule 3.1

Rule 3.1. Petitions Generally

[Currentness](#)

Matters may be raised before the court by written petition filed with the clerk in conformity with these Rules. Petitions for adjudication/statements of proposed distribution shall be governed by Chapter II.

*Note:* Rule 3.1 has no counterpart in former Orphans' Court Rules.

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 3.1, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 3.1  
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<a href="#">Chapter III. Petition Practice and Pleading (Refs &amp; Annos)</a>
<a href="#">Part A. Petition Practice</a>

Pa.O.C.Rules, Rule 3.2

Rule 3.2. Headings; Captions

[Currentness](#)

Pleadings shall include the docket number, if one has been assigned to the matter by the clerk or Register, and shall include a heading identifying the type of pleading filed, and in the case of a petition, identifying the nature of the relief requested therein. In those counties having a separate Orphans' Court Division, pleadings shall be captioned "Court of Common Pleas of \_\_\_\_\_ County, Orphans' Court Division".

*Note:* Rule 3.2 has no counterpart in former Orphans' Court Rules, but is derived from [Pa.R.C.P. No. 1018](#).

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 3.2, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 3.2

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<a href="#">Chapter III. Petition Practice and Pleading (Refs &amp; Annos)</a>
<a href="#">Part A. Petition Practice</a>

Pa.O.C.Rules, Rule 3.3

Rule 3.3. Contents of All Pleadings; General and Specific Averments

[Currentness](#)

The following rules shall apply to all pleadings:

- (a) Every pleading shall be divided into consecutively numbered paragraphs. Each paragraph shall contain as far as practicable only one material allegation.
- (b) The material facts on which a cause of action or defense is based shall be stated in a concise and summary form.
- (c) Averments of fraud or mistake shall be averred with particularity. Malice, intent, knowledge, and other conditions of mind may be averred generally.
- (d) In pleading the performance or occurrence of conditions precedent, it is sufficient to aver generally that all conditions precedent have been performed or have occurred. A denial of such performance or occurrence shall be made specifically and with particularity.
- (e) In pleading an official document or official act, it is sufficient to identify it by reference and aver that the document was issued or the act done in compliance with law.
- (f) In pleading a judgment, order or decision of a domestic or foreign court, judicial or administrative tribunal, or board, commission or officer, it is sufficient to aver the judgment, order or decision without setting forth matter showing jurisdiction to render it.
- (g) Averments of time and place shall be specifically stated.

(h) Any part of a pleading may be incorporated by reference in another part of the same pleading or in another pleading in the same action. A party may incorporate by reference any matter of record in any state or federal court of record whose records are within the county in which the action is pending, or any matter which is recorded or transcribed verbatim in the office of the prothonotary, clerk of any court of record, recorder of deeds or Register of such county.

(i) When any claim or defense is based upon an agreement, the pleading shall state specifically if the agreement is oral or written.

(j) When any claim or defense is based upon a writing, the pleading shall have attached to it a copy of the writing, or the material part thereof, but if the writing or copy is not accessible to the pleader, it is sufficient so to state, identifying the reason therefor, and setting forth the substance of the writing.

*Note:* Rule 3.3 has no counterpart in former Orphans' Court Rules, but is derived from [Pa.R.C.P. No. 206.1\(c\)](#) and [Pa.R.C.P. No. 1019](#).

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 3.3, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 3.3  
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[Part A. Petition Practice](#)

Pa.O.C.Rules, Rule 3.4  
Formerly cited as PA ST ORPHANS CT Rule 3.3

Rule 3.4. Form of Petition; Exhibits; Consents; Signing and Verification

[Currentness](#)

(a) In addition to the requirements of Rules 3.2 and 3.3, a petition shall set forth:

(1) a title indicating briefly the purpose of the petition;

(2) a concise statement of the facts relied upon to establish the court's jurisdiction and to justify the relief requested;

(3) the questions of law with respect to the petition and the relief requested;

(4) if the trust includes a charitable interest for which notice is required under [Rule 4.4](#), whether the Office of the Attorney General has been given notice, whether the Office of the Attorney General has issued a statement of no objection to the petition, or the reason for failing to give the Office of the Attorney General notice;

(5) the names and addresses of every interested party who has an interest in the matter that is the subject of the petition;

(6) the name of any individual who is an interested party but is not *sui juris*, along with the following information:

(i) the name and address of the guardian, agent under power of attorney, or another individual being proposed to represent such individual, if any;

(ii) if such individual is a minor and no guardian has been appointed for such minor's estate, the minor's age, the names and addresses of his or her parents, and the individual with whom he or she resides or the facility at which he or she resides; and

(iii) if the non-*sui juris* individual is proposed to be represented in the matter at issue by another individual or entity pursuant to 20 Pa.C.S. §§ 751(6) or 7721-7726, then subparagraph (7) of this Rule shall also apply;

(7) the name of each interested party (whether *sui juris* or not) who is not receiving notice of the filing of the petition because another individual or entity is proposed to represent such interested party pursuant to 20 Pa.C.S. §§ 751(6) or 7721--7726, and shall set forth additional facts as to the following:

(i) a statement of the interested party's interest in the property; and

(ii) for representation being proposed pursuant to 20 Pa.C.S. § 751(6),

(A) a statement that the interested party is not *sui juris* or is unborn, unknown or unascertained; and

(B) one of the following:

(I) a statement that the proposed representative has an interest in the property similar to that of the interested party who is not *sui juris* or is unborn, unknown or unascertained; or

(II) a statement that the proposed representative is the *sui juris* living ancestor of the interested party who is not *sui juris* or is unborn, unknown or unascertained and that such living *sui juris* ancestor has an interest in the property that is not adverse to that of the interested party who is not *sui juris* or is unborn, unknown or unascertained; and

(iii) for representation in trust matters being proposed pursuant to 20 Pa.C.S. §§ 7721--7726,

(A) an explanation about how the interested party's interest in the property can be adequately represented by the proposed representative pursuant to 20 Pa.C.S. § 7723,

(B) a statement that with respect to the matter at issue there is no conflict of interest between the proposed representative and the interested party to be represented that will or might affect the impartiality of the proposed representative (except as provided pursuant to 20 Pa.C.S. § 7723(7)); and

(C) one of the following:

(I) either a statement that the proposed representative has been informed of the right to decline such representation pursuant to [20 Pa.C.S. § 7725](#) within the time period set forth therein and has failed to inform the trustee in writing that he or she declines to be the proposed representative; or

(II) that the proposed representative's signed consent to serve is attached as an exhibit to such petition; and

(8) a prayer for the relief desired.

(b) A proposed form of decree bearing the caption of the case and setting forth the relief requested in the prayer of the petition shall be attached to the front of the petition. In the case of a petition requiring a citation under [Rule 3.5\(a\)](#), a proposed form of preliminary decree for the issuance of the citation to the interested parties, subject to subparagraph (a)(7) of this Rule, shall also be attached to the front of the petition.

(c) Petitioner shall attach to the petition such exhibits, consents or approvals as may be required by these Rules, applicable statute, or local rule. If the petitioner is unable to attach any necessary exhibit, consent or approval, the petition shall so state and identify the reason therefor.

(d) The petition shall be verified by at least one of the petitioners in accordance with [Rule 3.13](#) and signed by counsel, or if not represented by counsel, then signed by all the petitioners in accordance with [Rule 3.12](#).

*Note:* Rule 3.4 is based upon former Rule 3.3 and Rule 3.4, but has been modified to require averments for virtual representation under [20 Pa.C.S. § 751\(6\)](#) generally and representation in “trust matters” pursuant to [20 Pa.C.S. § 7721 et seq.](#) Another modification is the addition of subparagraph (d) that requires petitioner’s counsel to sign the petition, or all of the petitioners to sign the petition, if unrepresented, thereby subjecting these signatories to rules and sanctions as provided in Pa.R.C.P. Nos. 1023.1 through 1023.4. (*See* [Rule 3.12](#).)

## Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 3.4, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 3.4  
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Pa.O.C.Rules, Rule 3.5  
Formerly cited as PA ST ORPHANS CT Rule 3.7

Rule 3.5. Mode of Proceeding on Petition

[Currentness](#)

**(a) Citation Practice.**

(1) When personal jurisdiction is required and has not previously been obtained or conferred by statute, or when a citation is otherwise required by statute, the petition shall include a preliminary decree for the issuance of a citation to those interested parties for whom a citation is necessary to show cause why the relief requested in the petition should not be granted.

(2) The citation to obtain personal jurisdiction and a copy of the petition shall be served upon each cited party at least 20 days before the date when a responsive pleading is due, in the same manner as service of original process under Pa.R.C.P. Nos. 402 through 404, [Pa.R.C.P. No. 420](#), and Pa.R.C.P. Nos. 422 through 424 inclusive. If service cannot be made under the foregoing rules, the court may order service by publication in accordance with [Pa.R.C.P. No. 430](#). Service of a citation as original process shall not be permitted by electronic means, unless agreed to by the respondent.

(3) If the citation is not being issued in order to obtain personal jurisdiction over an interested party, the petition and the citation may be served by first-class United States mail, postage prepaid, at least 20 days before the date when a responsive pleading is due.

(4) If the citation and petition are not served at least 20 days before the date when a responsive pleading is due, the court, upon request, may authorize the reissuance of the citation.

(5) Once the citation to obtain personal jurisdiction has been served upon the cited party by original process in accordance with subparagraph (a)(2), then notice of a rescheduled return date or any other rescheduled date for filing a responsive pleading or appearing before the court may be served by first-class United States mail, postage prepaid, at least 20 days before such rescheduled date.

(6) If an interested party (whether *sui juris* or not) is represented by another, the citation and petition shall be served upon the interested party's representative(s) pursuant to [Rule 4.2](#).

(7) Proof of service of the citation shall be filed with the clerk on or before the date when a responsive pleading is due.

(8) Each interested party identified in the citation, or such interested party's representative identified in the citation, may file a responsive pleading in accordance with these Rules on or before the date provided in the citation.

**(b) Notice Practice.**

(1) In all cases where personal jurisdiction is not required or has been previously obtained, or conferred by statute, the petitioner shall, either in advance of filing or contemporaneously therewith, provide a copy of the petition to the interested parties identified in the petition. The petition shall have affixed to its first page a notice to plead that shall be substantially in the following form:

To: \_\_\_\_\_

You are hereby notified to file a written response to the (name of pleading) within twenty (20) days from the date of notice or on or before the date when the pleading is to be filed, whichever is later, or the court may deem that you have no objection to the relief requested therein and may grant such relief without further notice to you.

(2) A certificate of service, listing the names and addresses of those individuals and entities receiving notice of the filing of the petition, shall be appended to, or filed contemporaneously with, the petition.

(3) If an interested party (whether *sui juris* or not) is not receiving notice of the filing of the petition because he or she is represented by another, a copy of the petition shall be sent in accordance with subparagraph (b)(1) to the interested party's representative pursuant to [Rule 4.2](#).

**(c) Consents/Statements of No Objection; Joinders.**

No citation or notice to plead is required where all individuals and/or entities identified in the petition as interested parties (or any representative thereof) satisfy one of the following:

(1) they are named petitioners in the petition;



(2) they filed joinders to the petition; or

(3) they signed a document, that is attached to the petition as an exhibit, consenting to or stating that they have no objection to the relief requested in the petition.

*Note:* Subparagraphs (a) and (b) of Rule 3.5 are derived from former Rule 3.5. The final sentence of subparagraph (a)(2) is identical to former Rule 3.7(h)(1); it merely has been relocated to this section. Subparagraphs (c) and (d) of this Rule have no counterpart in former Orphans' Court Rules.

### **Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 3.5, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 3.5  
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<a href="#">Part B. Responsive Pleadings</a>

Pa.O.C.Rules, Rule 3.6

Rule 3.6. Pleadings Allowed After Petition

[Currentness](#)

Pleadings allowed after the filing of a petition are limited to:

- (a) an answer that can include new matter;
- (b) a reply, if an answer contains new matter;
- (c) preliminary objections to the petition as permitted by [Rule 3.9](#);
- (d) an answer to preliminary objections; and
- (e) a petition to join one or more persons as parties to the proceeding and an answer thereto.

*Note:* Rule 3.6 has no counterpart in former Orphans' Court Rules, but is based, in part, on [Pa.R.C.P. No. 1017](#).

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 3.6, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 3.6  
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[Part B. Responsive Pleadings](#)

Pa.O.C.Rules, Rule 3.7

### Rule 3.7. Time for Filing and Service of Responsive Pleadings

[Currentness](#)

(a) Unless the court orders otherwise, each interested party identified in the petition, or such interested party's representative identified in the petition, may file a responsive pleading in accordance with these Rules within 20 days of the date of notice or the date of the filing, whichever is later. A party residing outside of the United States shall have 60 days, rather than 20 days, within which to file a responsive pleading to the citation or the petition initiating the proceeding.

(b) A copy of the responsive pleading shall be sent to the petitioner or his or her counsel, if represented, and all interested parties identified in the petition or counsel representing an interested party if so identified in the petition or in a subsequent pleading. A certificate of service, listing the names and addresses of those individuals and entities receiving a copy of the responsive pleading shall be appended to, or filed contemporaneously with, the responsive pleading.

(c) A notice to plead in substantially the form provided in [Rule 3.5\(b\)\(1\)](#) shall be affixed to the first page of an answer that contains new matter and to the first page of preliminary objections which aver a fact that is not contained in the petition.

(d) Regardless of the residency of any interested party, each subsequent pleading shall be filed within 20 days after service of the preceding pleading, but no pleading need be filed unless the preceding pleading included a notice to plead that complies with the requirements of [Rule 3.5\(b\)\(1\)](#).

*Note:* Rule 3.7 is new, but is derived from [Pa.R.C.P. No. 1026](#).

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 3.7, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 3.7

**Rule 3.7. Time for Filing and Service of Responsive Pleadings, PA ST ORPHANS CT...**

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Pa.O.C.Rules, Rule 3.8

Rule 3.8. Headings of Responsive Pleadings

[Currentness](#)

All responsive pleadings shall contain a heading identifying the name of the pleading to which it is responding.

*Note:* Rule 3.8 has no counterpart in former Orphans' Court Rules.

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 3.8, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 3.8  
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Pa.O.C.Rules, Rule 3.9

Rule 3.9. Preliminary Objections

[Currentness](#)

**(a) General.** Preliminary objections may be filed to any petition by any interested party or the interested party's representative.

**(b) Grounds for Preliminary Objections.** Preliminary objections filed to any petition under the Rules of Chapter III are limited to the following grounds:

(1) lack of jurisdiction over the subject matter of the action or lack of jurisdiction over the person, improper venue, or improper form of service;

(2) failure of a pleading to conform to law or rule of court or inclusion of scandalous or impertinent matter;

(3) insufficient specificity in a pleading;

(4) legal insufficiency of a pleading (demurrer);

(5) lack of standing or lack of capacity to sue, nonjoinder of a necessary party, or misjoinder of a cause of action; and

(6) pendency of a prior action or agreement for alternative dispute resolution.

(c) **Form.** All preliminary objections shall be raised at one time in one pleading, shall state specifically the grounds relied upon, and may be inconsistent.

**(d) Disposition of Preliminary Objections.**

(1) A party may file an amended pleading, without consent of any other party and without leave of court, within 20 days after service of the preliminary objections. If a party files an amended pleading, the preliminary objections to the original pleading shall be deemed moot.

(2) In all other instances, the court shall determine promptly all preliminary objections. If an issue of fact is raised, the court shall consider evidence by deposition or otherwise.

**(e) Pleadings Allowed Subsequent to the Disposition of Preliminary Objections.**

(1) If the preliminary objections are overruled, the party who filed the preliminary objections shall have the right to file an answer within 20 days after entry of the order overruling the preliminary objections or within such other time as the court shall direct.

(2) If the filing of an amended petition or a new petition is allowed or required, it shall be filed within 20 days after entry of the order concerning such amended or new petition or within such other time as the court shall direct.

(3) New preliminary objections may be filed to any amended or new petition in accordance with this Rule.

*Note:* Rule 3.9 has no counterpart in former Orphans' Court Rules, but is derived from [Pa.R.C.P. No. 1028](#).

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 3.9, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 3.9  
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Pa.O.C.Rules, Rule 3.10

Rule 3.10. Denials; Effect of Failure to Deny

[Currentness](#)

(a) A responsive pleading shall admit or deny each averment of fact in the preceding pleading or any part thereof. Admissions and denials in a responsive pleading shall refer specifically to the paragraph in which the averment admitted or denied is set forth. A party denying only a part of an averment shall specify so much of it as is admitted and shall deny the remainder.

(b) Averments in a pleading to which a responsive pleading is required are admitted when not denied specifically or by necessary implication. A general denial or a demand for proof, except as provided by subparagraph (c) of this Rule, shall have the effect of an admission.

(c) A statement by a party that after reasonable investigation the party is without knowledge or information sufficient to form a belief as to the truth of an averment shall have the effect of a denial.

(d) Averments in a pleading to which no responsive pleading is required shall be deemed to be denied.

(e) A responsive pleading shall be signed by counsel, or if not represented by counsel, then by all the respondents in accordance with [Rule 3.12](#). A responsive pleading that admits or denies any averment of fact shall be verified by at least one of the respondents in accordance with [Rule 3.13](#).

*Note:* Rule 3.10 has no counterpart in former Orphans' Court Rules, but is derived from [Pa.R.C.P. No. 1029](#).

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

**Rule 3.10. Denials; Effect of Failure to Deny, PA ST ORPHANS CT Rule 3.10**

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Pa.O.C. Rule 3.10, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 3.10  
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Pa.O.C.Rules, Rule 3.11

Rule 3.11. Answer with New Matter

[Currentness](#)

All applicable affirmative defenses shall be pleaded in the answer under the heading "New Matter." A party may set forth as new matter any other material facts that are not merely denials of the averments of the preceding pleading.

*Note:* Rule 3.11 has no counterpart in former Orphans' Court Rules, but is derived from [Pa.R.C.P. No. 1030](#).

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 3.11, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 3.11

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Pa.O.C.Rules, Rule 3.12

Rule 3.12. Signing

[Currentness](#)

(a) Counsel who has entered an appearance for a party pursuant to [Rule 1.7\(a\)](#) shall sign every pleading and any brief or memorandum of law and shall include counsel's name and address. A party not represented by any counsel of record shall sign every pleading and any brief or memorandum of law and shall include the party's name, an address where legal paper may be served, and a telephone number.

(b) If the legal paper includes a facsimile telephone number and/or email address, that party or his or her counsel agrees to accept service of legal paper by transmission of a facsimile copy or by electronic transmission.

(c) By signing a legal paper, the party and counsel are subject to Pa.R.C.P. Nos. 1023.1 through 1023.4. The court has authority to impose sanctions and grant relief in accordance with [Pa.R.C.P. No. 1023.4](#).

*Note:* Rule 3.12 has no counterpart in former Orphans' Court Rules, but subparagraphs (a) and (b) are derived from [Pa.R.C.P. No. 1025](#). Rule 3.12(c) is based upon [Pa.R.C.P. No. 1023.1 et seq.](#)

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 3.12, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 3.12  
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Pa.O.C.Rules, Rule 3.13

Rule 3.13. Verification

[Currentness](#)

(a) Every pleading shall be verified, averring as true every fact not appearing of record in the action or containing a denial of fact based upon the signer's personal knowledge or information and belief. A pleading may be verified upon personal knowledge as to a part and upon information and belief as to the remainder. The signer need not aver the source of the information or expectation of ability to prove the averment or denial at the trial.

(b) If a pleading contains averments that are inconsistent in fact, the verification shall state that the signer has been unable after reasonable investigation to ascertain which of the inconsistent averments, specifying them, are true but that the signer has knowledge or information sufficient to form a belief that one of them is true.

(c) The verification shall be made by one or more of the parties filing the pleading unless all the parties (1) lack sufficient knowledge or information, or (2) are outside the jurisdiction of the court and the verification of none of them can be obtained within the time allowed for filing the pleading. In such cases, the verification may be made by any person having sufficient knowledge or information and belief and shall set forth the source of the person's information as to matters not stated upon his or her own knowledge and the reason why the verification is not made by a party.

*Note:* Rule 3.13 has no counterpart in former Orphans' Court Rules, but is derived from [Pa.R.C.P. No. 1024](#).

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 3.13, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 3.13

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Pa.O.C.Rules, Rule 3.14

Rule 3.14. Amendment

[Currentness](#)

A party may amend a pleading pursuant to [Rule 3.9\(d\)\(1\)](#), or at any other time, either by written consent of all other parties filed with the clerk or by leave of court. The amended pleading may aver transactions or occurrences that have happened before or after the filing of the original pleading. An amendment may be made to conform the pleading to the evidence offered or admitted.

*Note:* Rule 3.14 has no counterpart in former Orphans' Court Rules, but is derived from [Pa.R.C.P. No. 1033](#).

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 3.14, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 3.14

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Pa.O.C.Rules, Rule 3.15

Rule 3.15. Pleading More Than One Cause of Action; Alternative Pleadings

[Currentness](#)

(a) More than one cause of action may be stated in a pleading. Each cause of action shall be stated in a separate count, preceded by a heading, and the count shall name the parties to that cause of action and shall contain a separate request for relief.

(b) Causes of action and defenses may be pleaded in the alternative.

*Note:* Rule 3.15 has no counterpart in former Orphans' Court Rules, but is derived from [Pa.R.C.P. No. 1020](#).

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 3.15, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 3.15  
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<a href="#">Chapter IV. Format and Service of Legal Paper by Parties and Court; Electronic Filing</a>

Pa.O.C.Rules, Rule 4.1

Rule 4.1. Format of All Legal Paper

[Currentness](#)

All legal paper filed with the clerk must conform to the following requirements:

- (a) The document shall be on 8 ½ inch by 11 inch paper.
- (b) The document shall be prepared on white paper (except for dividers and similar sheets) of good quality.
- (c) The text must be double spaced, but quotations more than two lines long may be indented and single-spaced. Margins must be at least one inch on all four sides.
- (d) The lettering shall be clear and legible and no smaller than point 12. The lettering shall be on only one side of a page, except that exhibits and similar supporting documents may be double-sided.

*Note:* Rule 4.1 has no counterpart in former Orphans' Court Rules, but is derived from [Pa.R.C.P. No. 204.1](#).

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 4.1, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 4.1  
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Chapter IV. Format and Service of Legal Paper by Parties and Court; Electronic Filing

Pa.O.C.Rules, Rule 4.2

Formerly cited as PA ST ORPHANS CT Rule 5.2

Rule 4.2. Citation or Notice to Individuals and Entities

Currentness

**(a) To individuals.** Whenever a citation under [Rule 3.5\(a\)](#) is to be served or notice under [Rule 2.5](#) or [Rule 3.5\(b\)](#) is to be given to an individual:

(1) If the individual is *sui juris*, or if the individual has reached the age of 18 and is believed to be incapacitated (under the provisions of Chapter 55 of Title 20), but for whom no guardian is known to have been appointed by a Pennsylvania court or by the court of any other jurisdiction (including a guardian *ad litem* with respect to the matter at issue), then such notice or citation shall be provided:

(i) to the individual; or

(ii) if the individual will be represented with respect to the matter at issue by a representative under the provisions of [20 Pa.C.S. §§ 7721--7726](#), then such notice or citation may instead be provided to such representative, including notice as required by [20 Pa.C.S. § 7725](#) that each such representative may decline to act as a representative for the *sui juris* individual.

(2) If the individual is not *sui juris*, or is unborn, unknown or unascertained, then such notice or citation shall be provided to such individual's representative with respect to the matter at issue under the provisions of [20 Pa.C.S. §§ 751\(6\) or 7721--7726](#), including notice required by [20 Pa.C.S. § 7725](#) that each such representative may decline to act as a representative for the individual; provided, however, that if a guardian or trustee *ad litem* has been appointed to represent such individual by the court having jurisdiction over the matter at issue, then such notice or citation shall also be provided to the guardian or trustee *ad litem*.

**(b) To entities.** Whenever a citation under [Rule 3.5\(a\)](#) is to be served or notice under [Rule 2.5](#) or [Rule 3.5\(b\)](#) is to be given to an entity, then such citation or notice shall be provided:

(1) to the entity through the entity's duly authorized representative; or

(2) if the entity will be represented with respect to the matter at issue by a representative under the provisions of [20 Pa.C.S. §§ 7721--7726](#), then such notice or citation may instead be provided to such representative, including notice as required by [20 Pa.C.S. § 7725](#) that each such representative may decline to act as a representative for the entity.

**(c) Counsel.** If counsel has entered an appearance on behalf of an individual, entity or representative who would otherwise receive notice or a citation as provided under subparagraphs (a) and (b) of this Rule, then such notice or citation shall instead be given to counsel, except as provided in [Rule 2.5\(b\)](#) wherein the notice must be given to both counsel and the individual, entity or representative.

**(d) Additional service or notice.** Notwithstanding the foregoing, if the court having jurisdiction over the matter determines that the representation is or might be inadequate, then the court may in its discretion direct to whom a citation or notice shall be provided.

*Note:* Rule 4.2 is derived from former Rule 5.2, but has been substantially modified to address virtual representation under [20 Pa.C.S. § 751\(6\)](#) generally and representation in “trust matters” pursuant to [20 Pa.C.S. § 7721 et seq.](#) Cf. [Rule 2.5\(b\)](#) for different requirements that the notice must be mailed to the individual or entity and to counsel representing such individual or entity.

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 4.2, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 4.2  
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Pa.O.C.Rules, Rule 4.3

Rule 4.3. Service of Legal Paper Other than Citations or Notices

[Currentness](#)

(a) Copies of all pleadings, and any brief or memorandum of law in connection therewith, other than notices served pursuant to [Rule 2.5](#) or citations served pursuant to [Rule 3.5\(a\)](#), filed in an action or served upon any party to an action shall be served upon every other party to the action. This service shall be made:

(1) by handing, or mailing by first-class United States mail, postage prepaid, a copy to, or leaving a copy for, each party at the address of the party's counsel of record listed on an entry of appearance or prior pleading of the party, or at such other address as a party may agree;

(2) by transmitting a facsimile copy to the party's counsel of record as provided by subparagraph (c); or

(3) by electronic transmission as provided in subparagraph (d).

(b) If there is no attorney of record,

(1) Service shall be made by handing a copy to the party or by mailing a copy to, or leaving a copy for, the party at the address listed on an entry of appearance or prior pleading or at the residence or place of business of the party, or by transmitting a facsimile copy as provided by subparagraph (c) or by electronic transmission as provided in subparagraph (d).

(2) If such service cannot be made, service shall be made by leaving a copy at, or mailing a copy to, the last known address of the party to be served.

(c) (1) A facsimile copy may be served if the parties agree thereto or if a facsimile telephone number is included on an entry of appearance or other legal paper previously filed with the court in the action.

(2) A facsimile copy shall begin with a facsimile cover sheet containing:

(i) the name, firm, address, telephone number, of both the party making service and the party served;

(ii) the facsimile telephone number of the party making service and the facsimile telephone number to which the facsimile copy was transmitted;

(iii) the title of the legal paper served; and

(iv) the number of pages transmitted.

(d) Service may be effected by electronic transmission if the parties agree thereto or if an email address is included on an entry of appearance or other legal paper previously filed with the court in the action.

(e) Service by mail is complete upon mailing, and service by facsimile is complete when transmission is confirmed. Electronic service is complete when the legal paper is sent to the recipient's email address, or when the recipient is notified by email that a legal paper affecting the recipient has been filed and is available for review on the court's website.

*Note:* Most of [Rule 4.4](#) has no counterpart in former Orphans' Court Rules, but is based on [Pa.R.C.P. No. 440](#) with modifications. Subparagraph (d) of this Rule is identical to former Rule 3.7(h)(2); it merely has been reformatted and relocated to this Chapter IV.

### **Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 4.3, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 4.3  
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Pa.O.C.Rules, Rule 4.4  
Formerly cited as PA ST ORPHANS CT Rule 3.7; PA ST ORPHANS CT Rule 5.5

Rule 4.4. Charities--Notice to the Attorney General

[Currentness](#)

(a) In every court proceeding involving or affecting a charitable interest with the exception hereinafter set forth, at least 20 days advance written notice thereof shall be given to the Attorney General of the Commonwealth at the principal office in Harrisburg, Pennsylvania, or to a deputy of the Attorney General designated for such purpose for the judicial district in which the proceeding is pending. The notice shall include or be accompanied by such of the following as may be appropriate:

- (1) the caption of the case;
- (2) a description of the nature of the proceeding;
- (3) the date, time and place when the matter is to be heard by the court to the extent then known;
- (4) the name of the decedent, settlor, incapacitated person or minor, if not disclosed by the caption;
- (5) a copy of the will or other instrument creating the charitable interest;
- (6) the name and address of any specific charity which may be affected by the proceeding;
- (7) if the charitable interest is a present interest, a description and the approximate market value of that interest;

(8) if the charitable interest is a future interest and the estimated present value of the charity's future interest in the property exceeds \$25,000, a brief description thereof including the conditions precedent to its vesting in enjoyment and possession, the names and ages of persons known to have interests preceding such charitable interest, and the approximate market value of the property involved;

(9) a description of any unresolved claim and any material question of interpretation or distribution likely to be submitted for adjudication which may affect the value of the charitable interest;

(10) the names and addresses of all fiduciaries;

(11) the name and address of counsel for each fiduciary;

(12) the name and address of counsel for any charity who has received notice or has appeared for the charity and the name of the charity which counsel represents; and

(13) a copy of an Account if the proceeding involves an Account and if the charity is any one of the following:

(i) a residuary beneficiary, including as a beneficiary of a residuary trust;

(ii) a pecuniary legatee in an amount greater than \$25,000; or

(iii) a pecuniary legatee where the bequest has not and will not be paid in full.

(b) Proof of service of the above notice or an acknowledgment of such notice received from the Attorney General or a deputy of the Attorney General shall be filed with the clerk in every proceeding involving a charitable interest prior to the entry of any decree.

(c) Unless the court directs otherwise, no notice to the Attorney General or a deputy of the Attorney General shall be required with respect to a pecuniary legacy to a charity in the amount of \$25,000 or less which has been or will be paid in full.

*Note:* Rule 4.4 is substantively identical to former Rule 5.5.

## **Credits**

**Rule 4.4. Charities--Notice to the Attorney General, PA ST ORPHANS CT Rule 4.4**

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Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 4.4, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 4.4  
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Pa.O.C.Rules, Rule 4.5  
Formerly cited as PA ST ORPHANS CT Rule 3.7  
Rule 4.5. Service of Legal Paper by Court and Clerk

[Currentness](#)

(a) The clerk and the court may serve all notices, opinions, and orders via electronic means where any one of the following has occurred:

- (1) the parties have agreed to receipt of legal paper by electronic transmission;
  - (2) the underlying legal paper related to the notice, opinion or order was electronically filed; or
  - (3) an email address appears on an entry of appearance or other legal paper previously filed with the clerk in the action.
- (b) The clerk and the court may serve all notices, opinions, and orders by facsimile in accordance with [Rule 4.3\(c\)](#).

*Note:* Rule 4.5 is based upon former Rule 3.7(i); it has been reformatted and relocated to this Chapter IV.

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 4.5, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 4.5  
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Pa.O.C.Rules, Rule 4.6

Rule 4.6. Notice of the Date of Entry of an Adjudication or Court Order on the Docket

[Currentness](#)

(a) The clerk shall immediately give written notice of the entry of an adjudication or court order in a particular matter to each party's counsel of record or, if unrepresented, to each party. The notice shall include a copy of the adjudication or court order.

(b) The clerk shall note in the docket the date when notice was given to the party or to his or her counsel under subparagraph (a) of this Rule.

*Note:* Rule 4.6 has no counterpart in former Orphans' Court Rule, but is derived from [Pa.R.C.P. No. 236](#).

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 4.6, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 4.6  
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Pa.O.C.Rules, Rule 4.7  
Formerly cited as PA ST ORPHANS CT Rule 3.7

Rule 4.7. Electronic Filing

[Currentness](#)

**(a) Authorization for Electronic Filing.** A court may permit or require electronic filing of legal paper. Any court that implements electronic filing shall establish procedures governing such filing by local rule, which shall not be inconsistent with the procedures set forth herein.

**(b) Electronic Filing of Legal Paper.**

(1) If implemented by court, a filing party may file a legal paper with the clerk by means of electronic filing.

(2) Any party may require the filing party to file the original of a legal paper or exhibit by filing a notice to file with the clerk and serving a copy of the notice upon the filing party. The filing party shall file the specified document with the clerk within 14 days after service of the notice. The court for any reason may direct any party to file the original of a legal paper or exhibit with the clerk within the time specified in the order. Upon disposition of the matter before the court, an original document may be returned to the party who filed it or retained by the court, as the court may determine.

**(c) Signature, Verification and Retention of Legal Paper.**

(1) The original legal paper shall be properly signed, and where required, verified.

(2) The electronic filing of a legal paper constitutes a certification by the filing party that the original document was signed, and where applicable, verified.

(3) Unless retained by the court, the filing party shall maintain the original of all documents so certified, together with any exhibits filed, for 5 years after the final disposition of the case.

**(d) Website and Filing Date.**

(1) The court shall designate a website for the electronic filing of legal paper. A user name and password shall be issued to authorized users.

(2) The court shall provide electronic filing access at all times. The time and date of the filing shall be that registered by the court's computer system.

(3) The court shall provide, through its website, an acknowledgement from the clerk that the filing has been processed. Such acknowledgement shall include the date and time of filing in a form which can be printed for retention by the filing party.

**(e) Delay in Filing.** A filing party shall be responsible for any delay, disruption, or interruption of electronic transmission, and for the legibility of the document electronically filed, except for delays caused by the failure of the court's website. The filing party may petition the court to resolve any dispute concerning an alleged failure of the court's website.

**(f) Fees.**

(1) A filing party shall pay the fee for electronically filing a legal paper as provided by the court.

(2) The court may assess an additional automation fee for each legal paper electronically filed which shall be used for the development, implementation, maintenance, and training in the use of the court's electronic filing system and other related uses.

*Note:* Rule 4.7 is substantively identical to former Rule 3.7, but has been relocated to Chapter IV of these Rules.

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 4.7, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 4.7  
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Pa.O.C.Rules, Rule 5.1

Rule 5.1. Declaratory Judgment

Currentness

**(a) Commencement of Action.** An action for declaratory judgment shall be commenced by petition and citation directed to the interested parties.

**(b) Contents of Petition.** In addition to the requirements provided by the Rules in Chapter III, the petition shall contain sufficient averments to entitle petitioner to the declaratory relief requested under the Pennsylvania Declaratory Judgments Act, 42 Pa. C.S. § 7531 *et seq.*, including:

- (1) a concise statement of the facts relied upon to justify a declaratory judgment proceeding;
- (2) the question of law, if any, with respect to which declaratory relief is requested;
- (3) identity of all interested parties; and
- (4) a prayer for the relief desired.

**(c) Exhibits.** A copy of the will, trust, other governing instrument, or any other document to be construed shall be attached to the petition as an exhibit.

*Note:* Rule 5.1 has no counterpart in former Orphans' Court Rules, but is based upon Philadelphia Local Rule 1.2.P.

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 5.1, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 5.1  
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Pa.O.C.Rules, Rule 5.2  
Formerly cited as PA ST ORPHANS CT Rule 12.1

### Rule 5.2. Family Exemption

[Currentness](#)

**(a) Contents of Petition.** In addition to the requirements provided by the Rules in Chapter III, a petition for a family exemption shall set forth the following:

- (1) facts establishing a *prima facie* right of the petitioner to the exemption;
- (2) whether allowance of the claim is being requested prior to the confirmation or audit of the Account;
- (3) a description of the property claimed; and
- (4) if the exemption is claimed from real estate and a valuation has not been agreed upon by all interested parties, the nomination of two appraisers for appointment by the court to appraise the same.

**(b) Exhibits.** A copy of the qualifications and credentials of the two appraisers nominated in the petition for appointment by the court shall be attached to the petition as exhibits.

**(c) Award by Consent.** The court may, at the request of the petitioner, award in distribution specific real estate included in the Account in satisfaction of, or on account of, the family exemption without compliance with the procedure outlined in subparagraphs (a) and (b) of this Rule if all interested parties agree in writing that the petitioner is entitled to the family exemption and to the valuation at which such real estate is to be awarded.

*Note:* Rule 5.2 is based upon former Rule 12.1.

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 5.2, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 5.2  
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Pa.O.C.Rules, Rule 5.3  
Formerly cited as PA ST ORPHANS CT Rule 12.2

Rule 5.3. Intestate Share to Surviving Spouse from Real Estate

Currentness

**(a) Contents of Petition.** When no Account is filed and all or part of the spouse's intestate share under [20 Pa.C.S. § 2102](#) is claimed from real estate, the claim shall be presented by petition, which shall conform to the requirements provided by the Rules in Chapter III, and shall set forth the following:

(1) facts establishing a *prima facie* right of the spouse to the statutory intestate share;

(2) a description of the property claimed; and

(3) if the exemption is claimed from real estate and a valuation has not been agreed upon by all interested parties, the nomination of two appraisers for appointment by the court to appraise the same.

**(b) Exhibits.** A copy of the qualifications and credentials of the two appraisers nominated in the petition for appointment by the court shall be attached to the petition as exhibits.

**(c) Award by Consent.** The court may, at the request of the surviving spouse, award specific real estate in satisfaction of, or on account of, the spouse's statutory intestate share without compliance with the procedure outlined in subparagraphs (a) and (b) of this Rule if all interested parties agree in writing that the surviving spouse is entitled to the statutory share and to the valuation at which such real estate is to be awarded.

*Note:* Rule 5.3 is based upon former Rule 12.2.

**Credits**

**Rule 5.3. Intestate Share to Surviving Spouse from Real Estate, PA ST ORPHANS CT...**

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Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 5.3, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 5.3  
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Pa.O.C.Rules, Rule 5.4  
Formerly cited as PA ST ORPHANS CT Rule 12.3

Rule 5.4. Revocation, Vacating or Extension of Time for Filing of Surviving Spouse's Election

[Currentness](#)

**(a) Contents of Petition.** In addition to the requirements provided by the Rules in Chapter III, a petition to revoke or vacate an election of a surviving spouse to take against the will and other conveyances of the decedent shall set forth the following:

- (1) the date of the decedent's death, whether a will has been probated and, if so, a reference to the place and date of probate;
- (2) the name and capacity of the fiduciary of the decedent's estate, if any, and a reference to the record of his appointment;
- (3) the name, address and relationship, if known, of the other interested parties and the nature and the extent of each of their interests;
- (4) the names of the interested parties who have consented to the revocation or vacating of the election and the names of those who have not consented;
- (5) a description and valuation of the decedent's real and personal property affected by the election;
- (6) the date and manner of executing the election desired to be revoked or vacated and whether the same has been recorded, registered or filed, and if so, the date and place thereof;
- (7) whether the surviving spouse has made or executed and delivered at any place an election contrary to that desired to be revoked or vacated, and whether that election has been recorded, registered or filed, and if so, the date and place thereof;

(8) the facts relied upon to justify the revocation or vacating of the election; and

(9) a request for a citation upon the interested parties who have not joined in the petition or who have not consented thereto to show cause why the election should not be revoked or vacated.

(b) A petition for the extension of the time in which the surviving spouse may file an election to take against the will and other conveyances shall be filed prior to the expiration of six months as provided in [20 Pa.C.S. § 2210](#) with the clerk of the county where decedent's will was probated.

(c) Notice of the filing of any petition under this Rule shall be provided to the personal representative of decedent's estate in accordance with [Rule 3.5\(b\)\(1\)](#).

*Note:* Rule 5.4 is based upon former Rule 12.3.

#### **Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 5.4, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 5.4  
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Pa.O.C.Rules, Rule 5.5  
Formerly cited as PA ST ORPHANS CT Rule 12.4

Rule 5.5. Appointment of a Guardian *ad Litem* or a Trustee *ad Litem*

Currentness

(a) On petition of the accountant or any interested party, or upon its own motion, the court may appoint one or both of the following if the court considers that the interests of the non-*sui juris* individuals are not adequately represented:

(1) a guardian *ad litem* to represent a minor or a person believed to be incapacitated under the provisions of Chapter 55 of Title 20, but for whom no guardian of the estate is known to have been appointed by a Pennsylvania court or by the court of any other jurisdiction; and

(2) a trustee *ad litem* to represent an absentee, a presumed decedent, or unborn or unascertained persons not already represented by a fiduciary.

(b) The same person may be appointed as guardian *ad litem* and trustee *ad litem* and may be appointed for more than one non-*sui juris* individual when the interests to be represented are not conflicting.

(c) **Contents of Petition.** The request for the appointment of guardian *ad litem* and trustee *ad litem* may be made in one petition. In addition to the requirements provided by the Rules in Chapter III, the petition shall set forth the following:

(1) the name, age and address of the minor or person believed to be incapacitated under the provisions of Chapter 55 of Title 20, but for whom no guardian of the estate is known to have been appointed;

(2) the relationship, if any, of such non-*sui juris* individual to any interested party and to the decedent or settlor;

(3) the interest of such non-*sui juris* individual in the property or in the matter at issue;

(4) the provisions of any instrument creating such interests;

(5) the necessity for such interests to be represented by a guardian *ad litem* or a trustee *ad litem*; and

(6) the proceeding in which such non-*sui juris* individual is to be represented.

(d) A decree appointing a guardian *ad litem* or trustee *ad litem* shall specify the period or proceeding during which the guardian *ad litem* or trustee *ad litem* shall act as such.

*Note:* Rule 5.5 is based upon former Rule 12.4, with some modifications to provide for a person believed to be incapacitated under the provisions of Chapter 55 of Title 20, but not yet adjudicated as such or for whom no guardian is known to have been appointed.

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 5.5, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 5.5  
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Pa.O.C.Rules, Rule 5.6  
Formerly cited as PA ST ORPHANS CT Rule 12.5

Rule 5.6. Appointment of a Guardian for the Estate or Person of a Minor

Currentness

**(a) Contents of Petition.** Separate petitions for each minor must be filed requesting the appointment of a guardian of the estate or person of each such minor. In addition to the requirements provided by the Rules in Chapter III, the petition shall set forth the following:

- (1) the name, address and relationship of the petitioner to the minor;
- (2) the name, address and age of the minor;
- (3) the names and addresses of his or her parents, if living, and whether the minor's parents consent to the petition if the petition is not being filed by the minor's parents;
- (4) the need for the appointment of a guardian;
- (5) if the petition is filed due to the death of the minor's parent or legal guardian, or if the minor is to receive property under a will, deed or other written instrument conveying property whether the petitioner knows if the parent, legal guardian or decedent appointed a guardian for the minor in his or her will, deed or any other written instrument, and if so, the name of such proposed guardian;
- (6) that the minor has no guardian presently appointed or that a guardian already appointed has died or has been discharged or removed by the court, together with the date of such death, discharge or removal and a reference to the court order discharging or removing the previously appointed guardian;

(7) the name, address and age of the proposed guardian and his or her relationship to the minor, if any;

(8) the nature of any interest of the proposed guardian adverse to that of the minor including, *inter alia*, a reference to any estate in which the minor is interested and in which the proposed guardian is a fiduciary or surety or employee of a fiduciary or surety therein;

(9) if the minor is fourteen years of age or older, the preference of the minor, if any, as to who should be appointed as guardian;

(10) if the petition is for the appointment of a guardian of the person, the religious persuasion of the minor's parents and the religious persuasion of the proposed guardian;

(11) if the petition is for the appointment of a guardian of the estate of the minor, an itemization of the assets of such estate, their location, approximate value and income, if any;

(12) if the minor is entitled to receive any property as a party to any court action or proceeding, a reference to the court record and the amount of the property to which the minor is entitled; and

(13) that notice has been given to the United States Veterans' Administration or its successor, if the minor is the child of a veteran and insurance or other gratuity is payable to him or her by the United States Veterans' Administration, or its successor.

**(b) Exhibits.** The following shall be attached to the petition:

(1) the proposed guardian's written consent to the appointment;

(2) the written consents of the minor's parents to the petition if they are not the petitioners and if they consent to the petition; and

(3) a copy of decedent's will, deed, or other written instrument referenced in subparagraph (a)(5) of this Rule that appoints a guardian.

**(c)** If the minor is fourteen years of age or older, the minor shall appear in court at the time of the hearing, if any.



**Rule 5.6. Appointment of a Guardian for the Estate or..., PA ST ORPHANS CT...**

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*Note:* Rule 5.6 is derived from former Rule 12.5.

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 5.6, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 5.6  
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Pa.O.C.Rules, Rule 5.7  
Formerly cited as PA ST ORPHANS CT Rule 12.6

Rule 5.7. Appointment of a Trustee

[Currentness](#)

**(a) Contents of Petition.** A petition for the appointment of a trustee may be filed by a resigning trustee, the current trustee or any trust beneficiary and shall conform to the requirements provided by the Rules in Chapter III and set forth the following:

- (1) the situs of the trust and if any court previously has exercised jurisdiction over the trust;
- (2) the provisions of the instrument creating the trust;
- (3) the general character, location, and value of the trust property;
- (4) the reasons why any individual or corporation named in the trust instrument as trustee or successor trustee is unable or unwilling to serve;
- (5) the names, addresses and relationships of all interested parties and whether those who have not joined in or consented to the petition have been given notice of the filing of the petition, or the reason for failing to give any interested party notice;
- (6) the name and address of the proposed trustee and his or her relationship, if any, to any interested party; and
- (7) whether the proposed trustee has any interest in the trust.

**(b) Exhibits.** The following shall be attached to the petition:

(1) a copy of the trust instrument;

(2) the proposed trustee's written consent to the appointment;

(3) the signed written consents of all interested parties who have not signed or joined in the petition, but who consent to the appointment of the proposed trustee; and

(4) if issued, the consent or letter of acquiescence from the Office of the Attorney General if required under [20 Pa.C.S. § 7764\(d\)\(2\)](#).

*Note:* Rule 5.7 is based upon former Rule 12.6.

#### **Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

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Pa.O.C.Rules, Rule 5.8  
Formerly cited as PA ST ORPHANS CT Rule 12.7

Rule 5.8. Discharge of Fiduciary and Surety

Currentness

**(a) Account Previously Filed.** A petition for the discharge of a fiduciary and his or her surety, or of the surety alone, subsequent to an Account having been filed and confirmed, shall conform to the requirements provided by the Rules in Chapter III and set forth the following:

- (1) the nature of the fiduciary capacity;
- (2) the date and a reference to the record of the fiduciary's appointment;
- (3) the date of filing the fiduciary's Account and the date of the court's adjudication or order confirming the Account; and
- (4) that the entire estate has been distributed to the creditors and parties entitled thereto and that no other property belonging to the estate has been received or remains to be accounted for by the fiduciary.

**(b) Account Annexed.** In lieu of filing and advertising an Account, a personal representative who is distributing an estate under the provisions of 20 Pa.C.S. § 3531, or the guardian of the estate of a minor who has attained majority and whose gross estate does not exceed the statutory limitation of an administration without appointment of a guardian, may annex an Account to the petition for discharge with the information required above, modified to indicate any previous distribution, and suggesting the proper distribution of any balance on hand.

*Note:* Rule 5.8 is based upon former Rule 12.7.

## Credits

**Rule 5.8. Discharge of Fiduciary and Surety, PA ST ORPHANS CT Rule 5.8**

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Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 5.8, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 5.8  
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Pa.O.C.Rules, Rule 5.9  
Formerly cited as PA ST ORPHANS CT Rule 12.8

Rule 5.9. Partition

Currentness

In addition to the requirements provided by the Rules in Chapter III, a petition for partition shall set forth the following:

- (a) the date of the decedent's death and whether he or she died testate or intestate, in whole or in part;
- (b) a description, giving the size and location, of the property to be partitioned, the liens and charges to which it is subject and the rents due from tenants thereof, and that the property has not been partitioned or valued for partition;
- (c) the name, address and relationship of those interested in the land to be partitioned, the extent of the interest of each of such persons, and, if such interest is created by a recorded deed or will, a reference to such record; and
- (d) a request for a citation upon the interested parties who have not joined in or consented to the petition to appear and show cause why an inquest in partition should not be granted.

*Note:* Rule 5.9 is substantively identical to former Rule 12.8.

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 5.9, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 5.9  
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Pa.O.C.Rules, Rule 5.10  
Formerly cited as PA ST ORPHANS CT Rule 12.9

Rule 5.10. Public Sale of Real Property

[Currentness](#)

(a) In addition to the requirements provided by the Rules in Chapter III, a petition for the public sale of real property shall set forth the reason for filing the petition, a description, stating the size and location of the property to be sold, and the liens and charges to which it is subject.

(b) Public notice of the sale shall be given as required by law and as may be further required by local rule or as the court may order in a particular matter.

*Note:* Rule 5.10 is substantively identical to former Rule 12.9.

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 5.10, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 5.10  
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Pa.O.C.Rules, Rule 5.11  
Formerly cited as PA ST ORPHANS CT Rule 12.10

Rule 5.11. Private Sale of Real Property or Options Therefor

[Currentness](#)

**(a) Contents of Petition.** In addition to the requirements provided by the Rules in Chapter III, a petition for the private sale or exchange of real property, or for the grant of an option for any such sale or exchange shall set forth the following:

(1) the information required in a petition for the public sale of real property under [Rule 5.10\(a\)](#); and

(2) the name and address of the proposed purchaser and the terms of the proposed sale, exchange or option, the consideration therefor, and that this consideration is more than can be obtained at public sale.

**(b) Exhibits.** The petition shall be supported by the affidavits of at least two competent persons setting forth that they have inspected the real property to be sold, exchanged or optioned, that they are not personally interested in the proposed sale, exchange or option, that they are acquainted with the value of real estate in the area, that in their opinion the proposed consideration is more than can be obtained at public sale, and in the case of an exchange, that they are acquainted with the value of real estate in the locality of the property to be received.

*Note:* Rule 5.11 is substantively identical to former Rule 12.10.

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 5.11, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 5.11  
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Pa.O.C.Rules, Rule 5.12  
Formerly cited as PA ST ORPHANS CT Rule 12.11

Rule 5.12. Mortgage or Lease of Real Property

[Currentness](#)

In addition to the requirements provided by the Rules in Chapter III, a petition to mortgage or lease real property shall set forth the following:

- (a) the information required in a petition for the public sale of real property under [Rule 5.10\(a\)](#), as far as practicable; and
- (b) the name of the proposed mortgagee or lessee and the terms of the proposed mortgage or lease.

*Note:* Rule 5.12 is substantively identical to former Rule 12.11.

#### **Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 5.12, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 5.12  
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Pa.O.C.Rules, Rule 5.13  
Formerly cited as PA ST ORPHANS CT Rule 12.12

Rule 5.13. Inalienable Property

Currentness

In addition to the requirements provided by the Rules in Chapter III, a petition under Chapter 83 of Title 20 shall set forth the facts required by [20 Pa.C.S. § 8301](#), as applicable, and the following:

- (a) the names of all interested parties who have not joined in or consented to the petition, and their addresses, if known; and
- (b) if the petition is for the public or private sale of real property subject to a life estate with remainder over and the real property is not held in trust, the petition shall request the appointment of a named trustee to make the sale and hold the proceeds in trust.

*Note:* Rule 5.13 is substantively identical to former Rule 12.12.

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 5.13, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 5.13  
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[Chapter V. Rules Governing Specific Types of Petitions](#)

Pa.O.C.Rules, Rule 5.14  
Formerly cited as PA ST ORPHANS CT Rule 12.13

Rule 5.14. Designation of a Successor Custodian

[Currentness](#)

A petition for the designation of a successor custodian under the Pennsylvania Uniform Gifts to Minors Act<sup>1</sup> shall conform to the requirements provided by the Rules in Chapter III and set forth as far as practicable the information required in a petition for the appointment of a guardian of the estate of a minor.

*Note:* Rule 5.14 is substantively identical to former [Rule 12.13](#).

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

### Footnotes

<sup>1</sup>

See now, Pennsylvania Uniform Transfers to Minors Act, [20 Pa.C.S.A. § 5301 et seq.](#)

Pa.O.C. Rule 5.14, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 5.14  
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Pa.O.C.Rules, Rule 5.15  
Formerly cited as PA ST ORPHANS CT Rule 12.14

Rule 5.15. Confirmation of Trustee Appointment

Currentness

**(a) Contents of Petition.** Where an initial or successor trustee is appointed pursuant to a trust instrument or by the unanimous agreement of all qualified beneficiaries (as defined in 20 Pa.C.S. § 7703) pursuant to 20 Pa.C.S. § 7764, a petition for the court to confirm such appointment shall conform to the requirements provided by the Rules in Chapter III and shall set forth the following:

- (1) the reason for filing the petition; and
- (2) the pertinent provisions of the instrument creating the trust and providing for the appointment of the trustee.

**(b) Exhibits.** The following shall be attached to the petition:

- (1) a copy of the trust instrument duly certified by counsel to be a true and correct copy; and
- (2) the designated trustee's written consent to serve.

*Note:* Rule 5.15 is substantively identical to former Rule 12.14.

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

**Rule 5.15. Confirmation of Trustee Appointment, PA ST ORPHANS CT Rule 5.15**

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Pa.O.C. Rule 5.15, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 5.15  
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[Chapter VI. Reserved](#)

Pa.O.C.Rules, T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. VI, Refs & Annos

[Currentness](#)

Pa.O.C. T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. VI, Refs & Annos, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. VI, Refs & Annos  
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<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Chapter VII. Rules Relating to Pre-Hearing and Hearing Procedure</a>

Pa.O.C.Rules, Rule 7.1  
Formerly cited as PA ST ORPHANS CT Rule 3.6

Rule 7.1. Depositions, Discovery, Production of Documents and Perpetuation of Testimony

[Currentness](#)

The court, by local rule or order in a particular matter, may prescribe the practice relating to depositions, discovery, production of documents and perpetuation of testimony. To the extent not provided for by local rule or an order governing a particular matter, the practice relating to depositions, discovery, production of documents and perpetuation of testimony shall conform to the practice in the Trial or Civil Division of the local Court of Common Pleas.

*Note:* Rule 7.1 is identical to former [Rule 3.6](#).

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 7.1, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 7.1  
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<a href="#">Chapter VII. Rules Relating to Pre-Hearing and Hearing Procedure</a>

Pa.O.C.Rules, Rule 7.2

Rule 7.2. Motion for Judgment on the Pleadings

[Currentness](#)

After the relevant pleadings are closed, but within such time as not to unreasonably delay the hearing, any party may move for judgment on the pleadings. The court shall enter such judgment or order as shall be proper on the pleadings.

*Note:* Rule 7.2 has no counterpart in former Orphans' Court Rules, but is derived from [Pa.R.C.P. No. 1034](#).

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 7.2, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 7.2  
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Pa.O.C.Rules, Rule 7.3

Rule 7.3. Motion for Summary Judgment

[Currentness](#)

(a) After the relevant pleadings are closed, but within such time as not to unreasonably delay a hearing, any party may move for summary judgment in whole, or in part, as a matter of law in the manner set forth in Pa.R.C.P. Nos. 1035.1, 1035.2, and 1035.4.

(b) The party against whom the motion for summary judgment is filed shall respond in accordance with Pa.R.C.P. Nos. 1035.3(a)--(b) and 1035.4.

(c) The court shall rule upon the motion for summary judgment as provided in Pa.R.C.P. Nos. 1035.3(c)--(e) and 1035.5.

*Note:* Rule 7.3 has no counterpart in former Orphans' Court Rules, but is derived from [Pa.R.C.P. No. 1035.1 et seq.](#)

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 7.3, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 7.3

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Pa.O.C.Rules, Rule 7.4

Rule 7.4. Injunctions

[Currentness](#)

Upon petition, the court may issue a preliminary, special, or permanent injunction in accordance with the rules and procedures provided in [Pa.R.C.P. No. 1531](#).

*Note:* Rule 7.4 has no counterpart in former Orphans' Court Rules, but is derived from [Pa.R.C.P. No. 1531](#).

#### **Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 7.4, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 7.4  
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[Chapter VIII. Reconsideration \(Refs & Annos\)](#)

Pa.O.C.Rules, Rule 8.1

Rule 8.1. Exceptions and Post-Trial Motions

[Currentness](#)

Except as provided in [Rule 8.2](#), no exceptions or post-trial motions may be filed to any order or decree of the court.

#### **Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 8.1, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 8.1

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Pa.O.C.Rules, Rule 8.2

Rule 8.2. Motions for Reconsideration

[Currentness](#)

(a) By motion, a party may request the court to reconsider any order that is final under [Pa.R.A.P. 341\(b\)](#) or [342](#), or interlocutory orders subject to immediate appeal under [Pa.R.A.P. 311](#), so long as the order granting reconsideration is consistent with [Pa.R.A.P. 1701\(b\)\(3\)](#).

(b) Upon a motion to do so, a court may reconsider an interlocutory order at any time.

(c) Motions for reconsideration are not permitted to any order in involuntary termination or adoption matters under the Adoption Act, [23 Pa.C.S. § 2101 et seq.](#)

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 8.2, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 8.2

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[Chapter IX. Auditors and Masters](#)

Pa.O.C.Rules, Rule 9.1  
Formerly cited as PA ST ORPHANS CT Rule 8.1

Rule 9.1. Notice of Hearings

[Currentness](#)

An auditor or master appointed pursuant to [20 Pa.C.S. § 751](#) shall give notice of scheduled hearings in such manner and to such parties as local rules shall prescribe.

*Note:* Rule 9.1 is substantively identical to former [Rule 8.1](#).

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 9.1, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 9.1  
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[Chapter IX. Auditors and Masters](#)

Pa.O.C.Rules, Rule 9.2  
Formerly cited as PA ST ORPHANS CT Rule 8.2

### Rule 9.2. Filing of Report

[Currentness](#)

An auditor or master shall file his or her report within 90 days after his or her appointment, unless the court extends the time upon request.

*Note:* Rule 9.2 is based upon former [Rule 8.2](#).

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 9.2, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 9.2  
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Pa.O.C.Rules, Rule 9.3  
Formerly cited as PA ST ORPHANS CT Rule 8.3

Rule 9.3. Form of Auditor's Report

[Currentness](#)

An auditor's report shall include a statement of the questions involved, findings of fact, conclusions of law, and, if the Account is approved by the auditor, it shall also expressly confirm the Account and shall specify, or indicate by reference to the petition of adjudication/statement of proposed distribution, the names of the persons to whom the balance available for distribution is awarded and the amount or share awarded to each of such persons.

*Note:* Rule 9.3 is identical to former [Rule 8.3](#).

### **Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 9.3, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 9.3  
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Pa.O.C.Rules, Rule 9.4  
Formerly cited as PA ST ORPHANS CT Rule 8.4

Rule 9.4. Form of Master's Report

[Currentness](#)

A master's report shall state the number, times, dates and duration of the hearings held, the number, extent and causes of any delays or continuances, and the basis of the court's jurisdiction, and shall include a statement and discussion of the questions involved, findings of fact and conclusions of law, and specific recommendations.

*Note:* Rule 9.4 is identical to former [Rule 8.4](#).

### **Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 9.4, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 9.4  
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Pa.O.C.Rules, Rule 9.5  
Formerly cited as PA ST ORPHANS CT Rule 8.5

Rule 9.5. Transcript of Testimony

[Currentness](#)

The transcript of testimony taken before an auditor or master shall be filed with the report.

*Note:* Rule 9.5 is identical to former [Rule 8.5](#).

#### **Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 9.5, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 9.5  
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<a href="#">Chapter IX. Auditors and Masters</a>

Pa.O.C.Rules, Rule 9.6  
Formerly cited as PA ST ORPHANS CT Rule 8.6

Rule 9.6. Notice of Filing Report

[Currentness](#)

An auditor or master shall give notice of the filing of the report or of the intention to file the report in such manner and to such parties as local rules shall prescribe.

*Note:* Rule 9.6 is identical to former [Rule 8.6](#).

**Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 9.6, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 9.6  
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Chapter IX. Auditors and Masters

Pa.O.C.Rules, Rule 9.7  
Formerly cited as PA ST ORPHANS CT Rule 8.7

Rule 9.7. Confirmation of Report

Currentness

- (a) The report of an auditor shall be confirmed in such manner as local rules shall prescribe.
- (b) The report of a master shall not be approved until a decree is entered adopting its recommendations.

*Note:* Rule 9.7 is identical to former Rule 8.7.

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 9.7, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 9.7  
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[Chapter IX. Auditors and Masters](#)

Pa.O.C.Rules, Rule 9.8  
Formerly cited as PA ST ORPHANS CT Rule 8.8

Rule 9.8. Security for Expenses and Fees

[Currentness](#)

An auditor or master, the accountant, or any interested party may apply to the court at any time for leave to require security for the payment of the auditor's or master's expenses and fees, and, when such leave is granted, the auditor or master may decline to proceed until security is entered.

*Note:* Rule 9.8 is substantively identical to former [Rule 8.8](#).

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 9.8, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 9.8  
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[Chapter X. Register of Wills \(Refs & Annos\)](#)

Pa.O.C.Rules, Rule 10.1

Rule 10.1. Forms

[Currentness](#)

The forms approved by the Supreme Court for statewide practice before the Register as set forth in the Appendix shall be used. No other forms shall be allowed or required by local rule or practice in such instances.

*Note:* Rule 10.1 is new, but is derived from former Rule 10.1.

#### **Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 10.1, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 10.1  
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[Chapter X. Register of Wills \(Refs & Annos\)](#)

Pa.O.C.Rules, Rule 10.2

Rule 10.2. Petition Practice

[Currentness](#)

When a matter requires the Register to exercise discretion or decide an issue of fact or law, the pleading and practice shall conform as near as practical to the practice and procedure before the court as provided by Chapter III of these Rules and [20 Pa.C.S. § 906](#) (relating to caveats). The Register may issue a citation if appropriate and may require a party to prepare the form of citation. Service of citations issued by the Register shall be the responsibility of the party requesting the issuance of the citation.

*Note:* Rule 10.2 is new.

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 10.2, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 10.2

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[Chapter X. Register of Wills \(Refs & Annos\)](#)

Pa.O.C.Rules, Rule 10.3

Rule 10.3. Hearings

[Currentness](#)

- (a) Evidentiary hearings before the Register shall be recorded by stenographic or electronic means when directed by the Register or requested by an interested party, the cost of which shall be allocated as directed by the Register.
- (b) The Register may issue subpoenas to compel attendance at evidentiary hearings as provided in [20 Pa.C.S. § 903\(1\)](#).
- (c) The Pennsylvania Rules of Evidence shall apply in all evidentiary hearings before the Register.
- (d) The Register may require parties to submit memoranda and/or proposed findings of fact and conclusions of law.
- (e) The Register shall promptly decide the matter at issue by written order or decree. The order or decree may, but need not, contain a brief opinion or recitation of relevant facts and legal conclusions as found by the Register.

*Note:* Rule 10.3 is new.

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 10.3, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 10.3  
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Pa.O.C.Rules, Rule 10.4  
Formerly cited as PA ST ORPHANS CT Rule 10.2

Rule 10.4. Appeals from the Register of Wills

[Currentness](#)

Appeals to the court from an order or decree of the Register shall be by petition and governed by Chapter III of these Rules and any applicable local rules.

*Note:* Rule 10.4 is new, but is derived from former [Rule 10.2](#).

#### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 10.4, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 10.4  
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Pa.O.C.Rules, Rule 10.5  
Formerly cited as PA ST ORPHANS CT Rule 5.6  
Rule 10.5. Notice to Beneficiaries and Intestate Heirs

[Currentness](#)

(a) Within three (3) months after the grant of letters, the personal representative to whom original letters have been granted or the personal representative's counsel shall send a written notice of estate administration in the form approved by the Supreme Court to:

(1) every person, corporation, association, entity or other party named in decedent's will as an outright beneficiary whether individually or as a class member;

(2) the decedent's spouse and children, whether or not they are named in, or have an interest under, the will;

(3) where there is an intestacy in whole or in part, to every person entitled to inherit as an intestate heir under Chapter 21 of Title 20;

(4) the appointed guardian of the estate, parent or legal custodian of any beneficiary who is a minor;

(5) the appointed guardian of the estate or, in the absence of such appointment, the institution or person with custody of any beneficiary who is an adjudicated incapacitated person;

(6) the Attorney General on behalf of any charitable beneficiary (i) which is a residuary beneficiary, including as a beneficiary of a residuary testamentary trust; (ii) whose legacy exceeds \$25,000; or (iii) whose interest in a legacy will not be paid in full;

(7) the Attorney General on behalf of any governmental beneficiary;

(8) the trustee of any trust which is a beneficiary; and

(9) such other persons and in such manner as may be required by local rule.

(b) A “beneficiary” shall be deemed to include any person who may have an interest by virtue of the Pennsylvania anti-lapse statute, [20 Pa.C.S. § 2514](#).

(c) Notice shall be given by personal service or by first-class, prepaid mail to each person and entity entitled to notice under subparagraph (a)(1)--(9) whose address is known or reasonably available to the personal representative.

(d) Within ten (10) days after giving the notice required by paragraph (a) of this Rule, the personal representative or the personal representative’s counsel shall file with the Register a certification that notice has been given as required by this Rule.

(e) Upon the failure of the personal representative or the personal representative’s counsel to file the certification on a timely basis, the Register shall, after ten (10) days subsequent to providing written notice to the delinquent personal representative and his counsel, notify the court of such delinquency.

(f) This Rule shall not alter or diminish existing rights or confer new rights.

(g) The Register shall deliver a copy of Rule 10.5 and the forms of notice and certification approved by the Supreme Court to each personal representative not represented by counsel at the time letters are granted.

*Note:* Rule 10.5 is substantively identical to former Rule 5.6, except that subparagraph (d) of this Rule no longer prohibits the Register from charging a fee for filing this certification. The form of notice and certification of notice required by Rule 10.5 is set forth in the Appendix. Subparagraph (e) of this Rule is not intended to limit the inherent power of the court to impose sanctions upon a delinquent personal representative or counsel.

### **Credits**

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

**Rule 10.5. Notice to Beneficiaries and Intestate Heirs, PA ST ORPHANS CT Rule 10.5**

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[Chapter X. Register of Wills \(Refs & Annos\)](#)

Pa.O.C.Rules, Rule 10.6

Formerly cited as PA ST ORPHANS CT Rule 6.12

Rule 10.6. Status Report by Personal Representative

[Currentness](#)

**(a) Report of Uncompleted Administration.** If administration of an estate has not been completed within two years of the decedent's death, the personal representative or counsel shall file at such time, and annually thereafter until the administration is completed, a report with the Register showing the date by which the personal representative or his, her, or its counsel reasonably believes administration will be completed.

**(b) Report of Completed Administration.** Upon completion of the administration of an estate, the personal representative or his, her or its counsel shall file with the Register a report showing:

- (1) completion of administration of the estate;
- (2) whether a formal Account was filed with the Orphans' Court;
- (3) whether a complete Account was informally stated to all parties in interest;
- (4) whether final distribution has been completed; and
- (5) whether approvals of the Account, receipts, joinders and releases have been filed with the clerk.

**(c) Form of Status Report.** The report required by this Rule shall be in the form approved by the Supreme Court.



## Rule 10.6. Status Report by Personal Representative, PA ST ORPHANS CT Rule 10.6

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**(d) Copy of Rule.** Upon the grant of letters, the Register shall give a copy of Rule 10.6 to each personal representative not represented by counsel.

**(e) Failure to File a Status Report.** After at least ten (10) days subsequent to providing written notice to a delinquent personal representative and counsel, the Register shall inform the court of the failure to file the report required by this Rule with a request that the court conduct a hearing to determine what sanctions, if any, should be imposed.

*Note:* Rule 10.6 is based upon former Rule 6.12, except that this Rule no longer includes former subparagraph (d) that prohibited the Register from charging a fee for filing the status report. The form of status report required by Rule 10.6 is set forth in the Appendix.

### Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 10.6, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 10.6  
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[Chapter XI. Reserved](#)

Pa.O.C.Rules, T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. XI, Refs & Annos

[Currentness](#)

Pa.O.C. T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. XI, Refs & Annos, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. XI, Refs & Annos  
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Pa.O.C.Rules, T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. XII, Refs & Annos

[Currentness](#)

Pa.O.C. T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. XII, Refs & Annos, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. XII, Refs & Annos  
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[Chapter XIII. Reserved](#)

Pa.O.C.Rules, T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. XIII, Refs & Annos

[Currentness](#)

Pa.O.C. T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. XIII, Refs & Annos, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. XIII, Refs & Annos  
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Pa.O.C.Rules, Rule 14.1

Rule 14.1. Rescinded December 1, 2015, effective September 1, 2016.

[Currentness](#)

*Note:* See [Rule 1.5](#).

Pa.O.C. Rule 14.1, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 14.1  
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[Chapter XIV. Guardianships of Incapacitated Persons](#)

Pa.O.C.Rules, Rule 14.2

Rule 14.2. Adjudication of Incapacity and Appointment of a Guardian of the Person and/or Estate of an Incapacitated Person

[Currentness](#)

A petition to adjudicate an individual as an incapacitated person shall meet all requirements set forth at [20 Pa.C.S. § 5511](#). A citation and notice in the form approved by the Supreme Court shall be attached to and served with a petition. The procedure for determining incapacity and for appointment of a guardian shall meet all requirements set forth at [20 Pa.C.S. §§ 5512 and 5512.1](#).

**Credits**

Adopted Dec. 23, 1998, effective Jan. 1, 1999. Amended Oct. 16, 2006, effective Nov. 15, 2006; Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 14.2, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 14.2  
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[Chapter XIV. Guardianships of Incapacitated Persons](#)

Pa.O.C.Rules, Rule 14.3

Rule 14.3. Review Hearing

[Currentness](#)

A petition for a review hearing shall set forth:

- (a) the date of the adjudication of incapacity;
- (b) the name and address of the guardian;
- (c) if the incapacitated person has been a patient in a mental health facility, the name of such facility, the date of admission, and the date of discharge;
- (d) the present address of the incapacitated person, and the name of the person with whom the incapacitated person is living;
- (e) the names and addresses of the presumptive adult heirs of the incapacitated person; and
- (f) an averment that:
  - (1) there has been significant change in the incapacitated person's capacity;
  - (2) there has been a change in the need for guardianship services; or

**Rule 14.3. Review Hearing, PA ST ORPHANS CT Rule 14.3**

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(3) the guardian has failed to perform duties in accordance with the law or act in the best interest of the incapacitated person.

**Credits**

Amended Nov. 24, 1975, effective Jan. 1, 1976; Dec. 23, 1998, effective Jan. 1, 1999; Dec. 1 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 14.3, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 14.3  
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Pa.O.C.Rules, Rule 14.4

Rule 14.4. Proceedings Relating to Real Estate

[Currentness](#)

A petition for the public or private sale, exchange, lease, or mortgage of real estate of an incapacitated person or the grant of an option for the sale, exchange or lease of the same shall conform as far as practicable to the requirements of these Rules for personal representatives, trustees and guardians of minors in a transaction of similar type.

#### **Credits**

Adopted Jan. 26, 1968, effective Feb. 1, 1968. Amended Nov. 24, 1975, effective Jan. 1, 1976; Dec. 23, 1998, effective Jan. 1, 1999; Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 14.4, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 14.4  
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[Chapter XIV. Guardianships of Incapacitated Persons](#)

Pa.O.C.Rules, Rule 14.5

Rule 14.5. Forms

[Currentness](#)

The following forms located in the Appendix shall be used exclusively:

- (a) Important Notice--Citation with Notice;
- (b) Annual Report of Guardian of the Estate;
- (c) Annual Report of Guardian of the Person; and
- (d) Guardian's Inventory.

#### **Credits**

Adopted June 12, 1995, effective Aug. 5, 1995. Amended June 29, 2001, effective July 1, 2001; Oct. 16, 2006, effective Nov. 15, 2006; Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 14.5, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 14.5  
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[Chapter XV. Adoptions](#)

Pa.O.C.Rules, T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. XV, Refs & Annos

[Currentness](#)

Pa.O.C. T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. XV, Refs & Annos, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT T. 20 Pa.C.S.A., Ch. 7, Subch. G, Ch. XV, Refs & Annos  
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[Chapter XV. Adoptions \(Refs & Annos\)](#)

Pa.O.C.Rules, Rule 15.1

Rule 15.1. Local Rules

[Currentness](#)

The practice and procedure with respect to adoptions shall be as provided by Act of Assembly and to the extent not inconsistent therewith shall conform either with the pertinent general rule or special order of the local Orphans' Court or, in the absence thereof, with this Rule 15.

#### **Credits**

Adopted Nov. 24, 1975, effective Jan. 1, 1976.

Pa.O.C. Rule 15.1, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 15.1  
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[Chapter XV. Adoptions \(Refs & Annos\)](#)

Pa.O.C.Rules, Rule 15.2

Rule 15.2. Voluntary Relinquishment to Agency

[Currentness](#)

**(a) Petition.** A petition under Section 301 of the Adoption Act to relinquish parental rights and duties with respect to a child who has been in the care of an Agency shall include the following allegations:

- (1) the name, address, age, racial background and religious affiliation of each petitioner;
- (2) the information required in subparagraph (1) as to any parent who is not a petitioner, including the father of a child born out of wedlock, if he has been identified, unless the court, for cause shown, determines such information is not essential;
- (3) the marital status of the mother as of the time of birth of the child and during one year prior thereto and, if the mother has ever been married, the name of her husband or husbands and her maiden name;
- (4) the name, age, date of birth, racial background, sex and religious affiliation of the child;
- (5) the name and address of the Agency having care of the child;
- (6) the date when the child was placed with the Agency;
- (7) when the child is born out of wedlock, whether the mother and the father of the child intend to marry;

(8) the reasons for seeking relinquishment;

(9) that each petitioner understands the petition, has considered the alternatives, and has executed the petition voluntarily to promote what the petitioner believes to be in petitioner's and the child's best interests.

**(b) Exhibits.** The petition shall have attached to it the following exhibits:

(1) the joinder of a parent who is not a petitioner or his or her waiver of all interest in the child, if either is obtainable;

(2) a birth certificate or certification of registration of birth of the child;

(3) the written consent of a parent or guardian of a petitioner who has not reached 18 years of age;

(4) the joinder of the Agency having care of the child and its consent to accept custody of the child until such time as the child is adopted.

**(c) Notice and Hearing.** If a parent, including the parent of a child born out of wedlock, has not relinquished his or her rights and duties in and to the child or joined in the other parent's petition hereunder, then notice of the hearing on the petition to relinquish rights and duties shall be given to the first referred to parent as provided in [Rule 15.6](#). A parent may waive in writing the right to such notice. Each petitioner and each person whose joinder or consent is attached to the petition shall be examined under oath at the hearing unless excused by the court.

#### Credits

Adopted Nov. 24, 1975, effective Jan. 1, 1976.

Pa.O.C. Rule 15.2, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 15.2  
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[Chapter XV. Adoptions \(Refs & Annos\)](#)

Pa.O.C.Rules, Rule 15.3

Rule 15.3. Voluntary Relinquishment to Adult Intending to Adopt Child

[Currentness](#)

**(a) Petition.** A petition under Section 302 of the Adoption Act to relinquish parental rights with respect to a child who has been in the exclusive care of an adult or adults who have filed a Report of Intention to Adopt shall include the allegations required under [subparagraphs \(1\), \(2\), \(3\), \(4\) and \(7\), \(8\) and \(9\) of Rule 15.2\(a\)](#) and

(1) the date when the Report of Intention to Adopt was filed;

(2) the date when the child was placed with the adult or adults;

**(b) Exhibits.** The petition shall have attached to it the first three exhibits specified in [Rule 15.2\(b\)](#) and

(1) the separate consent of the adult or adults to accept custody of the child.

**(c) Notice and Hearing.** If a parent, including the parent of a child born out of wedlock, has not relinquished his or her rights in the child or joined in the petition hereunder, then notice of the hearing on a parent's petition to relinquish rights shall be given to the first referred to parent as provided in [Rule 15.6](#). A parent may waive in writing the right to such notice. Each petitioner and each person whose joinder or consent is attached to the petition shall be examined under oath at the hearing unless excused by the court.

**Credits**

Adopted Nov. 24, 1975, effective Jan. 1, 1976.

**Rule 15.3. Voluntary Relinquishment to Adult Intending to..., PA ST ORPHANS CT...**

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Pa.O.C. Rule 15.3, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 15.3  
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Pa.O.C.Rules, Rule 15.4

### Rule 15.4. Involuntary Termination of Parental Rights

[Currentness](#)

**(a) Petition.** A petition for involuntary termination of parental rights under Sections 311 and 312 of the Adoption Act shall include the following allegations:

- (1) the name and address of the petitioner and his or her standing;
- (2) the name, age, date of birth, racial background, sex and religious affiliation of the child;
- (3) the name, address, age, racial background and religious affiliation of the parent or parents, including the father of a child born out of wedlock, if he has been identified;
- (4) the marital status of the mother as of the time of birth of the child and during one year prior thereto and, if the mother has ever been married, the name of her husband or husbands and her maiden name;
- (5) the date when the child was placed in the care of the petitioner;
- (6) facts constituting grounds for the involuntary termination under Section 311 of the Adoption Act, and a reference to the applicable subsection or subsections;
- (7) whether either parent of the child is entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended ([50 U.S.C.A. § 501 et seq.](#));

(8) that the petitioner will assume custody of the child until such time as the child is adopted.

**(b) Exhibits.** The petition shall have attached to it the following exhibits:

(1) a birth certificate or certification of registration of birth of the child;

(2) the joinder of a parent of a petitioner who is under the age of 18, unless excused by the court.

**(c) Guardian ad Litem.**

(1) When the termination of the parental rights of a parent who has not attained the age of 18 years is sought, unless the court finds the parent is already adequately represented, the court shall appoint a guardian ad litem to represent the parent. The appointment of a guardian ad litem may be provided for in the preliminary order attached to the petition for involuntary termination of parental rights.

(2) The decree appointing a guardian ad litem shall give the name, date of birth and address (if known) of the individual whom the guardian ad litem is to represent and the proceedings and period of time for which the guardian ad litem shall act.

**(d) Notice and Hearing.** Notice of the hearing on the petition shall be given, in accordance with [Rule 15.6](#) hereof, to the parent or parents whose rights are sought to be terminated, including the parent of a child born out of wedlock, to any intermediary named in a Report of Intention to Adopt, if one has been filed, and to the guardian of the person or guardian ad litem of any parent or parents who is or are under the age of 18 years. Each petitioner, each person whose joinder or consent is attached to the petition and any intermediary named in a Report of Intention to Adopt shall be examined under oath at the hearing unless they are excused by the court.

#### **Credits**

Adopted Nov. 24, 1975, effective Jan. 1, 1976.

Pa.O.C. Rule 15.4, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 15.4  
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Pa.O.C.Rules, Rule 15.5

Rule 15.5. Adoption

Currentness

**(a) Petition.** The petition shall contain all declarations and information required by Section 401 of the Adoption Act and any additional information required by local rules.

**(b) Notice or Consent--Parents of Child.** Notice as provided by [Rule 15.6](#) shall be given to each parent unless

(1) he or she has consented in writing to the adoption and waived notice of hearing, or

(2) he or she has voluntarily relinquished his or her parental rights in a proceeding under [Rule 15.2](#) or [Rule 15.3](#), or

(3) his or her parental rights have been involuntarily terminated in a proceeding under [Rule 15.4](#).

**(c) Investigation.** A petition for adoption shall be subject to investigation as prescribed by local rules. The investigation report shall cover the matters alleged in the petition, any other matters that may affect the welfare of the child, and the information required by Sections 335 and 424 of the Adoption Act.

**(d) Disclosure of Fees and Costs.** At the hearing there shall be offered in evidence a report, certified by counsel for the petitioner, setting forth the amount of fees and expenses paid or to be paid to counsel, and any other fees, costs and expenses paid or to be paid to an intermediary or any other person or institution, in connection with the adoption.

**(e) Adult--Change of Name.** When the person to be adopted is over the age of 18 years and desires to assume the surname of the adopting parent or parents, evidence showing compliance with the law relating to change of name must be introduced before a decree will be made.<sup>1</sup>

**Credits**

Adopted Nov. 24, 1975, effective Jan. 1, 1976.

Footnotes

<sup>1</sup>

Act of April 18, 1923, P.L. 75, as amended, 54 P.S. 1 et seq. [now [54 Pa.C.S.A. §§ 702, 703](#)].

Pa.O.C. Rule 15.5, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 15.5  
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Pa.O.C.Rules, Rule 15.6

Rule 15.6. Notice to Persons; Method; Notice of Orphans' Court Proceedings Filed on Dependency Docket

[Currentness](#)

(a) Notice to every person to be notified shall be by personal service, service at his or her residence on an adult member of the household, or by registered or certified mail to his or her last known address. If such service is unobtainable and the registered mail is returned undelivered, then:

(1) no further notice shall be required in proceedings under Rules 15.2 or 15.3, and

(2) in proceedings under Rules 15.4 and 15.5, further notice by publication or otherwise shall be given if required by general rule or special order of the local Orphans' Court. If, after reasonable investigation, the identity of a person to be notified is unknown, notice to him or her shall not be required.

(b) When a child is in the legal custody of a county agency:

(1) Within seven (7) days of the filing of a petition to terminate parental rights under Rules 15.2 or 15.4, or a petition to confirm consent under [23 Pa.C.S. § 2504](#), or a petition to adopt under [Rule 15.5](#), the county agency shall file a praecipe with the clerk of the court where the child was declared dependent using the caption of the dependency proceeding, notifying the clerk of the name of the petition filed and the date of filing in substantially the form approved by the Supreme Court.

(2) Within seven (7) days of receiving the Court's disposition of the petitions described in subparagraph (b)(1), the county agency shall file a praecipe with the clerk of the court where the child was declared dependent using the caption of the dependency proceeding, notifying the clerk of the disposition of the petition and the date of the order in substantially the form approved by the Supreme Court.

(3) If a notice of appeal from an order described in subparagraph (b)(2) is filed, then within seven (7) days of service of the notice of appeal, the county agency shall file a praecipe with the clerk of the court where the child was declared dependent

using the caption of the dependency proceeding, notifying the clerk of the appeal and the date of filing in substantially the form approved by the Supreme Court.

(4) Within seven (7) days of receiving the appellate court's disposition of the appeal described in subparagraph (b)(3), the county agency shall file a praecipe with the clerk of the court where the child was declared dependent using the caption of the dependency proceeding, notifying the clerk of the disposition of the appeal and the date of the decision in substantially the form approved by the Supreme Court.

*Note:* This Rule was amended in 2013 to add paragraph (b). The purpose of the amendment was to provide a procedure for collecting data concerning children who have been declared dependent under the Juvenile Act and placed in the custody of the county agency. The information is entered into the Common Pleas Case Management System-Dependency Module to comply with reporting requirements and to monitor dependent children in the foster care system. Unlike a "notice," as used in paragraph (a), the county agency is not required to serve the praecipe upon the parties to the dependency, termination, or adoption proceeding. The definition of "county agency" as used in this Rule is that contained in [Pa.R.J.C.P. 1120](#). Where used in this Rule, "Orphans' Court" includes the Family Court division of the First Judicial District. *See* [20 Pa. C.S. § 713](#).

Pursuant to [Rule 1.3 \(Forms\)](#), the Court has approved forms for state-wide practice to comply with the requirements of paragraph (b). These forms can be found in the Appendix to these Rules.

### **Credits**

Adopted Nov. 24, 1975, effective Jan. 1, 1976. Amended March 19, 2013, effective April 19, 2013.

Pa.O.C. Rule 15.6, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 15.6  
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Pa.O.C.Rules, Rule 15.7

Rule 15.7. Impounding; Docket entries; Reports; Privacy

[Currentness](#)

(a) All proceedings shall be impounded, docket entries made, report made to the Department of Public Welfare,<sup>1</sup> and certificates of adoption issued as provided in Sections 505, 506, 507 and 508, respectively, of the Adoption Act, [23 Pa.C.S. § 2101, et seq.](#)

(b) The name or names of the natural parents and the name or names of the child before adoption shall not be entered on any docket which is subject to public inspection.

(c) No decision under the Adoption Act of any hearing judge or appellate court publicly reported or in any other way made available to the public by the court shall disclose the identity of the individual parties.

*Note:* For confidentiality requirements on appeal, see [Pa.R.A.P. 3901](#).

### Credits

Adopted Nov. 24, 1975, effective Jan. 1, 1976. Amended March 3, 1999, imd. effective.

### Footnotes

<sup>1</sup>

Now Department of Human Services; see [62 P.S. § 103](#).

Pa.O.C. Rule 15.7, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 15.7  
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Pa.O.C.Rules, Rule 15.8

Rule 15.8. Registration of Foreign Adoption Decree

[Currentness](#)

(a) Adopting parent(s) may petition the Court of Common Pleas in the county of their residence to register a foreign adoption decree so that it will be given full and final effect in this Commonwealth. The Petition and Final Decrees shall be in substantially the form approved by the Supreme Court. See Appendix of Forms to these Rules.

(1) As part of the Petition to Register Foreign Adoption Decree, a child's name may be changed from that appearing on the foreign adoption decree if the child is younger than twelve (12) years of age.

(b) A foreign adoption decree previously registered or otherwise finalized by a Court of this Commonwealth or of any other state may not be registered subsequently in another Court of this Commonwealth.

(c) If the Court of Common Pleas determines that the foreign adoption decree can be registered, the Court shall sign the Final Decree and shall direct the Clerk of the appropriate Court to enter the date of the foreign adoption decree and identify the foreign court on the docket. The Clerk shall send Form No. HD01273F, Certificate of Adoption of a Foreign-Born Child, and Form No. HD01275F, Statement of Citizenship and Residency, to the Department of Health, Division of Vital Records, along with a copy of U.S. Government Form N-560, Certificate of Citizenship, and/or a copy of the child's United States passport, if either or both documents have been provided by the adopting parent(s). The Clerk shall issue to the adopting parent(s) a certificate of adoption in accordance with Section 2907 of the Adoption Act. See [23 Pa.C.S. § 2907](#).

(d) If the Court of Common Pleas determines that the foreign adoption decree cannot be registered, the adopting parent(s) shall proceed as applicable under the provisions set forth in the Adoption Act, [23 Pa.C.S. §§ 2101 et seq.](#), [Pa.O.C. Rule 15.9](#) (specific to the adoption of a foreign born child), and local rules of court.

(e) Adopting parent(s) who are eligible to register the foreign adoption decree under this Rule may, for any reason, proceed under [Pa.O.C. Rule 15.9](#).



## Rule 15.8. Registration of Foreign Adoption Decree, PA ST ORPHANS CT Rule 15.8

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*Note:* Pursuant to [23 Pa.C.S. § 2908\(b\)](#), as amended by Act 96 of 2006, a set of forms, consisting of a Petition to Register Foreign Adoption Decree, Final Decrees approving and denying the Petition, and detailed Instructions for the *pro se* petitioner(s) are set forth in the Appendix to these Rules.

The Petition should be filed with the Clerk of the Orphans' Court Division, except in Philadelphia County, where it should be filed with the Clerk of the Family Court Division. The Petition and accompanying documents, including the Final Decree, are confidential and should be impounded and withheld from public inspection as provided in the Adoption Act, [23 Pa. C.S. §§ 2905, 2906, 2907 and 2908\(f\)](#) and [Pa.O.C. Rule 15.7](#).

The Clerk shall make available to petitioner(s) the necessary Department of Health, Division of Vital Records forms: Form No. HD01273F, Certificate of Adoption of a Foreign-Born Child; and Form No. HD01275F, Statement of Citizenship and Residency.

A change of name from that appearing on the foreign adoption decree is permitted without the need to comply with the procedures of [54 Pa.C.S. § 702](#) if the child is younger than twelve (12) years of age. Cf. [23 Pa.C.S. § 2711\(a\)\(1\)](#). If the foreign born adopted child is twelve (12) years of age or older, then the child and parent(s) would need to follow the procedures set forth in [54 Pa.C.S. § 702](#) and would not be foreclosed by [54 Pa.C.S. § 702\(b\)\(5\)\(ii\)](#) because the name change petition would not be in connection with any adoption proceeding as the foreign adoption is full and final and therefore completed.

A foreign born child who has been issued an IR-2, IR-3 or IH-3 United States visa has had the adoption proceeding fully completed in the foreign country and the foreign adoption decree only needs to be registered here to be given the full force and effect of an adoption decree issued by this Commonwealth. However, situations may arise that necessitate proceeding under [Pa.O.C. Rule 15.9](#) even though the foreign born child has been issued an IR-2, IR-3 or IH-3 United States visa, such as the inclusion of an incorrect birth year on the foreign adoption decree, or other personal family reasons. Proceeding under [Pa.O.C. Rule 15.9](#) is permitted; [Pa.O.C. Rule 15.8](#) is not the exclusive means to obtain a Pennsylvania adoption decree and birth certificate for a foreign born adopted child.

Only one court, whether in this Commonwealth or another state, should exercise jurisdiction over the foreign adoption decree. Thus, if the foreign adoption decree has been registered or otherwise finalized in another state court, the adopting parent(s) need not and should not register the foreign adoption decree in this Commonwealth under this Rule. In similar fashion, if the foreign adoption decree has been registered in this Commonwealth, and thereafter, another petitioner in this Commonwealth seeks to adopt this child, the subsequent proceeding will be a standard proceeding under the applicable provisions of the Adoption Act, [23 Pa. C.S. §§ 2101 et seq.](#) Such a situation could occur when the child is to be adopted by a step-parent after divorce or death of the original adopting parent(s), or when, after termination of parental rights, the child is to be adopted by different adopting parent(s).

If the Court determines that the foreign adoption is not a full and final adoption because the foreign born child has been issued an IH-4 or IR-4 visa, the adopting parent(s) shall proceed under subdivision (d) of this Rule. See also [Pa.O.C. Rule 15.9](#).

### Credits

Adopted Aug. 30, 2006, effective Sept. 5, 2006. Amended Jan. 3, 2011, effective in sixty days (March 4, 2011).

**Rule 15.8. Registration of Foreign Adoption Decree, PA ST ORPHANS CT Rule 15.8**

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Pa.O.C. Rule 15.8, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 15.8  
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Pa.O.C.Rules, Rule 15.9

Rule 15.9. Petition for Adoption of a Foreign Born Child

[Currentness](#)

**(a) General Rule.** Adopting parent(s) who are residents of the Commonwealth may petition the Court of Common Pleas in any county as provided in Section 2302 of the Adoption Act (see [23 Pa. C.S. § 2302](#)) to proceed with an adoption of their foreign born child who has entered the United States pursuant to an IR-2, IR-3, IH-3, IR-4 or IH-4 United States visa.

**(b) Required Documents.** The following documents shall be filed in the following order with the Clerk of the appropriate division of the Common Pleas Court:

- (1) Preliminary Decree;
- (2) Final Decree;
- (3) Petition for Adoption of a Foreign Born Child;
- (4) Copy of United States visa;
- (5) Reports of investigations, home studies, preplacement and postplacement;
- (6) Copy of birth certificate of foreign born child (if available), with translation;
- (7) Copy of any other relevant foreign decrees and/or documents with translations;

(8) Consents of any person and/or agency having custody and/or legal and/or physical rights to the child;

(9) Report of Intermediary (if an intermediary agency was involved);

(10) Verifications signed by petitioner(s), intermediary and translator(s) stating that facts set forth are true and correct, copies are true and correct copies of originals, that the English translation of foreign documents is accurate, and that false statements are subject to the penalties of [18 Pa. C.S. § 4904](#);

(11) Pennsylvania Department of Health, Division of Vital Records Form No. HD01273F, Certificate of Adoption of a Foreign-Born Child with Parts 1 and 2 (and Part 3, if applicable) completed;

(12) Pennsylvania Department of Health, Division of Vital Records Form No. HD01275F, Statement of Citizenship and Residency; and

(13) A copy of U.S. Government Form N-560, Certificate of Citizenship, and/or a copy of the child's United States passport, if either or both documents are available.

**(c) Form of Documents:** The Preliminary Decree, Final Decree, Petition for Adoption of a Foreign Born Child, Report of Intermediary (if applicable), and verifications referenced in subparagraph (b)(10) above shall be in substantially the form approved by the Supreme Court. See Appendix of Forms to these Rules.

**(d) Judicial Review and Hearing**

(1) *Scope of Review.* The Petition and accompanying documents filed under this Rule shall be subject to review by the Court as prescribed by the Pennsylvania Adoption Act, [23 Pa.C.S. §§ 2101 et seq.](#), Pennsylvania Orphans' Court Rules and local rules of court.

(2) *Home Study and Investigation.* The Court may rely in whole or in part upon a home study containing information required by Section 2530(b) of the Adoption Act and an investigative report containing information required by Section 2535(b) of the Adoption Act previously commissioned in the foreign adoption proceeding without regard to when such reports were prepared. See [23 Pa. C.S. §§ 2530, 2535](#). The Court may in its discretion require additional reports and investigations to be made in accordance with the Pennsylvania Adoption Act, Pennsylvania Orphans' Court Rules and local rules of court.

(3) *Original Documents, Decrees and Translations.* All original documents, decrees and translations must be available for review by the Court upon request.

(4) *Pre-adoption Requirements.* In order to grant an adoption, the Court must be satisfied that the pre-adoption requirements set forth in Sections 2530-2535 of the Adoption Act have been met. See [23 Pa.C.S. §§ 2530-2535](#). If the adopting parent(s) were Pennsylvania residents at the time that the United States visa was issued to the foreign born child, the Court may accept an IH or IR United States visa as proof that the pre-adoption requirements have been met.

(5) *Proof that the Child is an Orphan.* In order to grant an adoption, the Court must be satisfied that the child to be adopted is an orphan. The Court may accept the child's IH or IR United States visa as proof that the foreign born child is an orphan.

(6) *Hearing.* The Court shall schedule a hearing to allow for testimony pursuant to Sections 2721-2724 of the Adoption Act. See [23 Pa.C.S. §§ 2721-2724](#). Petitioner(s) and the child to be adopted shall appear at the hearing. The Court may in its discretion require the presence of additional persons, including a representative of the intermediary.

(e) **Disclosure of Fees and Costs.** Prior to or at the hearing, a report shall be filed setting forth the amount of fees, expenses and costs paid or to be paid to counsel, the intermediary and/or any other person or agency in connection with the adoption of the foreign born child. The Court may request an itemization of any of the amount(s) reported.

(f) **Final Decree.** After the hearing, the Court shall determine if the adoption of the foreign born child can be granted, and if so, the Court shall enter a decree as provided in Section 2902 of the Adoption Act. See [23 Pa.C.S. § 2902](#).

(g) **Clerk of the Appropriate Court.** Upon the filing of a decree granting the adoption under this Rule, the Clerk of the appropriate Court shall enter the decree and date of the decree on the docket. The Clerk shall send Form No. HD01273F, Certificate of Adoption of a Foreign-Born Child, and Form No. HD01275F, Statement of Citizenship and Residency, to the Department of Health, Division of Vital Records, along with a copy of U.S. Government Form N-560, Certificate of Citizenship, and/or a copy of the child's United States passport, if either or both documents have been provided by the adopting parent(s). The Clerk shall issue to the adopting parent(s) a certificate of adoption in accordance with Section 2907 of the Adoption Act. See [23 Pa.C.S. § 2907](#).

(h) **Only One Court May Assume Jurisdiction.** A parent shall not proceed under this Rule if the foreign adoption has been registered or otherwise finalized by a Court of this Commonwealth or any other state.

*Note:* Pursuant to [23 Pa.C.S. § 2908\(e\)](#), as amended by Act 96 of 2006, a set of forms, consisting of a Petition for Adoption of a Foreign Born Child, Report of Intermediary, Verification of Translator, Preliminary Decree, and Final Decree are set forth in the Appendix to these Rules.

In most instances, the adopting parent(s) of a foreign born child who has entered the United States with an IR-2, IR-3 or IH-3 United States visa will not need to proceed under Pa.O.C. Rule 15.9, but can register the foreign

adoption decree pursuant to [Pa.O.C. Rule 15.8](#). Situations may arise, though, that necessitate proceeding under this Rule, such as the inclusion of an incorrect birth year on the foreign adoption decree, or other personal family reasons. In these situations, adopting parent(s) of a foreign born child entering the United States with an IR-2, IR-3, or IH-3 United States visa may proceed under Pa.O.C. Rule 15.9; however, adopting parent(s) should be advised by counsel of the additional costs, additional documentation required, and the delay caused by the need for a hearing.

If a foreign born child has entered the United States with an IH-4 or IR-4 United States visa, the adopting parent(s) must proceed under Pa.O.C. Rule 15.9 because the adoption of their foreign born child was not finalized in the country of the child's birth.

Only one state court, whether in this Commonwealth or another state, should exercise jurisdiction over the registration of the foreign adoption decree or the completion of the adoption initiated in the native country of the foreign born child. Thus, if the adoption has been finalized or the foreign adoption decree has been registered in another state court or in another court within this Commonwealth, the adopting parent(s) need not and should not proceed under this Rule. In similar fashion, if the adoption of the foreign born child has been finalized in this Commonwealth, and thereafter, another petitioner seeks to adopt this child, the subsequent proceeding will be a standard proceeding under the applicable provisions of the Adoption Act, [23 Pa.C.S. §§ 2101 et seq.](#) Such a situation could occur when the child is to be adopted by a step-parent after divorce or death of the original adopting parent(s), or when, after termination of parental rights, the child is to be adopted by different adopting parent(s).

The documents referenced in Pa.O.C Rule 15.9 should be filed with the Clerk of the Orphans' Court Division, except in Philadelphia County, where they should be filed with the Clerk of the Family Court Division. The Petition and accompanying documents under this Rule, including the decree granting the adoption, are confidential and should be impounded and withheld from public inspection as provided in the Adoption Act, [23 Pa. C.S. §§ 2905 et seq.](#) and [Pa.O.C. Rule 15.7](#).

The Clerk shall make available to the petitioner(s) the necessary Department of Health, Division of Vital Records forms: Form No. HD01273F, Certificate of Adoption of a Foreign-Born Child; and Form No. HD01275F, Statement of Citizenship and Residency.

### **Credits**

Adopted January 3, 2011, effective in sixty days (March 4, 2011).

Pa.O.C. Rule 15.9, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 15.9  
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[Currentness](#)

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Pa.O.C.Rules, Rule 16.1

Rule 16.1. Definitions; Scope

[Currentness](#)

(a) As used in this Rule, the following words shall have the following meaning:

“Act” - the Act of June 11, 1982, P. L. 476, No. 138, as amended, [18 Pa.C.S. § 3201 et. seq.](#), known as the Abortion Control Act;

“Applicant” - a pregnant woman: (i) who is less than eighteen years of age and not emancipated or (ii) a person acting on behalf of a pregnant woman who has been adjudged an incapacitated person pursuant to Chapter 55 of Title 20 (relating to incapacitated persons);

“Application” - a legal paper, including a motion or petition;

“Court” - the Orphans' Court Division of the Court of Common Pleas, except in proceedings brought: (a) in Philadelphia in which the applicant is a minor in which case the term “court” means the Family Court Division; (b) in Allegheny County where said proceedings shall be heard in the Juvenile Court Section of the Family Court Division;

*Note:* See Rule of Judicial Administration 2157 governing distribution of business within courts of common pleas.

“Proceeding” - a proceeding pursuant to Section 3206(c) of the Act, [18 Pa.C.S. § 3206\(c\)](#).

*Note:* Section 3206(c) of the Abortion Control Act relates to proceedings seeking authorization for a physician to perform an abortion.

(b) The procedure set forth in Chapter 16 shall govern proceedings pursuant to Section 3206(c) of the Act, [18 Pa.C.S. § 3206\(c\)](#).



## Rule 16.1. Definitions; Scope, PA ST ORPHANS CT Rule 16.1

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*Note:* These rules implement Section 3206 of the Abortion Control Act and work with that section to provide a full procedure. Procedures which are set forth in that section rather than the rules include the following:

1. Participation in the proceeding and representation by an attorney, [Section 3206\(e\)](#). The court shall be responsible for adopting a procedure to assure that the court advises the pregnant woman of her right to counsel and that counsel is appointed upon her request;
2. Conduct of the hearing, including the exclusion of persons, evidence to be heard and notices to be given the applicant, [Section 3206\(f\)\(3\) and \(4\)](#) and [Section 3206\(h\)](#); and
3. Specific factual findings and legal conclusions by the court in writing, [Section 3206\(f\)\(1\)](#).

Section 3206 of the Act provides for an “expedited appeal.” See [Rule 3801 et seq. of the Rules of Appellate Procedure](#), which provide a complete procedure governing the appeal.

[Pa.R.A.P. 3804](#) requires that the court reporter, without charge to the applicant, transcribe the notes of testimony and deliver them to the clerk of the court by 5:00 o’clock p.m. of the business day following receipt of the notice of appeal to the Superior Court.

### Credits

Adopted Dec. 9, 1994, effective March 1, 1995. Amended Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 16.1, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 16.1  
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Pa.O.C.Rules, Rule 16.2

Rule 16.2. Confidentiality

[Currentness](#)

(a) The proceeding shall be confidential.

*Note:* See subparagraph (b) of this rule governing the sealing of the record. See [Rule 16.6](#) for provisions governing docketing. See Section 3206(f)(3) of the Act for the exclusion of persons from the hearing.

(b) The record, including the application, pleadings, submissions, transcripts, exhibits, orders, evidence, findings and conclusions and any other written material to be maintained, shall be sealed.

(c) The identity of the applicant shall not be disclosed in any decision of the proceeding.

#### **Credits**

Adopted Dec. 9, 1994, effective March 1, 1995. Amended Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 16.2, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 16.2  
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Pa.O.C.Rules, Rule 16.3

Rule 16.3. Precedence of Proceeding

[Currentness](#)

The proceeding shall be given such precedence over other pending matters as will ensure that the court renders a decision within three business days of the date of the filing of the application.

**Credits**

Adopted Dec. 9, 1994, effective March 1, 1995.

Pa.O.C. Rule 16.3, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 16.3

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Pa.O.C.Rules, Rule 16.4

Rule 16.4. Commencement; Venue; No Filing Fees

[Currentness](#)

(a) The proceeding shall be commenced by filing an application in the appropriate division of the court of common pleas of the county in which the applicant resides or in which the abortion is sought.

(b) No filing fees or court costs shall be required of the applicant.

#### **Credits**

Adopted Dec. 9, 1994, effective March 1, 1995. Amended Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 16.4, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 16.4  
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Pa.O.C.Rules, Rule 16.5

Rule 16.5. Application; Contents; Form of Verification; Assistance in Preparation

Currentness

(a) The application shall set forth the following:

(1) the initials of the applicant;

(2) the age of the applicant;

(3) the names and addresses of each parent, guardian or, if the petitioner is a minor whose parents are deceased and no guardian has been appointed, any other person standing *in loco parentis* to the applicant;

(4) a statement that the applicant has been fully informed of the risks and consequences of the abortion;

(5) a statement whether the applicant is of sound mind and has sufficient intellectual capacity to consent to the abortion;

(6) a prayer for relief asking the court to enter an order authorizing a physician to perform an abortion upon applicant;

(7) an unsworn verification by the applicant stating that the information therein is true and correct and that the applicant is aware that any false statements made in the application are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities; and

(8) the signature of the applicant, which may consist of the applicant's initials.

(b) Where necessary to serve the interest of justice, the court shall refer the applicant to the appropriate personnel for assistance in preparing the application.

**Credits**

Adopted Dec. 9, 1994, effective March 1, 1995. Amended Oct. 16, 2006, effective Nov. 15, 2006 ; Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 16.5, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 16.5  
Current with amendments received through December 1, 2016.

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<a href="#">Title 20 Pa.C.S.A. Decedents, Estates and Fiduciaries (Refs &amp; Annos)</a>
<a href="#">Chapter 7. Orphans' Court Divisions</a>
<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Chapter XVI. Proceedings Pursuant to Section 3206 of the Abortion Control Act (Refs &amp; Annos)</a>

Pa.O.C.Rules, Rule 16.6

Rule 16.6. Dockets; Document Maintenance

[Currentness](#)

- (a) Each court shall maintain a sealed docket which is not open to public inspection.
- (b) The proceeding shall be docketed by case number only.
- (c) The name or initials of the applicant shall not be entered on any docket which is subject to public inspection.
- (d) Documents pertaining to the proceeding shall be maintained in a closed file which shall be marked "confidential" and identified by the case number only.

**Credits**

Adopted Dec. 9, 1994, effective March 1, 1995. Amended Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 16.6, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 16.6  
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[Subchapter G. Procedure](#)

[Orphans' Court Rules \(Refs & Annos\)](#)

[Chapter XVI. Proceedings Pursuant to Section 3206 of the Abortion Control Act \(Refs & Annos\)](#)

Pa.O.C.Rules, R. 16.7

Rules 16.7 to 16.9. Reserved

[Currentness](#)

Pa.O.C. R. 16.7, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT R. 16.7

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[Subchapter G. Procedure](#)

[Orphans' Court Rules \(Refs & Annos\)](#)

[Chapter XVI. Proceedings Pursuant to Section 3206 of the Abortion Control Act \(Refs & Annos\)](#)

Pa.O.C.Rules, R. 16.8

Rules 16.7 to 16.9. Reserved

[Currentness](#)

Pa.O.C. R. 16.8, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT R. 16.8

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[Subchapter G. Procedure](#)

[Orphans' Court Rules \(Refs & Annos\)](#)

[Chapter XVI. Proceedings Pursuant to Section 3206 of the Abortion Control Act \(Refs & Annos\)](#)

Pa.O.C.Rules, R. 16.9

Rules 16.7 to 16.9. Reserved

[Currentness](#)

Pa.O.C. R. 16.9, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT R. 16.9

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<a href="#">Chapter 7. Orphans' Court Divisions</a>
<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Chapter XVI. Proceedings Pursuant to Section 3206 of the Abortion Control Act (Refs &amp; Annos)</a>

Pa.O.C.Rules, Rule 16.10

Rule 16.10. Form; Generally

[Currentness](#)

The form of application by a minor and form of separate unsworn verification shall be prepared and filed in substantial conformity with the forms approved by the Supreme Court.

*Note:* Additional averments will be required for an application filed on behalf of a person who has been adjudged an incapacitated person pursuant to Chapter 55 of Title 20 (relating to incapacitated persons).

### Credits

Adopted Dec. 9, 1994, effective March 1, 1995. Amended Oct. 16, 2006, effective Nov. 15, 2006; Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 16.10, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Rule 16.10  
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[Subchapter G. Procedure](#)

[Orphans' Court Rules \(Refs & Annos\)](#)

[Chapter XVI. Proceedings Pursuant to Section 3206 of the Abortion Control Act \(Refs & Annos\)](#)

Pa.O.C.Rules, R. 16.11

Rules 16.11, 16.12. Reserved

[Currentness](#)

Pa.O.C. R. 16.11, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT R. 16.11

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[Subchapter G. Procedure](#)

[Orphans' Court Rules \(Refs & Annos\)](#)

[Chapter XVI. Proceedings Pursuant to Section 3206 of the Abortion Control Act \(Refs & Annos\)](#)

Pa.O.C.Rules, R. 16.12

Rules 16.11, 16.12. Reserved

[Currentness](#)

Pa.O.C. R. 16.12, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT R. 16.12

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<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Audit and Administration Forms</a>

Pa.O.C.Rules, Form OC-01

Form OC-01. Decedent's Estate: Petition for Adjudication/Statement of Proposed Distribution Pursuant to Pa. O.C. Rule 2.4

[Currentness](#)

**DECEDENT'S ESTATE**

COURT OF COMMON PLEAS OF

ORPHANS' COURT DIVISION

ESTATE OF \_\_\_\_\_, DECEASED

NO. \_\_\_\_

**PETITION FOR ADJUDICATION/  
STATEMENT OF PROPOSED DISTRIBUTION  
PURSUANT TO [Pa. O.C. Rule 2.4](#)**

*This form shall be used in all cases involving the Audit or Confirmation of the Account of a Decedent's Estate. If space is insufficient, riders may be attached. Attach the papers required under items 1, 2, 4, 8, 10, 16-19, as applicable, and any instrument pertinent to the adjudication.*

***INCLUDE ATTACHMENTS AT THE BACK OF THIS FORM.***

Name of Counsel: .....

Supreme Court I.D. No. ....

Name of Law Firm: .....

Address: .....

.....

Telephone: .....

Fax: .....

Email: .....

Estate of \_\_\_\_\_, Deceased

1. Name(s) and address(es) of Petitioner(s):

Petitioner:

Petitioner:

*Name:* .....

*Address:* .....

.....

Identify any Executors or Administrators who have not joined in the Petition for Adjudication/Statement of

Proposed Distribution and/or the Account and state reason:

.....  
.....

Is this the first accounting for this estate? .....  Yes  No

If not, identify prior accountings, the accounting periods covered, and the dates of adjudication of the prior accountings.

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.....  
.....

Pursuant to 20 Pa.C.S. § 3501.2, if property from a trustee, guardian, or agent acting under a power of attorney is being received into the estate, an Account of the administration of such trust, guardianship, or principal's estate may be annexed to the Estate Account.

Is any such Account annexed to this Estate Account? .....  Yes  No

If so, the annexed Account and the appropriate fully completed Petition for Adjudication/ Statement of Proposed Distribution for the annexed matter should be filed as Exhibits to this Petition.



2. Decedent died on \_\_\_\_\_.

Letters Testamentary *or*  Letters of Administration were granted to Petitioner(s) on \_\_\_\_\_.

Date of Will (*if applicable*): .....

Date(s) of Codicil(s) (*if applicable*): .....

Date of probate (*if different from date Letters granted*): .....

Was a bond required?  Yes  No If yes, state amount: .....

Are proofs of advertising of the grant of Letters attached?.....  Yes  No

Dates of advertising of the grant of Letters:

.....

.....

3. Was decedent survived by a spouse?.....  Yes  No

If yes, name of the surviving spouse: .....

4. Has the surviving spouse filed to take an elective share? ..... Yes No N/A

(see 20 Pa.C.S. § 2201 et seq.)

If yes, attach a copy of the election and state date of election: .....

.....

5. In the case of an intestacy, state the names of the decedent's surviving children or surviving issue of deceased children (if none, so state):

.....  
.....  
.....  
.....  
.....  
.....  
.....

6. Did decedent marry after execution of Will or Codicil(s)? ..... Yes No N/A

Were any children born to decedent after execution of Will or Codicil(s)? ..... Yes No N/A

If yes, give names and dates of birth:

*Name:*

*Date of Birth:*

.....

.....

.....

.....

7. Was a request for a statement of claim, as required by the Medical Assistance Estate Recovery Act, 62 P.S. § 1412, sent to the Department of Human Services? ..... Yes No N/A

8. Written notice of the Account's filing as required by Pa. O.C. Rule 2.5 has been or will be given to all interested parties listed in item 9 below, all unpaid creditors and all claimants listed in item 10 below. In addition, notice of any questions requiring adjudication as discussed in item 15 below has been or will be given to all persons affected thereby. If one of the beneficiaries is a trust or another estate and any of the accountants is also a fiduciary of the receiving trust or estate, provide written notice of the Account's filing to the beneficiaries of the trust or receiving estate, as applicable, if known.

A. If Notice has been given, attach a copy of the Notice as well as a list of the names and addresses of the

parties receiving such Notice.

- B. If Notice is yet to be given, a copy of the Notice as well as a list of the names and addresses of the parties receiving such Notice shall be submitted at the Audit or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions together with a statement executed by a Petitioner or counsel certifying that such Notice has been given.
  
- C. If any such interested person is not *sui juris* (e.g., minors or incapacitated persons), Notice has been or will be given to the appropriate representative on such party's behalf as required by Pa. O.C. Rule 4.2.
  
- D. If any charitable interest is involved, Notice has been or will also be given to the Attorney General as required under Pa. O.C. Rule 4.4. In addition, the Attorney General's clearance certificate (or proof of service of Notice and a copy of such Notice) must be submitted herewith or at the Audit or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions.

9. List all parties (charitable and non-charitable) of whom Petitioner(s) has/have notice or knowledge, having or claiming any interest in the estate as beneficiaries under the Will (if beneficiary is a trust, name the trust and trustee as the Interested Party) or Codicil(s) or as intestate heirs if there is a complete or partial intestacy. This list shall:

A. State each party's relationship to the decedent and the nature of each party's interest(s):

<i>Name and Address of Each Interested Party</i>	<i>Relationship and Comments, if any</i>	<i>Interest</i>
<hr/>		
<hr/>		

B. Identify each party who is not *sui juris* (e.g., minors or incapacitated persons). For each such party, give date of birth, the name of each Guardian and how each Guardian was appointed. If no Guardian has been appointed, identify the next of kin of such party, giving the name, address and relationship of each.

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C. State why a Petition for Guardian/Trustee *Ad Litem* has or has not been tiled (see *Pa. O.C. Rule 5.5*).

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D. If distribution is to be made to the personal representative of a deceased party, state date of death, date and place of grant of Letters and type of Letters granted.

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10. Other than the claim for the family exemption, list the names of all known claimants and the amount of their claims and state whether each claim is admitted.

<i>Name and Address of Each Claimant</i>	<i>Amount of Claim</i>	<i>Claim Admitted?</i>	<i>Will Claim Be Paid In Full?</i>
		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
		<input type="checkbox"/> No	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
		<input type="checkbox"/> No	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
		<input type="checkbox"/> No	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
		<input type="checkbox"/> No	<input type="checkbox"/> No

If the estate is insolvent, attach a schedule setting forth the order of preference under 20 Pa.C.S. § 3392 and the proposed payments.

11. Was family exemption claimed? .....  Yes  No

Was family exemption allowed? .....  Yes  No

Family exemption claimant's name and relationship:

Name: ..... Relationship: .....

12. The amount of Pennsylvania Transfer Inheritance Tax paid, the date(s) of payment(s), and the interest(s) upon which paid, are as follows:

<i>Date</i>	<i>Payment</i>	<i>Interest</i>
.....	.....	.....
.....	.....	.....
.....	.....	.....

13. On the date of death, was the decedent a fiduciary (personal representative, trustee, guardian, agent under power of attorney) or surety on the bond of a fiduciary? .....  Yes  No



If yes, provide the name of the estate, indicate whether an Account has been filed and confirmed and all awards performed, or, in the alternative, how the decedent's estate will be discharged for the decedent's fiduciary administration of the estate.

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14. On the date of death, was the decedent a party (as a plaintiff or defendant) in any litigation? ..  Yes  No

If yes, provide the caption of the litigation, docket number, where the matter is currently pending, and its status.

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15. A. Describe in detail any questions requiring adjudication and state the position of the Petitioner(s) as to each question:

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B. Has notice of the question requiring adjudication been given to the parties identified in Paragraph 9 above? .....  Yes  No

16. If Petitioner(s) has/have knowledge that a share has been assigned, renounced, disclaimed or attached, provide a copy of the assignment, renunciation, disclaimer or attachment, together with any relevant supporting documentation.

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17. Had the decedent been adjudicated an incapacitated person? .....  Yes  No

If yes, attach a copy of the Order if available; otherwise state the Court, docket number, date, and name of Hearing Judge.

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18. A. List or attach a separate list of additional receipts and disbursements since the closing date of the Account.

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B. Has notice of the additional receipts and disbursements been given to the parties identified in Paragraph 9 above? .....  Yes  No

19. If a reserve is requested, state amount and purpose.

*Amount:* .....

*Purpose:* .....

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If a reserve is requested for counsel fees, has notice of the amount of fees to be paid from the reserve been given to the interested parties? .....  Yes  No

If so, attach a copy of the notice.

20. If prescribed by local rule as permitted by Pa. O.C. Rule 2.9, is the Court being asked to direct the filing of a Schedule of Distribution? .....  Yes  No

As to real estate only? .....  Yes  No

Wherefore, your Petitioner(s) ask(s) that distribution be awarded to the parties entitled and suggest(s) that the distributive

shares of income and principal (residuary shares being stated in proportions, not amounts) are as follows:

A. Income:

*Proposed Distributee(s)*

*Amount/Proportion*

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B. Principal:

*Proposed Distributee(s)*

*Amount/Proportion*

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Submitted By:

*(All petitioners **must** sign. Place additional signatures on attachment if necessary):*

Corporate Fiduciary (if applicable)

.....

Name of Corporate Fiduciary

Name of Petitioner

.....

Name of Representative and Title

Signature of Petitioner

.....

Signature of Officer/Representative

Name of Petitioner

.....

Signature of Petitioner

(Verification must be by **at least one** petitioner.)

**Verification for Individual Petitioner**

The undersigned hereby verifies that the averment of facts set forth in the foregoing Petition for Adjudication/Statement of Proposed Distribution which are within the personal knowledge of the Petitioner are true, and as to facts based on the information of others, the Petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of [18 Pa.C.S. § 4904](#) (relating to unsworn falsification to authorities).

.....  
Date

Signature of Petitioner

**Verification for Corporate Petitioner**

The undersigned hereby verifies that *he/she* \_\_\_\_\_ is *title* \_\_\_\_\_ of the above-named *name of corporation* \_\_\_\_\_ and that the averment of facts set forth in the foregoing Petition for Adjudication/Statement of Proposed Distribution which are within the personal knowledge of the Petitioner are true, and as to facts based on the information of others, the Petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

.....

Date

Signature of Representative for Corporate Petitioner

**Certification of Counsel**

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication/Statement of Proposed Distribution is a true and accurate reproduction of the form Petition authorized by the Supreme Court, and that no changes to the form have been made beyond the responses herein.

.....

Date

Signature of Counsel for Petitioner

*Form OC-01 eff. 09.01.16*



<a href="#">Purdon's Pennsylvania Statutes and Consolidated Statutes</a>
<a href="#">Title 20 Pa.C.S.A. Decedents, Estates and Fiduciaries (Refs &amp; Annos)</a>
<a href="#">Chapter 7. Orphans' Court Divisions</a>
<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Audit and Administration Forms</a>

Pa.O.C.Rules, Form OC-02

Form OC-02. Trust: Petition for Adjudication/Statement of Proposed Distribution Pursuant to Pa. O.C. Rule 2.4

Currentness

**TRUST**

COURT OF COMMON PLEAS OF

ORPHANS' COURT DIVISION

NAME OF TRUST

*(TRUST UNDER WILL OF* .....

*or*

*TRUST UNDER DEED OF* .....

DATED \_\_\_\_\_ )

No. \_\_\_\_\_

**PETITION FOR ADJUDICATION/  
STATEMENT OF PROPOSED DISTRIBUTION  
PURSUANT TO Pa. O.C. RULE 2.4**

*This form shall be used in all cases involving the Audit or Confirmation of Trust Accounts. If space is insufficient, riders may be attached. Attach the papers required under items 2, 4, 15-19, as applicable, and any instrument pertinent to the adjudication.*

**INCLUDE ATTACHMENTS AT THE BACK OF THIS FORM.**

Name of Counsel: .....

Supreme Court I.D. No.: .....

Name of Law Firm: .....

Address: .....

.....

Telephone: .....

Fax: .....

Email: .....

Name of Trust: .....

1. Name(s) and address(es) of Petitioner(s):

Petitioner:

Petitioner:

Name: .....

Address: .....

.....

Identify any Trustees who have not joined in the Petition for Adjudication/Statement of Proposed Distribution and/or the Account and state reason:

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2. Pursuant to 20 Pa.C.S. § 7799.1, if property from a personal representative or a trustee of another trust is being received by this Trust, an Account of the administration of such estate or trust may be annexed to the Trust Account. Is any such Account annexed to this Trust Account? .....  Yes  No

If so, the annexed Account and the appropriate fully completed Petition for Adjudication/Statement of Proposed Distribution for the annexed matter should be filed as Exhibits to this Petition.

3. Check if any of the following issues are involved in this case:

- A. Appointment of Trustee.....
- B. Interpretation.....
- C. Discharge of Trustee.....
- D. Transfer of Situs.....
- E. Appointment of *Ad Litem* .....
- F. Minor, Unborn or Unascertained Beneficiary(ies).....
- G. Principal Distribution.....
- H. Partial/Full Termination of Trust .....
- I. Missing Beneficiary(ies) .....
- J. *Cy Pres* .....
- K. Other Issues .....

List:

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*Please note:*

**A detailed explanation of issues checked should be set forth at item 15 below.**

4. **Testamentary Trust:**

Decedent's date of death: .....

Date of Decedent's Will: .....

Date(s) of Codicil(s): .....

Date of probate: .....

Judicial District or County where Letters were issued: .....

*or*

**Inter Vivos Trust:**

Date of Trust: .....

Date(s) of Amendment(s): .....

If Settlor is deceased and letters were not issued or the personal representative did not advertise the estate, state dates when the Trustee advertised Settlor's death and attach proofs of advertising:

.....  
.....

Is this inter vivos trust a Special Needs Trust established under 42 U.S.C. § 1396p(d)(4)?.....  Yes  No

5. Explain why venue is proper before this Court (*see 20 Pa.C.S. § 7714*), and why the Trust's situs is located in this judicial district or county (*see 20 Pa.C.S. § 7708*).

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6. A. If any other Court has taken jurisdiction of any matter relating to this Trust, explain:

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B. Is this the first accounting of this Trust? .....  Yes  No

C. If not, identify prior accountings, the accounting periods covered, and the dates of adjudication of the prior accountings.

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7. A. State how each Trustee was appointed:

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B. If a Petitioner is not a Trustee (e.g., executor or administrator of deceased trustee, agent or guardian of an incapacitated trustee), explain:

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8. State how and when the present fund was awarded to Trustee(s):



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9. Period covered by this Account: \_\_\_\_\_ to .....

10. Current fair market value of the Trust principal is \$ \_\_\_\_\_ (*see page \_\_\_\_\_ of Account.*)

11. State concisely the dispositive provisions of the Trust:

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12. Explain the reason for filing this Account (if filed because of the death of a party, state name of person, relationship to Trust and date of death):

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13. A. State the amount of Pennsylvania Transfer Inheritance Tax paid (including postponed tax on remainder interests), the dates of payment and the interests upon which such amounts were paid:

<i>Date</i>	<i>Payment</i>	<i>Interest</i>
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B. If any such taxes remain unpaid or are in dispute, explain:

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14. Describe any questions requiring adjudication and state the position of Petitioner(s) as to each question and give details of any issues identified in item 3:

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15. Written notice of the Account’s filing as required by Pa. O.C. Rule 2.5 has been or will be given to all interested parties listed in item 16 below. If any person is being asked to represent the interests of another interested party (whether *sui juris* or not), the person asked to serve as a representative has been so notified and given an opportunity to decline pursuant to 20 Pa.C.S. § 7725. In addition, notice of any questions requiring adjudication as discussed in item 14 above has been or will be given to all persons affected thereby. If one of the beneficiaries is a trust or estate

and any of the accountants is also a fiduciary of the receiving trust or estate, provide written notice of the Account's filing to the beneficiaries of the receiving trust or estate, as applicable, if known.

- A. If Notice has been given, attach a copy of the Notice as well as a list of the names and addresses of the parties receiving such notice. Unless contained in the attached Notice, attach a copy of the written notice provided to any person who is being asked to represent another or attach such person's consent to serve,
  
  - B. If Notice is yet to be given, a copy of the Notice as well as a list of the names and addresses of the parties receiving such Notice shall be submitted at the Audit or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions together with a statement executed by Petitioner(s) or counsel certifying that such Notice has been given. Unless contained in the Notice or previously attached, a copy of the written notice provided to any person who is being asked to represent another or such person's consent to serve shall be submitted at the Audit or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions.
  
  - C. If any such interested party is not *sui juris* (e.g., minors or incapacitated persons), Notice has been or will be given to the appropriate representative on such party's behalf as required by Pa. O.C. Rule 4.2.
  
  - D. If any charitable interest is involved, Notice has been or will also be given to the Attorney General as required under Pa. O.C. Rule 4.4. In addition, the Attorney General's clearance certificate (or proof of service of Notice and a copy of such Notice) must be submitted herewith or at the Audit or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions.
  
  - E. If the Account before the Court is a Special Needs Trust established under 42 U.S.C. § 1396p(d)(4), Notice has been or will also be given to the Pennsylvania Department of Human Services, Special Needs Trust Depository and to the applicable department of any other state that has provided the special needs beneficiary with medical care under a state medical assistance program ("Department"). In addition, the Department's letter of no objection (or proof of service of Notice and a copy of such Notice) must be submitted herewith or at the Audit or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions.
16. List all parties of whom Petitioner(s) has/have notice or knowledge, having or claiming any interest in the Trust (if beneficiary is a trust, name the trust and trustee as the Interested Party), whether such interest is vested or contingent, charitable or non-charitable. This list shall:

A. State each party's relationship to the Settlor/Decedent and the nature of each party's interest(s);

<i>Name and Address of Each Interested Party</i>	<i>Relationship and Comments, if any</i>	<i>Interest</i>
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B. If any interested party (whether *sui juris* or not) is not receiving Notice of the filing of the Account and the Petition for Adjudication/Statement of Proposed Distribution because another individual is proposed to represent such interested party pursuant to 20 Pa.C.S. §§ 7721-7726, provide the information below for each proposed representative. If there is more than one proposed representative, attach a rider setting forth the information below for each additional proposed representative:

(i) Name of Proposed Representative: .....

Describe Proposed Representative's Interest(s) in Trust:

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.....  
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.....

Name of the interested parties or description of the class of interested parties whom the person named above is to represent and describe such persons' interest in Trust:

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.....

(ii) Has any person who is proposed to be represented as identified in the question above notified a Trustee in writing that he or she objects to such representation?.....  Yes  No

If yes, provide Name(s) of Person(s) objecting to being represented:

.....  
.....  
.....  
.....

(iii) Specify the subparagraph(s) under 20 Pa. C.S. § 7723 authorizing representation: .....

(iv) Is there any conflict of interest?.....  Yes  No

If yes, explain conflict and why representation should be permitted:

.....  
.....  
.....  
.....

(v) Has Proposed Representative provided written consent?.....  Yes  No

If no, has Proposed Representative declined in writing to act in the representative capacity as requested?.....  Yes  No

If Proposed Representative has neither consented to act in writing nor declined in writing to act, provide date of the letter in which Proposed Representative was notified that he or she is to represent another person or class of interested parties: .....

- C. Identify each party who is not *sui juris* (e.g., minors or incapacitated persons). For each such party, give date of birth, the name of each Guardian and how each Guardian was appointed. If no Guardian has been appointed, identify the next of kin of such party, giving the name, address and relationship of each.

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- D. State why a Petition for Guardian/Trustee *Ad Litem* has or has not been filed (*see Pa. O.C. Rule 5.5*).

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- E. If distribution is to be made to the personal representative of a deceased party, state date of death, date and place of grant of Letters and type of Letters granted.

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- 17. If Petitioner(s) has/have knowledge that a Trust share has been assigned, renounced, disclaimed or attached, provide a copy of the assignment, renunciation, disclaimer or attachment, together with any relevant supporting documentation.

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18. If a Trustee's principal commission is claimed:

A. If based on a written agreement, attach a copy thereof.

B. If a principal commission is claimed, state amount. \$ .....

C. If a principal commission is claimed, state the amounts and dates of any principal commissions previously paid in prior accounting periods.

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19. If a reserve is requested, state amount and purpose.

*Amount:* .....

*Purpose:* .....

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If a reserve is requested for counsel fees, has notice of the amount of fees to be paid from the reserve been given to the interested parties? .....  Yes  No

If so, attach a copy of the notice.

20. If prescribed by local rule as permitted by Pa. O.C. Rule 2.9, is the Court being asked to direct the filing of a Schedule of Distribution? .....  Yes  No

Wherefore, your Petitioner(s) ask(s) that distribution be awarded to the parties entitled and suggest(s) that the distributive shares of income and principal (residuary shares being stated in proportions, not amounts) are as follows:

A. Income:

*Proposed Distributee(s)*

*Amount/Proportion*

.....

.....

.....

B. Principal:

*Proposed Distributee(s)*

*Amount/Proportion*

.....

.....

.....

Submitted By:

*(All petitioners **must** sign. Place additional signatures on attachment if necessary):*

Corporate Fiduciary (if applicable)

.....  
Name of Corporate Fiduciary

Name of Petitioner

.....  
Name of Representative and Title

Signature of Petitioner

.....  
Signature of Officer/Representative

Name of Petitioner

.....  
Signature of Petitioner

(Verification must be by **at least one** petitioner.)

**Verification for Individual Petitioner**

The undersigned hereby verifies that the averment of facts set forth in the foregoing Petition for Adjudication/Statement of Proposed Distribution which are within the personal knowledge of the Petitioner are true, and as to facts based on the information of others, the Petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of [18 Pa.C.S. § 4904](#) (relating to unsworn falsification to authorities).

Date

Signature of Petitioner

**Verification for Corporate Petitioner**

The undersigned hereby verifies that *he/she* \_\_\_\_\_ is *title* \_\_\_\_\_ of the above-named *name of corporation* \_\_\_\_\_ and that the averment of facts set forth in the foregoing Petition for Adjudication/Statement of Proposed Distribution which are within the personal knowledge of the Petitioner are true, and as to facts based on the information of others, the Petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

.....  
Date

Signature of Representative for Corporate Petitioner

**Certification of Counsel**

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication/Statement of Proposed Distribution is a true and accurate reproduction of the form Petition authorized by the Supreme Court, and that no changes to the form have been made beyond the responses herein.

.....  
Date

Signature of Counsel for Petitioner

*Form OC-02 eff. 09.01.16*

<a href="#">Purdon's Pennsylvania Statutes and Consolidated Statutes</a>
<a href="#">Title 20 Pa.C.S.A. Decedents, Estates and Fiduciaries (Refs &amp; Annos)</a>
<a href="#">Chapter 7. Orphans' Court Divisions</a>
<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Audit and Administration Forms</a>

Pa.O.C.Rules, Form OC-03

Form OC-03. Guardianship of Incapacitated Person: Petition for Adjudication/Statement of Proposed Distribution Pursuant to Pa. O.C. Rule 2.4

Currentness

**GUARDIANSHIP OF INCAPACITATED PERSON**

COURT OF COMMON PLEAS OF

ORPHANS' COURT DIVISION

ESTATE OF \_\_\_\_\_, AN INCAPACITATED PERSON

ACCOUNT OF \_\_\_\_\_, GUARDIAN

No. \_\_\_\_

**PETITION FOR ADJUDICATION/  
STATEMENT OF PROPOSED DISTRIBUTION  
PURSUANT TO Pa. O.C. RULE 2.4**

*This form shall be used in all cases involving the Audit or Confirmation of the Account of a Guardian of the Estate of an incapacitated person. If space is insufficient, riders may be attached. Attach the papers required under items 2, 3, and 5, as applicable, and any additional decree or instrument pertinent to the adjudication.*

**INCLUDE ATTACHMENTS AT THE BACK OF THIS FORM.**

Name of Counsel: .....

Supreme Court I.D. No.: .....

Name of Law Firm: .....

Address: .....

.....

Telephone: .....

Fax: .....

Email: .....

Estate of \_\_\_\_\_, An Incapacitated Person

1. Name(s) and address(es) of Petitioner(s):

Petitioner:

Petitioner:

*Name:* .....

*Address:* .....

.....

Identify any Guardians of the Estate who have not joined in the Petition for Adjudication/ Statement of Proposed Distribution and/or the Account and state reason:



.....  
.....  
.....

2. Judicial District or County issuing Adjudication of Incapacity:

Date of Adjudication of Incapacity: .....

Date of Appointment as Guardian: .....

Attach copy(ies) of Decree(s).

3. A. Explain the reason for filing this Account (if incapacitated person has died, state date of death, name and address of personal representative and of his or her counsel and attach a Short Certificate if available. If incapacitated person has been adjudged to have regained capacity, state date of Decree and attach a copy. If Account is filed for any other reason, state address of incapacitated person):

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.....  
.....  
.....

B. Is this the first accounting for this estate? .....  Yes  No

If not, identify prior accountings, the accounting periods covered, and the dates of adjudication of the prior accountings.

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4. A. Identify each unpaid claim against the incapacitated person or the incapacitated person's estate and describe each in detail (*if none, so state*):

.....  
.....  
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.....

B. Describe in detail any questions requiring adjudication and state the position of the Petitioner(s) as to each question:

.....  
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.....

.....

C. If guardian or attorney fees are being claimed, state amount and the period covered for the requested fees:

.....

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5. Written Notice of the Account's filing as required by Pa. O.C Rule 2.5 has been or will be given to all interested parties listed in item 6 below. In addition, notice of any known unpaid claim not admitted, all questions requiring adjudication and any requested fees as discussed in item 4 above has been or will be given to all persons affected thereby.

A. If Notice has been given, attach a copy of the Notice as well as a list of the names and addresses of the parties receiving such Notice.

B. If Notice is yet to be given, a copy of the Notice as well as a list of the names and addresses of the parties receiving such Notice shall be submitted at the Audit or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions together with a statement executed by a Petitioner or counsel certifying that such Notice has been given.

C. If any such interested party is not *sui juris* (e.g., minors or incapacitated persons), Notice of the Account's filing has been or will be given to the appropriate representative on such party's behalf as required by Pa. O.C. Rule 4.2.

6. List all parties of whom Petitioner(s) has/have notice or knowledge, having or claiming any interest in the estate, including the incapacitated person's heirs at law. This list shall:

A. State each party's relationship to the incapacitated person and the nature of each party's interest(s):

<i>Name and Address of Each Interested Party</i>	<i>Relationship and Comments, if any</i>	<i>Interest</i>
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B. Identify each party who is not *sui juris* (e.g., minors or incapacitated persons). For each such party, give date of birth, the name of each Guardian and how each Guardian was appointed. If no Guardian has been appointed, identify the next of kin of such party, giving the name, address and relationship of each.

.....  
.....  
.....

C. State why a Petition for Guardian/Trustee *Ad Litem* has or has not been filed (*see Pa. O.C. Rule 5.5*).

.....  
.....  
.....  
.....

7. If prescribed by local rule as permitted by Pa. O.C. Rule 2.9, is the Court being asked to direct the filing of a Schedule of Distribution? .....  Yes  No

Wherefore, your Petitioner(s) ask(s) that distribution be awarded to the parties entitled and suggest(s) that the distributive shares of income and principal (residuary shares being stated in proportions, not amounts) are as follows:

A. Income:

*Proposed Distributee(s)*

*Amount/Proportion*

.....

.....

.....

B. Principal:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
.....	
.....	
.....	

Submitted By:

*(All petitioners must sign. Place additional signatures on attachment if necessary):*

Corporate Fiduciary (if applicable)

.....  
Name of Corporate Fiduciary

Name of Petitioner

.....  
Name of Representative and Title

Signature of Petitioner

.....  
Signature of Officer/Representative

Name of Petitioner

.....  
Signature of Petitioner

Verification must be by **at least one** petitioner.)

**Verification for Individual Petitioner**

The undersigned hereby verifies that the averment of facts set forth in the foregoing Petition for Adjudication/Statement of Proposed Distribution which are within the personal knowledge of the Petitioner are true, and as to facts based on the information of others, the Petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of [18 Pa.C.S. § 4904](#) (relating to unsworn falsification to authorities).

.....  
Date

Signature of Petitioner

**Verification for Corporate Petitioner**

The undersigned hereby verifies that *he/she* \_\_\_\_\_ is *title* \_\_\_\_\_ of the above-named *name of corporation* \_\_\_\_\_ and that the averment of facts set forth in the foregoing Petition for Adjudication/Statement of Proposed Distribution which are within the personal knowledge of the Petitioner are true, and as to facts based on the information of others, the Petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

.....

Date

Signature of Representative for Corporate Petitioner

**Certification of Counsel**

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication/ Statement of Proposed Distribution is a true and accurate reproduction of the form Petition authorized by the Supreme Court, and that no changes to the form have been made beyond the responses herein.

.....

Date

Signature of Counsel for Petitioner

*Form OC-03 eff. 09.01.16*



<a href="#">Purdon's Pennsylvania Statutes and Consolidated Statutes</a>
<a href="#">Title 20 Pa.C.S.A. Decedents, Estates and Fiduciaries (Refs &amp; Annos)</a>
<a href="#">Chapter 7. Orphans' Court Divisions</a>
<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Audit and Administration Forms</a>

Pa.O.C.Rules, Form OC-04

Form OC-04. Guardianship of Minor: Petition for Adjudication/Statement of Proposed Distribution Pursuant to Pa. O.C. Rule 2.4

Currentness

**GUARDIANSHIP OF MINOR**

COURT OF COMMON PLEAS OF

ORPHANS' COURT DIVISION

ESTATE OF \_\_\_\_\_, A MINOR

ACCOUNT OF \_\_\_\_\_, GUARDIAN

No. \_\_\_\_

**PETITION FOR ADJUDICATION/  
STATEMENT OF PROPOSED DISTRIBUTION  
PURSUANT TO Pa. O.C. RULE 2.4**

*This form shall be used in all cases involving the Audit or Confirmation of the Account of a Guardian of the Estate of a minor or late minor. If space is insufficient, riders may be attached. Attach the papers required under items 2 and 5, as applicable, and any instrument pertinent to the adjudication.*

**INCLUDE ATTACHMENTS AT THE BACK OF THIS FORM.**

Name of Counsel: .....

Supreme Court I.D. No.: .....

Name of Law Firm: .....

Address: .....

.....

Telephone: .....

Fax: .....

Email: .....

Estate of \_\_\_\_\_, A Minor

1. Name(s) and address(es) of Petitioner(s):

Petitioner:

Petitioner:

*Name:* .....

*Address:* .....

.....

Identify any Guardian of the Estate who have not joined in the Petition for Adjudication/Statement of Proposed Distribution and/or the Account and state reason:

.....

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.....

2. Judicial District or County Appointing Guardian: .....

Date of Appointment as Guardian: .....

Attach copy(ies) of Decree(s).

3. A. Explain the reason for filing this Account (if minor has come of age, state date minor attained majority).

.....

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.....

.....

B. Is this the first accounting for this estate? .....  Yes  No

If not, identify prior accountings, the accounting periods covered, and the dates of adjudication of the prior accountings.

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4. A. Identify each unpaid claim against the minor or the minor's estate and describe in detail (*if none, so state*):

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.....  
.....

B. Describe in detail any questions requiring adjudication and state the position of the Petitioner(s) as to each question:

.....  
.....  
.....

.....

C. If guardian or attorney fees are being claimed, state amount and the period covered for the requested fees:

.....

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.....

.....

5. Written Notice of the Account's filing as required by Pa. O.C. Rule 2.5 has been or will be given to all interested parties listed in item 6 below. In addition, notice of any unpaid claim not admitted, all questions requiring adjudication, and any requested fees as discussed in item 4 above has been or will be given to all persons affected thereby.

A. If Notice has been given, attach a copy of the Notice as well as a list of the names and addresses of the parties receiving such Notice.

B. If Notice is yet to be given, a copy of the Notice as well as a list of the names and addresses of the parties receiving such Notice shall be submitted at the Auditor filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions together with a statement executed by a Petitioner or counsel certifying that such Notice has been given.

C. If any such interested party is not *sui juris* (e.g., minors or incapacitated persons), Notice of the Account's filing has been or will be given to the appropriate representative on such party's behalf as required by Pa. O.C. Rule 4.2.

6. List all parties of whom Petitioner(s) has/have notice or knowledge, having or claiming any interest in the estate, including the minor's heirs at law. This list shall:

A. State each party's relationship to the minor and the nature of each party's interest(s):

<i>Name and Address of Each Interested Party</i>	<i>Relationship and Comments, if any</i>	<i>Interest</i>
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B. Identify each party who is not *sui juris* (e.g., minors or incapacitated persons). For each such party, give date of birth, the name of each Guardian and how each Guardian was appointed. If no Guardian has been appointed, identify the next of kin of such party, giving the name, address and relationship of each.

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C. State why a Petition for Guardian/Trustee *Ad Litem* has or has not been filed (*see Pa. O.C. Rule 5.5*).

.....  
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.....  
.....

7. If prescribed by local rule as permitted by Pa. O.C. Rule 2.9, is the Court being asked to direct the filing of a Schedule of Distribution? .....  Yes  No

Wherefore, your Petitioner(s) ask(s) that distribution be awarded to the parties entitled and suggest(s) that the distributive shares of income and principal (residuary shares being stated in proportions, not amounts) are as follows:

A. Income:

*Proposed Distributee(s)*

*Amount/Proportion*

.....

.....

.....

B. Principal:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
.....	.....
.....	.....
.....	.....

Submitted By:

*(All petitioners must sign. Place additional signatures on attachment if necessary):*

Corporate Fiduciary (if applicable)



.....  
Name of Corporate Fiduciary

Name of Petitioner

.....  
Name of Representative and Title

Signature of Petitioner

.....  
Signature of Officer/Representative

Name of Petitioner

.....  
Signature of Petitioner

(Verification must be by **at least one** petitioner.)

**Verification for Individual Petitioner**

The undersigned hereby verifies that the averment of facts set forth in the foregoing Petition for Adjudication/Statement of Proposed Distribution which are within the personal knowledge of the Petitioner are true, and as to facts based on the information of others, the Petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of [18 Pa.C.S. § 4904](#) (relating to unsworn falsification to authorities).

.....  
Date

Signature of Petitioner

**Verification for Corporate Petitioner**

The undersigned hereby verifies that *he/she* \_\_\_\_\_ is *title* \_\_\_\_\_ of the above-named *name of corporation* \_\_\_\_\_ and that the averment of facts set forth in the foregoing Petition for Adjudication/Statement of Proposed Distribution which are within the personal knowledge of the Petitioner are true, and as to facts based on the information of others, the Petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

.....

Date

Signature of Representative for Corporate Petitioner

**Certification of Counsel**

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication/ Statement of Proposed Distribution is a true and accurate reproduction of the form Petition authorized by the Supreme Court, and that no changes to the form have been made beyond the responses herein.

.....

Date

Signature of Counsel for Petitioner

*Form OC-04 eff. 09.01.16*

<a href="#">Purdon's Pennsylvania Statutes and Consolidated Statutes</a>
<a href="#">Title 20 Pa.C.S.A. Decedents, Estates and Fiduciaries (Refs &amp; Annos)</a>
<a href="#">Chapter 7. Orphans' Court Divisions</a>
<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Audit and Administration Forms</a>

Pa.O.C.Rules, Form OC-05

Form OC-05. Principal's Estate (Under Power of Attorney); Petition for Adjudication/Statement of Proposed Distribution Pursuant to Pa. O.C. Rule 2.4

[Currentness](#)

**PRINCIPAL'S ESTATE**

**(Under Power of Attorney)**

COURT OF COMMON PLEAS OF

ORPHANS' COURT DIVISION

ESTATE OF \_\_\_\_\_, PRINCIPAL

ACCOUNT OF \_\_\_\_\_, AGENT(S) \*

No. \_\_\_\_

**PETITION FOR ADJUDICATION/  
STATEMENT OF PROPOSED DISTRIBUTION  
PURSUANT TO PA. O.C. RULE 2.4**

*This form shall be used in all cases involving the Audit or Confirmation of the Account of one or more Agents acting under a Power of Attorney. If space is insufficient, riders may be attached. Attach the papers required under items 3, 4 and 9, as applicable, and any instrument pertinent to the adjudication.*

**INCLUDE ATTACHMENTS AT THE BACK OF THIS FORM.**

Name of Counsel: .....

Supreme Court I.D. No.: .....

Name of Law Firm: .....

Address: .....

.....

Telephone: .....

Fax: .....

Email: .....

*\* The term "Agent" shall include any person designated as an "attorney-in-fact" or acting in a similar capacity by the Principal's delegation.*

Estate of \_\_\_\_\_, Principal

1. Name(s) and address(es) of Petitioner(s):

Petitioner:

Petitioner:

Name: .....

Address: .....

.....

Name(s) and address(es) of Agent(s) (if not Petitioner(s)):

Agent:

Agent:

*Name:* .....

*Address:* .....

.....

Identify any Agents who have not joined in the Petition for Adjudication/Statement of Proposed Distribution and/or the Account and state reason:

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2. Name and address of Principal (and, if applicable, of any Guardian appointed for Principal, of each personal representative for any Principal or Agent who has died, and of his or her counsel, identifying the capacity of each):

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Judicial District or County where Principal resides, or if Principal is deceased, where Letters were issued: .....

3. A. Date of Principal's Power of Attorney under which Agent(s) acted:

.....

- B. Date Agent(s) first exercised control of Principal's assets under Power of Attorney:

.....

(Attach copy of each different Power of Attorney granted to Agent(s) by Principal and copy of any Decree involving Agent(s) for Principal).

4. A. Explain the reason for filing this Account (if Principal or Agent has died, state date of death, and attach a Short Certificate; if Principal has been adjudicated incapacitated, state date of Decree, and attach a copy):

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B. Is this the first accounting for this Principal's estate? .....  Yes  No

If not, identify prior accountings, the accounting periods covered, and the dates of adjudication of the prior accountings.

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5. Describe all gifts/transfers for less than full and adequate consideration made under the Power of Attorney. Identify each recipient's name, address, and relationship to Principal and/or Agent, amount of each gift/transfer, nature of

each (cash or kind), and date made, with any additional explanation deemed appropriate (*if none, so state*):

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6. Identify every asset or interest (include title or registration and value) of Principal known to Petitioner(s) and not identified in Account, whether or not in possession or control of Petitioner(s) (*if none known, so state*):

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7. Identify each existing safe deposit box of or for Principal and each one closed by Agent(s) (if not applicable, so state):

<i>Institution &amp; Address</i>	<i>Box No.</i>	<i>Title or Registration</i>	<i>Date Closed (if applicable)</i>
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Are the entire contents of each safe deposit box identified in item 7 above included in the filed Account? .....  Yes  No

If not, explain;

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8. A. Identify each known unpaid claim against Principal or Principal's estate and describe each in detail (*if none, so state*):

.....  
.....  
.....  
.....

B. Describe in detail any questions requiring adjudication and state the position of the Petitioner(s) as to each question:

.....  
.....  
.....  
.....

C. If fees are being claimed by the Agent or an attorney, state amount and the period covered for the requested fees:

.....

.....  
.....  
.....

9. Written Notice of the Account's filing as required by Pa. O.C. Rule 2.5 has been or will be given to each interested party in the matter. In addition, notice of any known unpaid claim not admitted, all questions requiring adjudication, and any requested fees as described in item 8 above has been or will be given to all parties affected thereby.
  - A. If Notice has been given, attach a copy of the Notice as well as a list of the names and addresses of the parties receiving such Notice.
  - B. If Notice is yet to be given, a copy of the Notice as well as a list of the names and addresses of the parties receiving such Notice shall be submitted at the Audit or filed before the date of the last day for filing objections in counties without separate Orphans' Court Divisions together with a statement executed by a Petitioner or counsel certifying that such Notice has been given.
  - C. If any such interested party is not *sui juris* (e.g., minors or incapacitated persons), Notice of the Account's filing has been or will be given to the appropriate representative on such party's behalf as required by Pa. O.C. Rule 4.2.
  
10. List all parties of whom Petitioner(s) has/have notice or knowledge, having or claiming any interest in the Principal's estate. This list shall:
  - A. State each party's relationship to the Principal and the nature of each party's interest(s):

<i>Name and Address of Each Interested Party</i>	<i>Relationship and Comments, if any</i>	<i>Interest</i>
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B. Identify each party who is not *sui juris* (e.g., minors or incapacitated persons). For each such party, give date of birth, the name of each Guardian and how each Guardian was appointed. If no Guardian has been appointed, identify the next of kin of such party, giving the name, address and relationship of each.

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C. State why a Petition for Guardian/Trustee *Ad Litem* has or has not been filed (*see Pa. O.C. Rule 5.5*).

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.....

11. If prescribed by local rule as permitted by Pa. O.C. Rule 2.9, is the Court being asked to direct the filing of a Schedule of Distribution? .....  Yes  No

Wherefore, your Petitioner(s) ask(s) that distribution be awarded to the parties entitled and suggest(s) that the distributive shares of income and principal (residuary shares being stated in proportions, not amounts) are as follows:

A. Income:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
--------------------------------	--------------------------

.....

.....

.....

B. Principal:

*Proposed Distributee(s)*

*Amount/Proportion*

.....

.....

.....

Submitted By:

*(All petitioners must sign. Place additional signatures on attachment if necessary):*

Corporate Fiduciary (if applicable)

.....

Name of Corporate Fiduciary

Name of Petitioner

.....

Name of Representative and Title

Signature of Petitioner

.....

Signature of Officer/Representative

Name of Petitioner

.....

Signature of Petitioner

(Verification must be by **at least one** petitioner.)

**Verification for Individual Petitioner**

The undersigned hereby verifies that the averment of facts set forth in the foregoing Petition for Adjudication/Statement of Proposed Distribution which are within the personal knowledge of the Petitioner are true, and as to facts based on the information of others, the Petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of [18 Pa.C.S. § 4904](#) (relating to unsworn falsification to authorities).

.....

Date

Signature of Petitioner

**Verification for Corporate Petitioner**

The undersigned hereby verifies that *he/she* \_\_\_\_\_ is *title* \_\_\_\_\_ of the above-named *name of corporation* \_\_\_\_\_ and that the averment of facts set forth in the foregoing Petition for Adjudication/Statement of Proposed Distribution which are within the personal knowledge of the Petitioner are true, and as to facts based on the information of others, the Petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of [18 Pa.C.S. § 4904](#) (relating to unsworn falsification to authorities).

.....

Date

Signature of Representative for Corporate Petitioner

**Certification of Counsel**

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication/Statement of Proposed Distribution is a true and accurate reproduction of the form Petition authorized by the Supreme Court, and that no changes to the form have been made beyond the responses herein.

.....

Date

Signature of Counsel for Petitioner

*Form OC-05 eff. 09.01.16*

Pa.O.C. Form OC-05, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form OC-05  
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<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Audit and Administration Forms</a>

Pa.O.C.Rules, Form OC-06

Form OC-06. Notice of Charitable Gift (In Accordance with Pa. O.C. Rule 4.4)

[Currentness](#)

**NOTICE OF CHARITABLE GIFT**

(In Accordance with [Pa. O.C. Rule 4.4](#))

COURT OF COMMON PLEAS OF

ORPHANS' COURT DIVISION

ESTATE OF \_\_\_\_\_,  SETTLOR  DECEASED

No. \_\_\_\_

Chief, Charitable Trusts and Organizations Section

Office of the Attorney General

Dear Sir or Madam:

Notice is given of a charitable gift as follows:

1. The nature of the present proceeding is an Account:  
 Yes  No If no, please proceed to Question 2.

(a) The Account is filed in a court with a separate Orphans' Court Division and has been or will be listed for Audit on \_\_\_\_\_, in \_\_\_\_\_

*(State name of Courthouse and town/city.)*

The time and place of the Audit is Court Room \_\_\_\_\_ at \_\_\_\_\_ o'clock.

If not provided herein, the time and location will be provided upon request when that information becomes available.

(b) The Account is filed in a court without a separate Orphans' Court Division, and the last day for filing written objections is \_\_\_\_\_, at \_\_\_\_\_ o'clock.

Any objection shall be filed with \_\_\_\_\_

*(State name of Courthouse and town/city.)*

on or before the date and time above.

(c) The Account concerns an estate or trust in which a charity has an interest or is a potential distributee.  
 Yes  No

If NO, the Account concerns an estate or trust in which all or part of the balance of assets remaining on hand will be distributed to:

an estate in which a charity has an interest; or

a trust in which a charity is named as a qualified beneficiary as defined in 20 Pa.C.S. § 7703.

\* If more space is required, attach additional sheets.

Estate of \_\_\_\_\_,  SETTLOR  DECEASED

- 2. If the proceedings are other than an Account, state the nature of the proceedings and the place, date and time fixed for hearing:

.....

.....

.....

.....

- 3. Charitable gifts are made as follows:

- (a) Give full names and addresses of charities, and the names and addresses of counsel for any charity who has received notice or has appeared for it:

.....

.....

.....

.....

.....

.....

- (b) If pecuniary legacies, state exact amounts and indicate whether legacies will be or have been paid in full; if not, give reasons therefor.

.....

.....

.....

.....

.....

.....

- (c) If the charitable interest is a future interest and the estimated present value of the charity's future interest exceeds \$25,000, a brief description thereof including the conditions precedent to its vesting in enjoyment and possession, the names and ages of persons known to have interests preceding such charitable interest, and the approximate market value of the property involved.

.....

.....

.....

.....

.....

.....

(d) If residuary gift, state nature and value of share.

.....

.....

.....

.....

.....

.....

4. Provide a brief statement of all pertinent questions to be presented to the Court for adjudication or other disposition, including unresolved claims and any material questions of interpretation or distribution which may affect the value of the charitable interest.

.....

.....

.....

.....

.....

.....

5. The names and addresses of the fiduciaries are (state whether Executors and/or Trustees):

.....

.....

.....

.....

.....

.....

6. The names and addresses of counsel for the fiduciaries:

.....

.....

.....

.....

.....

.....

7. (a) A copy of the instrument creating the gift is attached hereto.

(b) If the gift is other than a pecuniary legacy which will be paid in full, there is attached hereto:

- (1) A copy of the Account, if one has been filed
- (2) A copy of any other relevant documents

Very truly yours,

.....  
Date

.....  
Signature

.....  
Name of Counsel

.....  
Supreme Court I.D. No.

.....  
Name of Law Firm

.....  
Address

Telephone

.....

Email

*Form OC-06 eff. 09.01.16*

Pa.O.C. Form OC-06, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form OC-06  
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<a href="#">Appendix of Forms</a>
<a href="#">Audit and Administration Forms</a>

Pa.O.C.Rules, Form OC-07  
Form OC-07. Notice of Claim

[Currentness](#)

**NOTICE OF CLAIM**  
**(Filed Pursuant to 20 Pa.C.S. § 3532)**

**COURT OF COMMON PLEAS OF**  
**\_\_\_\_\_ COUNTY, PENNSYLVANIA**  
**ORPHANS' COURT DIVISION**

**ESTATE OF \_\_\_\_\_, DECEASED**  
**No. \_\_\_\_**

To the Clerk of the Orphans' Court Division:

Enter the claim of ..... in the

*(Claimant)*

amount of \$ \_\_\_\_\_, against the above entitled Estate.

The Decedent, who resided at .....

(Street Address)

\_\_\_\_\_, died on ..... Written Notice of

(Date of Death)

said claim was given to .....

(Personal Representative or his/her counsel)

at .....

(Address)

on .....

(Date)

.....

(Claimant)

.....

(Street Address)

.....

(City, State, Zip)

.....

*(Claimant's Counsel)*

*(Supreme Court I.D. No.)*

.....

*(Address)*

.....

.....

*(Telephone)*

Pa.O.C. Form OC-07, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form OC-07  
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[Chapter 7. Orphans' Court Divisions](#)

[Subchapter G. Procedure](#)

[Orphans' Court Rules](#)

[Appendix of Forms](#)

[Guardianship Forms](#)

Pa.O.C.Rules, T. 20 Pa.C.S.A., Ch. 7, Subch. G, Refs & Annos

[Currentness](#)

Pa.O.C. T. 20 Pa.C.S.A., Ch. 7, Subch. G, Refs & Annos, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT T. 20 Pa.C.S.A.,  
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<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Guardianship Forms (Refs &amp; Annos)</a>

Pa.O.C.Rules, Form G-01

Form G-01. Important Notice--Citation with Notice (Pa. O.C. Rule 14.5)

[Currentness](#)

**IMPORTANT NOTICE  
CITATION WITH NOTICE**

**COURT OF COMMON PLEAS OF  
\_\_\_\_\_ COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION**

To \_\_\_\_\_:

**IMPORTANT NOTICE  
CITATION WITH NOTICE**

A Petition has been filed with this Court to have you declared an Incapacitated Person. If the Court finds you to be an Incapacitated Person, your rights will be affected, including your right to manage money and property and to make decisions. A copy of the Petition which has been filed by \_\_\_\_\_ is attached.

You are hereby ordered to appear at a hearing to be held in Courtroom No. \_\_\_\_, \_\_\_\_\_, Pennsylvania on \_\_\_\_\_, 2\_\_\_\_ at \_\_\_\_\_m. to tell the Court why it should not find you to be an Incapacitated Person and appoint a Guardian to act on your behalf.

To be an Incapacitated Person means that you are not able to receive and effectively evaluate information and communicate decisions and that you are unable to manage your money and/or other property, or to make necessary decisions about where you will live, what medical care you will get, or how your money will be spent.

At the hearing, you have the right to appear, to be represented by an attorney, and to request a jury trial. If you do not have an attorney, you have the right to request the Court to appoint an attorney to represent you and to have the attorney's fees paid for you if you cannot afford to pay them yourself. You also have the right to request that the Court order that an

independent evaluation be conducted as to your alleged incapacity.

If the Court decides that you are an Incapacitated Person, the Court may appoint a Guardian for you, based on the nature of any condition or disability and your capacity to make and communicate decisions. The Guardian will be of your person and/or your money and other property that will have either limited or full powers to act for you.

To \_\_\_\_\_:

If the Court finds you are totally incapacitated, your legal rights will be affected and you will not be able to make a contract or gift of your money or other property. If the Court finds that you are partially incapacitated, your legal rights will also be limited as directed by the Court.

If you do not appear at the hearing (either in person or by an attorney representing you) the Court will still hold the hearing in your absence and may appoint the Guardian requested.

By: .....

Clerk, Orphans' Court

Pa.O.C. Form G-01, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form G-01  
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<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
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<a href="#">Guardianship Forms (Refs &amp; Annos)</a>

Pa.O.C.Rules, Form G-02

Form G-02. Annual Report--Guardian of Estate

Currentness

**ANNUAL REPORT OF  
GUARDIAN OF THE ESTATE**

**COURT OF COMMON PLEAS OF  
\_\_\_\_\_ COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION**

**Estate of \_\_\_\_\_, an Incapacitated Person  
No. \_\_\_\_**

**I. INTRODUCTION**

\_\_\_\_\_, was appointed  Plenary  Limited Guardian of the Estate by Decree of \_\_\_\_\_, J., dated \_\_\_\_\_.

A. This is the **Annual Report** for the period from \_\_\_\_\_, \_\_\_\_\_ to \_\_\_\_\_, \_\_\_\_\_ (the "Report Period"); *or*

B. This is the **Final Report** for the period from \_\_\_\_\_, \_\_\_\_\_ to \_\_\_\_\_, \_\_\_\_\_ (the "Report Period"), and is filed for the following reason:

1. The death of the Incapacitated Person. Date of death: \_\_\_\_\_. Name of Personal Representative: .....
  
2. The Guardianship was terminated by the Court by Decree of \_\_\_\_\_ J., dated .....

**II. SUMMARY**

- A. State the value of the estate reported on the Inventory .....\$
- B. State the value(s) of principal assets at the beginning of the Report Period. (Same as Inventory if first Report, otherwise, ending balance from last Report.) .....\$
- C. What is the total amount of income earned during the Report Period? .....\$
- D. What is the total amount of income and principal spent for all purposes during the Report Period? .....\$
- E. What are the balances remaining at the end of the Report Period?
1. Principal \$.....
  2. Income \$.....
  3. Total of Principal and Income \$.....



**III. ADDITIONAL INFORMATION** *(If more space is needed, please attach additional pages.)*

**A. Principal**

1. How is the principal balance listed above currently invested? (Please specify, *e.g.*, real estate, certificates of deposit, restricted bank accounts, etc.):

.....

.....

.....

.....

.....

2. Have there been any expenditures from the principal during the Report Period? .....  Yes  No

If yes:

- a. Have all expenditures from the principal been for the sole benefit of the Incapacitated Person? .....  Yes  No

- b. List purpose and amount of expenditures:

..... \$

..... \$

..... \$

..... \$

- c. Was Court approval received prior to expending the principal? .....  Yes  No

3. Were additional principal assets received during the Report Period which were not included in the Inventory or a prior Report filed for the Estate? .....  Yes  No

If yes:

a. Was Court approval requested prior to receiving the additional principal? .....  Yes  No

b. State the sources and amounts of the additional principal received:

..... \$

..... \$

..... \$

..... \$

..... \$

**B. Income**

1. State sources and amounts of income received during the Report Period (e.g., Social Security, pension, rents, etc.):

..... \$

..... \$

..... \$

..... \$

..... \$

..... \$

Total income received during Report Period: ..... \$

2. How is income currently invested? (Please specify, e.g., restricted bank accounts, client care account, etc.):

.....

.....

.....

.....

.....

.....

**C. Expenses for Care and Maintenance.** Specify what expenditures were made from the principal and income for the care and maintenance of the Incapacitated Person (*e.g.*, clothing, nursing home, medicine, support, etc.):

.....

.....

.....

.....

.....

.....

**D. Other Expenditures.** Specify what other expenditures were made during the Report Period. (Do not include any items stated in response to question C above.)

.....

.....

.....

**E. Guardian's Commissions.**

List amounts of compensation paid as Guardian's commission and state how amount was determined:

<i>Amount</i>	<i>Method of Determination</i>	<i>Court Approval Obtained</i>
.....	.....	<input type="checkbox"/> Yes <input type="checkbox"/> No
.....	.....	<input type="checkbox"/> Yes <input type="checkbox"/> No

**F. Counsel Fee.** List amounts paid as counsel fee, and indicate whether Court approval was obtained.

<i>Amount</i>	<i>Court</i>
.....	
.....	

I verify that the foregoing information is correct to the best of my knowledge, information and belief; and that this Verification is subject to the penalties of 18 Pa.C.S. § 4904 relative to unsworn falsification to authorities.

.....

*Date*

*Signature of Guardian of the Estate*

.....

*Name of Guardian of the Estate (type or print)*

.....

*Address*

.....

*City, State, Zip*

.....

*Telephone*

Pa.O.C. Form G-02, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form G-02  
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<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
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<a href="#">Guardianship Forms (Refs &amp; Annos)</a>

Pa.O.C.Rules, Form G-03

Form G-03. Annual Report--Guardian of Person

Currentness

**ANNUAL REPORT OF  
GUARDIAN OF THE PERSON**

**COURT OF COMMON PLEAS OF  
\_\_\_\_\_ COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION**

**Estate of \_\_\_\_\_, an Incapacitated Person  
No. \_\_\_\_**

**I. INTRODUCTION**

\_\_\_\_\_, was appointed  Plenary  Limited Guardian of the Person by Decree of \_\_\_\_\_, J., dated \_\_\_\_\_.

- A. This is the **Annual Report** for the period from \_\_\_\_\_, \_\_\_\_\_ to \_\_\_\_\_, \_\_\_\_\_ (the "Report Period"); *or*
- B. This is the **Final Report** for the period from \_\_\_\_\_, \_\_\_\_\_ to \_\_\_\_\_, \_\_\_\_\_ (the "Report Period"), and is filed for the following reason:

1. The death of the Incapacitated Person. Date of death: .....
2. The Guardianship was terminated by the Court by Decree of \_\_\_\_\_ J., dated \_\_\_\_\_.

*For a Final Report, omit Sections II through IV.*

**II. PERSONAL DATA**

Age of the Incapacitated Person: .....Date of Birth: .....

**III. LIVING ARRANGEMENTS**

A. Current address of the Incapacitated Person:

.....  
.....

B. The Incapacitated Person's residence is:

- own home/apartment
- nursing home
- boarding home/personal care home

- Guardian's home/apartment
- hospital or medical facility
- relative's home (name, relationship and address)

.....

.....

other:

.....

.....

C. The Incapacitated Person has been in the present residence since \_\_\_\_\_. If the Incapacitated Person has moved within the past year, state prior residence and reason(s) for move: .....

.....

.....

D. Name and address of the Incapacitated Person's primary caregiver:

.....

.....

.....

**IV. MEDICAL INFORMATION**



A. The major medical or mental problems of the Incapacitated Person are as follows:

.....

.....

.....

B. Specify what, if any, social, medical, psychological and support services the Incapacitated Person is receiving:

.....

.....

.....

**V. GUARDIAN'S OPINION**

A. It is the opinion of the Guardian of the Person that the guardianship should:

- continue
- be modified
- be terminated

The reasons for the foregoing opinion are: .....

.....

.....

B. During the past year, the Guardian of the Person has visited the Incapacitated Person \_\_\_ times with the average visit lasting \_\_\_ hours, \_\_\_ minutes.

*The report of a social service organization employed by the Guardian to oversee and coordinate the care of the Incapacitated Person for the period covered by this Report may be attached to supplement this Report.*

I verify that the foregoing information is correct to the best of my knowledge, information and belief; and that this Verification is subject to the penalties of 18 Pa.C.S. § 4904 relative to unsworn falsification to authorities.

.....  
*Date*

*Signature of Guardian of the Person*

.....  
*Name of Guardian of the Person (type or print)*

.....  
*Address*

.....  
*City, State, Zip*

.....

*Telephone*

Pa.O.C. Form G-03, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form G-03  
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<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Guardianship Forms (Refs &amp; Annos)</a>

Pa.O.C.Rules, Form G-04  
Form G-04. Guardian's Inventory

Currentness

**GUARDIAN'S INVENTORY**

**COURT OF COMMON PLEAS OF  
\_\_\_\_\_ COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION**

) an Incapacitated Person

Estate of , ..... )

) a Minor

No. \_\_\_\_

**1. Real Estate: (Location, by whom occupied and rental terms, if applicable) Estimated Value:**

.....

.....

.....

.....

.....

.....

*Sub-Total for Real Estate:* .....

**2. Personal Property:**

**Estimated Value:**

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

**3. Jointly Held Property:**

**Estimated Value:**

*(Set forth real and personal property owned by the Incapacitated Person JOINTLY with any other person(s). State whether held as tenants by the entireties; if not, whether the right of survivorship exists.)*

***Jointly Held Property***

.....

.....

.....

.....

.....

.....

**4. Anticipated Assets:**

**Estimated Value:**

*(Set forth property of any kind expected to be acquired hereafter, together with anticipated date of acquisition.)*

*Property*

*Anticipated Date*

*of Acquisition*

.....

.....

.....

***Sub-Total for Personal Estate:*** .....

*(Attach additional sheets if necessary)*

**TOTAL OF ITEMS 1, 2, 3, and 4:** .....

Commonwealth of Pennsylvania

ss.

County of .....

\_\_\_\_\_, says that the foregoing is a full, true and complete

*Guardian*

Inventory of the Estate of \_\_\_\_\_, the aforesaid Incapacitated Person or Minor; and that all of the information set forth herein is true and correct to the best of the Guardian's knowledge and belief.

I verify that the statements made in this )  
Inventory are true and correct. I under- )  
stand that false statements herein are )  
made subject to the penalties of ) .....  
18 Pa.C.S. § 4904 relating to unsworn ) Guardian  
falsification to authorities. )

Attorney for Guardian: .....

Supreme Court I.D. No.: .....

Address: .....

.....

Telephone: .....

Pa.O.C. Form G-04, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form G-04  
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<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Abortion Control Act Forms</a>

Pa.O.C.Rules, Form ACA-01

Form ACA-01. Minor's Application for Judicial Authorization of an Abortion (Pa. O.C. Rule 16.10)

Currentness

**MINOR'S APPLICATION FOR JUDICIAL AUTHORIZATION OF AN ABORTION**

**COURT OF COMMON PLEAS OF \_\_\_\_\_ COUNTY, PENNSYLVANIA (JUVENILE COURT SECTION OF THE FAMILY DIVISION),**  
 **ORPHANS' OR**  **FAMILY COURT DIVISION**

IN RE: Matter of \_\_\_\_\_, A Minor | Application No. \_\_\_\_\_

(Initials)

| of 2 \_\_\_\_\_

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

Applicant, a minor, whose initials are \_\_\_\_\_, respectfully states:

1. Applicant is a pregnant woman, who (choose one):

is a resident of this county; or

seeks an abortion within this county.

2. Applicant's date of birth is \_\_\_\_\_, \_\_\_\_.

3. Applicant is approximately \_\_\_\_\_ weeks pregnant.

4. The name and address of each parent or guardian or person standing in *loco parentis* are contained in Applicant's *separate unsworn* verification.

Yes  No

5. Applicant desires to terminate her pregnancy and has consulted with the physician who is to perform the abortion, or with a referring physician, for that purpose on (*date*) \_\_\_\_\_ at \_\_\_\_ o' clock a.m. / p.m. Applicant has been fully informed of the risks and consequences of the abortion.

Yes  No

6. Applicant consents to the abortion procedure.

Yes  No

7. Applicant is of sound mind and has sufficient intellectual capacity to consent to an abortion.

Yes  No

8. Applicant is mature and capable of giving informed consent to the proposed abortion.

**OR**

Yes  No

The performance of an abortion upon the applicant would be in the applicant's best interests.

9. Applicant is executing an unsworn verification with respect to statements of fact in this application. The unsworn verification is set forth in a document separate from this application but incorporated herein by reference. Applicant is aware that any false statements made in this application are punishable by law.

Wherefore, Applicant prays this Honorable Court to enter an Order authorizing a physician to perform an abortion upon Applicant.

Respectfully submitted,

.....  
Applicant's Signature

*(Initials may be used as signature)*

Pa.O.C. Form ACA-01, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form ACA-01  
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<a href="#">Chapter 7. Orphans' Court Divisions</a>
<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Abortion Control Act Forms</a>

Pa.O.C.Rules, Form ACA-02

Form ACA-02. Confidential Unsworn Verification by a Minor (Pa. O.C. Rule 16.10)

Currentness

**CONFIDENTIAL VERIFICATION**

**COURT OF COMMON PLEAS OF**  
 \_\_\_\_\_ **COUNTY, PENNSYLVANIA**  
**(JUVENILE COURT SECTION OF**  
**THE FAMILY DIVISION)**  
 **ORPHANS' OR**  **FAMILY COURT DIVISION**

IN RE: Matter of ..... , A Minor | Application No. ....

(Initials)

of 2 .....

- I, \_\_\_\_\_ (initials only), am the applicant in a separate application for an abortion under Section 3206 of the Abortion Control Act, 18 Pa.C.S. § 3206.
- The name and address of each of my parents, guardian or person standing in *loco parentis is as follows (please print):*

Father: Name .....

Street .....

City, State, Zip .....

Mother:

Name .....

Street .....

City, State, Zip .....

Guardian:

Name .....

Street .....

City, State, Zip .....

3. I verify that the statements made in the separate application and in this unsworn verification are true and correct to the best of my personal knowledge or information and belief.

I understand that false statements herein are made subject to penalties of Section 4904 of the Crimes Code, 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

.....

Applicant's Signature

*(Initials may be used as signature)*

.....

Applicant's Date of Birth

.....

Date

Pa.O.C. Form ACA-02, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form ACA-02  
Current with amendments received through December 1, 2016.

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<a href="#">Chapter 7. Orphans' Court Divisions</a>
<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Register of Wills Forms</a>

Pa.O.C.Rules, Form RW-01  
Form RW-01. Estate Information Sheet

[Currentness](#)

*(Not adopted by Supreme Court; form promulgated by Department of Revenue and maintained with Register of Wills forms for convenience)*

---

REV-346 EX (8-92)

**FOR REGISTER'S OFFICE USE ONLY**

---

PA DEPARTMENT OF REVENUE

**County  
Code**

**Year**

**File  
Number**

**ESTATE INFORMATION SHEET**

---

**DECEDENT INFORMATION:** Enter data as it will appear on all documents submitted to the department.

---

Name (Last)

(First)

(Middle)

---

Decedent's Social Security Number

Date of Death

Date of Birth

---

**TYPE FILING:** Enter check  mark to indicate the nature of the return to be filed with the department.

---

Probate  
Return

Joint Assets  
Only

Estate Tax  
Only

Litigation Purposes (No Other  
Assets)

---

**LETTERS GRANTED:** Enter check  mark to indicate the nature of the proceedings at the Register of Wills Office.

(Attach additional sheets if explanation is necessary.)

Testamentary

Administration

No Letters

Other (Please Explain)

---



**ATTORNEY/CORRESPONDENT** Enter all data concerning the attorney or other individual to receive all tax information and correspondence.  
:

Name (Last) (First) (Middle) Supreme Court I.D. No.

---

Street Address

---

City State Zip Code Telephone Number

---

**PERSONAL REPRESENTATIVE INFORMATION:** Enter all data concerning the personal representative(s) of the estate authorized by the Register of Wills

**Executor/Administrator**

---

Name (Last) (First) (Middle) Social Security Number

---

Street Address

---

City State Zip Code Telephone Number

---

**Co-Executor/Administrator**

Name (Last)                      (First)                      (Middle)                      Social Security Number

---

Street Address

---

City                      State                      Zip Code                      Telephone Number

---

**Co-Executor/Administrator**

Name (Last)                      (First)                      (Middle)                      Social Security Number

---

Street Address

---

City                      State                      Zip Code                      Telephone Number

---

---

Prepared By

Date

RW-01

Pa.O.C. Form RW-01, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form RW-01  
Current with amendments received through December 1, 2016.

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<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Register of Wills Forms</a>

Pa.O.C.Rules, Form RW-02  
Form RW-02. Petition for Grant of Letters

Currentness

**PETITION FOR GRANT OF LETTERS**

REGISTER OF WILLS OF  
\_\_\_\_\_ COUNTY, PENNSYLVANIA

Petitioner(s) named below, who is/are 18 years of age or older, apply(ies) for Letters as specified below, and in support thereof aver(s) the following and respectfully request(s) the grant of Letters in the appropriate form:

**Decedent's Information**

**Name:** ..... **File No:** .....

a/k/a: ..... **(Assigned by Register)**

a/k/a: .....

a/k/a: ..... **Social Security No:** .....

**Date of Death:** ..... **Age at death:** .....

**Decedent was domiciled** at death in \_\_\_\_\_ County, \_\_\_\_\_ (State) with his/her last

principal residence at .....

**Street address, Post Office and Zip Code      City, Township or Borough      County**

Decedent died at .....

**Street address, Post Office and Zip Code      City, Township or Borough      County      State**

Estimate of value of decedent's property at death:

*If domiciled in Pennsylvania* ..... All personal property \$ .....

*If not domiciled in Pennsylvania* ..... Personal property in Pennsylvania \$ .....

*If not domiciled in Pennsylvania* ..... Personal property in County \$ .....

*Value of real estate in Pennsylvania* ..... \$ .....

**TOTAL ESTIMATED VALUE** ..... \$ .....

Real estate in Pennsylvania situated at: .....

(Attach additional sheets, if necessary.)

**Street address, Post Office and Zip Code      City, Township or Borough      County**

**A. Petition for Probate and Grant of Letters Testamentary**

Petitioner(s) aver(s) he/she/they is/are the Executor(s) named in the last Will of the Decedent, dated \_\_\_\_\_ and Codicil(s)

thereto dated .....

.....

**State relevant circumstances (e.g. renunciation, death of executor, etc.)**

Except as follows: after the execution of the instrument(s) offered for probate Decedent did not marry, was not divorced, was not a party to a pending divorce proceeding wherein the grounds for divorce had been established as defined in 23 Pa. C.S. § 3323(g), and did not have a child born or adopted; and Decedent was neither the victim of a killing nor ever adjudicated an incapacitated person.

**NO EXCEPTIONS**                       **EXCEPTIONS** .....

**B. Petition for Grant of Letters of Administration** (If applicable) .....

*c.t.a., d.b.n., d.b.n.c.t.a., pendente lite, durante absentia, durante minoritate*

**If Administration, *c.t.a. or d.b.n.c.t.a.*, enter date of Will in Section A above and complete list of heirs.**

Except as follows: Decedent was not a party to a pending divorce proceeding wherein the grounds for divorce had been established as defined in 23 Pa. C.S. § 3323(g) and was neither the victim of a killing nor ever adjudicated an incapacitated person.

**NO EXCEPTIONS**                       **EXCEPTIONS** .....

Petitioner(s), after a proper search has/have ascertained that Decedent left no Will and was survived by the following spouse (if any) and heirs (*attach additional sheets, if necessary*):

---

Name	Relationship	Address

---

**Oath of Personal Representative**

Official Use Only

COMMONWEALTH OF PENNSYLVANIA

}

}

S  
S  
:

COUNTY OF ..... }

\_\_\_\_\_

---

Petitioner(s) Printed Name

Petitioner(s) Printed Address

---

---

---

---

---

---

---

---

The Petitioner(s) above-named swear(s) or affirm(s) the statements in the foregoing Petition are true and correct to the best of the knowledge and belief of Petitioner(s) and that, as Personal Representative(s) of the Decedent, the Petitioner(s) will well and truly administer the estate according to law.

Sworn to or affirmed and subscribed before \_\_\_\_\_ Date .....

me this \_\_\_ day of \_\_\_\_\_, \_\_\_ \_\_\_\_\_ Date .....

By: ..... \_\_\_\_\_ Date .....

*For the Register* \_\_\_\_\_ Date .....



BOND Required:  YES  NO

To the Register of Wills:

FEES:

Please enter my appearance by my signature below:

Letters .....	\$ .....	Attorney Signature:	.....
( ) Short Certificate(s).....	.....		
( ) Renunciation(s).....	.....		
( ) Codicil(s).....	.....		.....
( ) Affidavit(s) .....	.....		
Bond.....	.....	Printed Name:	.....
Commission.....	.....	Supreme Court	
Other _____	.....	ID Number:	.....
_____	.....		.....
_____	.....	Firm Name:	.....
_____	.....	Address:	.....
_____	.....		.....
_____	.....		.....
_____	.....	Phone:	.....
Automation Fee .....	.....	Fax:	.....
JCS Fee.....	.....	Email:	.....
<b>TOTAL</b> .....	\$ .....		

---

**DECREE OF THE REGISTER**

Estate of .....File No: .....

a/k/a: .....

**AND NOW**, \_\_\_\_\_, \_\_\_\_\_, in consideration of the foregoing Petition, satisfactory proof having been presented before me, **IT IS DECREED** that Letters are hereby granted to \_\_\_\_\_ in the above estate and (if applicable) that the instrument(s) dated described in the Petition be admitted to probate and filed of record as the last Will (and Codicil(s)) of Decedent. ....

.....

Register of Wills

*Form RW-02 rev. 10/11/2011*

Pa.O.C. Form RW-02, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form RW-02  
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<a href="#">Subchapter G. Procedure</a>
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<a href="#">Register of Wills Forms</a>

Pa.O.C.Rules, Form RW-03

Form RW-03. Oath of Subscribing Witness(es)

Currentness

**OATH OF SUBSCRIBING WITNESS(ES)**

**REGISTER OF WILLS**

\_\_\_\_\_ COUNTY, PENNSYLVANIA

\_\_\_\_\_  
**Estate of \_\_\_\_\_, Deceased**

..... (each) a subscribing witness to

*(Print Name/s)*

the  Will  Codicil(s) presented herewith, (each) being duly qualified according to law, depose(s) and say(s) that she / he / they was / were present and saw the above Testator / Testatrix sign the same and that she / he / they signed the same and that she / he / they signed as a witness at the request of the Testator / Testatrix in her / his presence and in the presence of each other.

.....  
*(Signature)*

*(Signature)*

.....  
(Street Address)

(Street Address)

.....  
(City, State, Zip)

(City, State, Zip)

***Executed in Register's Office***

***Executed out of Register's Office***

Sworn to or affirmed and

Sworn to or affirmed and

subscribed before me this

subscribed before me this \_\_\_\_

\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

day of \_\_\_\_\_, \_\_\_\_.

.....  
Deputy for Register of Wills

Notary Public

My Commission Expires:

(Signature and Seal of Notary or other official qualified to administer oaths. Show date of expiration of Notary's Commission.)

NOTE: To be taken by Officer authorized to administer oaths. Please have present the original or copy of instrument(s) at time of notarization.

Pa.O.C. Form RW-03, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form RW-03  
Current with amendments received through December 1, 2016.

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<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Register of Wills Forms</a>

Pa.O.C.Rules, Form RW-04

Form RW-04. Oath of Non-Subscribing Witness(es)

[Currentness](#)

**OATH OF NON-SUBSCRIBING WITNESS(ES)**

**REGISTER OF WILLS**

\_\_\_\_\_ COUNTY, PENNSYLVANIA

\_\_\_\_\_  
**Estate of \_\_\_\_\_, Deceased**

\_\_\_\_\_ and \_\_\_\_\_, (each) being duly qualified according to law, depose(s) and say(s) that she / he / they was / were well-acquainted with \_\_\_\_\_ and am/are familiar with the handwriting and signature of the decedent, and that the signature of \_\_\_\_\_ to the foregoing instrument purporting to be the Last Will and Testament/Codicil of \_\_\_\_\_ is in his/her own proper handwriting.

.....  
*(Signature)*

*(Signature)*

.....  
*(Street Address)*

*(Street Address)*

.....

(City, State, Zip)

(City, State, Zip)

***Executed in Register's Office***

Sworn to or affirmed and subscribed

before me this \_\_\_\_\_ day

of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_

Deputy for Register of Wills

Pa.O.C. Form RW-04, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form RW-04  
Current with amendments received through December 1, 2016.

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<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
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Pa.O.C.Rules, Form RW-05

Form RW-05. Oath of Witness(es) to Will Executed by Mark

Currentness

**OATH OF WITNESS(ES) TO WILL EXECUTED BY MARK**

**REGISTER OF WILLS**

\_\_\_\_\_ COUNTY, PENNSYLVANIA

\_\_\_\_\_ **Estate of \_\_\_\_\_, Deceased**

..... (each) a

*(Print Name/s)*

subscribing witness to the  Will  Codicil(s) presented herewith, (each) being duly qualified according to law, depose(s) and say(s) that: Testator/Testatrix was unable to sign his/her name thereto; Testator's/Testatrix' name was subscribed thereto in Testator's/ Testatrix' presence; Testator/Testatrix made his/her mark thereon; Testator/Testatrix and deponent(s) were present when Testator's/Testatrix' name was subscribed and when Testator/Testatrix made his/her mark; and Testator/Testatrix was present when the undersigned signed the  Will  Codicil as witness(es).

.....  
*(Signature)*

.....  
*(Signature)*



.....  
*(Street Address)*

*(Street Address)*

.....  
*(City, State, Zip)*

*(City, State, Zip)*

Sworn to or affirmed and subscribed

before me this \_\_\_\_\_ day

of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Deputy for Register of Wills

Pa.O.C. Form RW-05, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form RW-05  
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<a href="#">Subchapter G. Procedure</a>
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<a href="#">Appendix of Forms</a>
<a href="#">Register of Wills Forms</a>

Pa.O.C.Rules, Form RW-06

Form RW-06. Renunciation

[Currentness](#)

**RENUNCIATION**

REGISTER OF WILLS

Estate of \_\_\_\_\_, Deceased

The undersigned, \_\_\_\_\_ in the

*(Name or Corporate Name)*

capacity/relationship as \_\_\_\_\_ of the above Decedent, hereby renounces the right to administer the Estate of the Decedent and, to the extent permitted by law pursuant to 20 Pa.C.S. § 3155, respectfully requests that Letters be issued to .....

\_\_\_\_\_

*(Date)*

Name or Corporate Fiduciary (if applicable)

.....

Signature of Officer/Representative

Signature of Person

.....

Title of Officer/Representative

Address

.....

Address

.....

Telephone

.....

Telephone

Email

.....

Email

*Executed in Register's Office*

*Executed out of Register's Office*

Sworn to or affirmed and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

Before the undersigned personally appeared the party  
executing this Renunciation and certified that he or she  
executed the Renunciation for the purposes stated within on  
this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

.....

Deputy for Register of Wills

Notary Public

My Commission Expires:

(Signature and Seal of Notary or other official qualified to  
administer oaths. Show date of expiration of Notary's  
Commission.)

*Form RW-06 eff. 09.01.16*

Pa.O.C. Form RW-06, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form RW-06  
Current with amendments received through December 1, 2016.

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<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Register of Wills Forms</a>

Pa.O.C.Rules, Form RW-07

Form RW-07. Notice of Estate Administration Pursuant to Pa. O.C. Rule 10.5

Currentness

**IMPORTANT NOTICE**  
**NOTICE OF ESTATE ADMINISTRATION**  
**PURSUANT TO [Pa. O.C. Rule 10.5](#)**

THIS NOTICE DOES NOT MEAN THAT YOU WILL RECEIVE ANY  
MONEY OR PROPERTY FROM THIS ESTATE OR OTHERWISE

*Whether you will receive any money or property will be determined wholly or partly by the decedent's will. If the decedent died without a will, whether you will receive any money or property will be determined by the intestacy laws of Pennsylvania.*

BEFORE THE REGISTER OF WILLS,

IN RE: ESTATE OF \_\_\_\_\_, Deceased

File Number \_\_\_\_\_

TO: ..... (Beneficiary)

..... (Address)

Please take notice of the death of the Decedent and the grant of Letters to the personal representative(s) named below, The Decedent died on \_\_\_\_\_, a resident of

The Decedent died: .....  testate (with a Will) or  intestate (without a Will).

You may have a beneficial interest in the estate as follows;

.....  
.....

(If additional space is needed, use separate sheet)

The name(s), address(es) and telephone number(s) of all personal representatives appointed are:

NAME	ADDRESS	TELEPHONE
.....	.....	.....
.....	.....	.....

If the Decedent died testate, the Will has been filed with the Office of the Register of Wills of

If the Decedent died intestate, a Petition for the Grant of Letters of Administration was filed with the Office of the Register of Wills of

The Register's address is , .....

and telephone number is .....

A copy of the Will or Petition may be obtained by contacting the Register of Wills and paying the charges for duplication.

Date \_\_\_\_\_

Capacity:  Personal Representative

Counsel

Corporate Fiduciary (if applicable)

.....

.....

Name of Corporate Fiduciary

Name of Person

.....

.....

Name of Representative and Title

Address

.....

.....

Address

.....

.....

Telephone

.....

.....

Telephone

Email

.....

.....

Email

Signature of Person

.....

Signature of Officer/Representative

*Form RW-07 eff. 09.01.16*





<a href="#">Purdon's Pennsylvania Statutes and Consolidated Statutes</a>
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<a href="#">Chapter 7. Orphans' Court Divisions</a>
<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Register of Wills Forms</a>

Pa.O.C.Rules, Form RW-08

Form RW-08. Certification of Notice Under Pa. O.C. Rule 10.5

[Currentness](#)

**CERTIFICATION OF NOTICE UNDER [Pa. O.C. Rule 10.5](#)**

REGISTER OF WILLS

Name of Decedent: .....

Date of Death: \_\_\_\_\_ File Number: .....

Date Letters Granted: .....

To the Register:

I certify that Notice of Estate Administration required by [Pa. O.C. Rule 10.5](#) of the Orphans' Court Rules was served on or mailed to the following beneficiaries of the above-captioned estate on \_\_\_\_\_, \_\_\_\_:

Name:

Address:

.....

.....

.....

.....

.....  
.....  
.....

*(If more space is needed, attach separate sheet.)*

Notice has now been given to all persons entitled thereto under Pa. O.C. Rule 10.5 except: .....

Date \_\_\_\_\_

Capacity:  Personal Representative  Counsel

Corporate Fiduciary (if applicable)

.....

Name of Corporate Fiduciary

Name of Person

.....

Name of Representative and Title

Address

.....

Address

.....

Telephone

.....

Telephone .....

..... Email

Email

.....  
Signature of Officer/Representative

Signature of Person

*Form RW-08 eff. 09.01.16*

Pa.O.C. Form RW-08, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form RW-08  
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<a href="#">Subchapter G. Procedure</a>
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<a href="#">Appendix of Forms</a>
<a href="#">Register of Wills Forms</a>

Pa.O.C.Rules, Form RW-09

Form RW-09. Inventory

Currentness

**INVENTORY**

REGISTER OF WILLS OF

COMMONWEALTH OF PENNSYLVANIA } File Number .....

County of } SS

The undersigned, .....

Personal Representative(s) of the Estate of .....

deceased, depose(s) and say(s) that the items appearing in the following Inventory include all of the personal assets wherever situated and all of the real estate in the Commonwealth of Pennsylvania of said Decedent, that the valuation placed opposite each item of said Inventory represents its fair value as of the date of Decedent's death, and that Decedent owned no real estate outside of the Commonwealth of Pennsylvania except that which appears in a memorandum at the end of this Inventory.

I verify that the } Corporate Fiduciary

statements made in this } (if applicable)  
Inventory are true and }  
correct. I understand } .....  
that false statements } Name of Corporate Signature of Personal  
herein are made subject } Fiduciary Representative  
to the penalties of 18 } .....  
Pa.C.S. § 4904 relating } Name of Representative Signature of Personal  
to unsworn falsification } and Title Representative  
to authorities. } .....  
Signature of Date  
Officer/Representative

Attorney-- (Name) \_\_\_\_\_ (Supreme Court I.D. No.) .....  
(Name of Law Firm) .....  
(Address) .....  
.....  
(Telephone) .....  
(Email) .....

DATE OF DEATH

LAST RESIDENCE

DECEDENT'S SOC. SEC.  
NO.

---

**FIGURES MUST BE TOTALED**

---

*(Attach additional sheets as needed)*

---

**TOTAL:**

\$0.00

---

NOTE: The Memorandum of real estate outside the Commonwealth of Pennsylvania may, at the election of the personal representative, include the value of each item, but such figures should not be extended into the total of the Inventory. (See 20 Pa. C.S. § 3301(b))

Form RW-09 eff. 09.01.16

Pa.O.C. Form RW-09, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form RW-09  
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<a href="#">Chapter 7. Orphans' Court Divisions</a>
<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Register of Wills Forms</a>

Pa.O.C.Rules, Form RW-10  
Form RW-10. Pa. O.C. Rule 10.6 Status Report

Currentness

**Pa. O.C. Rule 10.6 STATUS REPORT**

REGISTER OF WILLS OF

Name of Decedent: .....

Date of Death: \_\_\_\_\_ File Number: .....

Pursuant to [Pa. O.C. Rule 10.6](#), I report the following with respect to completion of the administration of the above-captioned estate:

1. State whether administration of the estate is complete: .....  Yes  No

2. If the answer is No, state when the personal representative reasonably believes that the administration will be complete:

.....

3. If the answer to No. 1 is YES, state the following:



- a. Did the personal representative file a final account with the Court? .....  Yes  No
  
- b. The separate Orphans' Court No. (if any) for the personal representative's account is: .....
  
- c. Did the personal representative state an account informally to the parties in interest? .....  Yes  No
  
- d. Copies of receipts, releases, joinders and approvals of formal or informal accounts may be filed with the Clerk of the Orphans' Court or may be attached to this report.

Date ..... Capacity:  Personal Representative  Counsel

Corporate Fiduciary (if applicable)

.....

Name of Corporate Fiduciary

Name of Person

.....

Name of Representative and Title

Address

.....

Address

.....

Telephone

.....

Telephone

Email

.....

Email

.....

Signature of Officer/Representative

Signature of Person

*Form RW-10 eff. 09.01.16*

Pa.O.C. Form RW-10, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form RW-10  
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[Model Forms of Account](#)

Pa.O.C.Rules, T. 20 Pa.C.S.A., Ch. 7, Subch. G, Refs & Annos

[Currentness](#)

Pa.O.C. T. 20 Pa.C.S.A., Ch. 7, Subch. G, Refs & Annos, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT T. 20 Pa.C.S.A.,  
Ch. 7, Subch. G, Refs & Annos

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[Subchapter G. Procedure](#)

[Orphans' Court Rules \(Refs & Annos\)](#)

[Appendix of Forms](#)

[Model Forms of Account \(Refs & Annos\)](#)

Pa.O.C.Rules, MFA-1

Form MFA-1. National Fiduciary Accounting Standards Project

[Currentness](#)

## 1983 REPORT OF FIDUCIARY ACCOUNTING STANDARDS COMMITTEE

### Scope of the Project

“Fiduciary Accounting” does not have one commonly understood meaning. In a broad sense, it can mean the entire process whereby a fiduciary--normally a personal representative, trustee or guardian--communicates information on an on-going basis regarding his administration of a fund and periodically justifies his administration to the parties in interest and, perhaps, to a court. In another sense, it may be the process whereby a fiduciary--here more often a trustee--periodically keeps parties in interest currently informed of transactions and investment policies being followed.

In a narrower sense, to which this report is directed, a fiduciary accounting may refer to the statement prepared by a fiduciary at the close of his administration of a fund (or at some appropriate intermediate stage) to reflect transactions that have occurred and to be presented to the parties in interest as part of a process whereby the fiduciary seeks discharge from liability for the events disclosed.

There is undoubtedly much that can be accomplished to improve the general administration of estates and trusts. A broad study of our basic fiduciary accounting models could lead to dramatic change in the future. But such a study as well as general questions regarding what constitutes fair and adequate procedures in a large variety of circumstances remain beyond the scope of this project.

### Advantages to Be Gained from Uniformity

The manner in which a fiduciary records receipts and disbursements and gains and losses from investment during the course of administration is commonly dictated by local practice, court rule or statute. In many jurisdictions there is a lack of clarity or consistency regarding the form and content of such an accounting. A uniform form of account and the creation of guiding principles of accounting would be a most helpful development.

Through the development of a uniform form of account the forms that are now in use can be improved. It would not be expected that immediate change to a model account format would be required of corporate fiduciaries with substantial

investments in computer programs but ultimately, standardization of forms will permit more effective utilization of machine record keeping techniques and significant cost savings. Standards for acceptable accounting practices will provide needed guidelines.

Since proposed standards can be illustrated by example, we have focused on form and content of a statement of transactions, recognizing that a proper form of account is important whether the account is to be presented in court or employed as part of an informal settlement process between a fiduciary and beneficiaries.

### **Performance Accounting Distinguished**

No effort has been made to standardize that kind of fiduciary accounting which is directed toward an analysis of the investment performance of a fund. Accounts of this type are often distributed to beneficiaries by corporate fiduciaries at regular intervals, generally one year or less, and contain statements of receipts, disbursements and assets on hand at the close of the period. The statement of assets customarily discloses additional information such as cost or tax basis, current market value, current yield expressed sometimes both in dollars and as a percentage of cost or market, and may show the distribution of investments among various categories such as bonds and stocks with subdivision of stocks by industry. These statements can be immensely valuable, both as an aid to the fiduciary in analyzing the structure of the portfolio, and for the information of beneficiaries. Indeed, because this form of report reflects and analyzes current investment policy, it may be described as more positive and forward looking than an unrationalized account of past transactions which is commonly used as a basis for discharge from responsibility for past acts. However, accountings of this type are fundamentally different in purpose from the traditional concept of discharge accounting by a fiduciary. There are inherent limitations that tend to restrict their use to professional institutionalized fiduciaries, and the need for establishment of standards appears to be less pressing than in the conventional area of discharge accounting.

### **Basic Objectives and General Standards of Fiduciary Accounting**

The fundamental objective of an account should be to provide essential and useful information in a meaningful form to the parties interested in the accounting process. It is also important that the account should be sufficiently simple to enable its preparation without unreasonable expense to the fund, or undue distraction from the on-going administration of the estate. Finally, although the parties should understand the nature of the accounting process and the need to protect their interests, the relationship of trust and confidence existing between the fiduciary and the beneficiaries is itself important and the account should not be presented in an adversary format that will unnecessarily impair this relationship.

### **Competing Goals**

Maximum clarity, full disclosure and complete description and explanation of all events to be disclosed appear to be standards that all would accept. But, in combination, they may present many difficulties. For example, clarity may be obscured by the detail that is required for a disclosure that omits nothing. Full explanation of all investment decisions might produce a massive document that few beneficiaries would read. On balance, a set of flexible principles keyed to the standard of good faith supports the utmost protection of the parties and permits accounting standards to change and mature as circumstances require.

Fiduciary accounts rarely will be identical. In addition to the predictable variables of the size and composition of the assets, the period covered and the position of those interested, the significance of particular issues in a controversy may be illuminated by special accounting treatment of some portion of a fund. This suggests that a fiduciary should have enough flexibility to state an account in the manner best adapted to the particular circumstances and discourages any effort to

prescribe a totally rigid format. Accordingly, the following principles are suggested as general standards for fiduciary accounting.

### **Model Accounts**

Sample Executor's and Trustee's accounts are attached to illustrate the application of the suggested standards for fiduciary accounting.

### **Fiduciary Accounting Principles**

**I. Accounts should be stated in a manner that is understandable by persons who are not familiar with practices and terminology peculiar to the administration of estates and trusts.**

#### **Commentary:**

In order for an account to fulfill its basic function of communication, it is essential that it be stated in a manner that recognizes that the interested parties are not usually familiar with fiduciary accounts. It is neither practical nor desirable to require that accounts be tailored to meet individual disabilities of particular parties but any account should be capable of being understood by a person of average intelligence, literate in English, and familiar with basic financial terms who has read it with care and attention.

Problems arising from terminology or style are usually a reflection of the fact that people who become versed in a particular form of practice tend to forget that terms which are familiar and useful to them may convey nothing to someone else or may even be affirmatively misleading. For example, the terms "debit" and "credit" are generally incomprehensible to people with no knowledge of bookkeeping and many people who are familiar with them in other contexts would assume that in the context of fiduciary accounting, the receipt of an item is a "credit" to the fund rather than a "debit" to the fiduciary.

While the need for concise presentation makes a certain amount of abbreviation both acceptable and necessary, uncommon abbreviation of matters essential to an understanding of the account should be avoided or explained.

No position is taken for or against the use of direct print-outs from machine accounting systems. The quality of the accounts produced by these systems varies widely in the extent to which they can be understood by persons who are not familiar with them. To endorse or object to a direct print-out because it is produced by machine from previously stored data would miss the essential point by focusing attention upon the manner of preparation rather than the product.

**II. A fiduciary account shall begin with a concise summary of its purpose and content.**

#### **Commentary:**

Very few people can be expected to pay much attention to a document unless they have some understanding of its general purpose and its significance to them. Even with such an understanding, impressions derived from the first page or two will

often determine whether the rest is read. The use that is made of these pages is therefore of particular significance.

The cover page should disclose the nature and function of the account. While a complete explanation of the significance of the account and the effect of its presentation upon the rights of the parties is obviously impractical for inclusion at this point, there should be at least a brief statement identifying the fiduciary and the subject matter, noting the importance of examining the account and giving an address where more information can be obtained.

It is assumed that the parties would also have enough information from other sources to understand the nature of their relationship to the fund (e.g., residuary legatee, life tenant, remainderman), the function of the account, and the obligation of the fiduciary to supply further relevant information upon request. It is also assumed that notice will be given of any significant procedural considerations such as limitation on the time within which objections must be presented. This would normally be provided by prior or contemporaneous memoranda, correspondence or discussions.

A summary of the account shall also be presented at the outset. This summary, organized as a table of contents, shall indicate the order of the details presented in the account and shall show separate totals for the aggregate of the assets on hand at the beginning of the accounting period; transactions during the period; and the assets remaining on hand at the end of the period. Each entry in the summary shall be supported by a schedule in the account that provides the details on which the summary is based.

**III. A fiduciary account shall contain sufficient information to put the interested parties on notice as to all significant transactions affecting administration during the accounting period.**

**Commentary:**

The presentation of the information in an account shall allow an interested party to follow the progress of the fiduciary's administration of assets during the accounting period without reference to an inventory or earlier accounting that is not included in the current account.

An account is not complete if it does not itemize assets on hand at the beginning of the accounting period.

**Illustrations:**

3.1 The first account for a decedent's estate or a trust should detail the items received by the fiduciary and for which he is responsible. It should not simply refer to the total amount of an inventory filed elsewhere or assets described in a schedule attached to a deed of trust.

3.2 In later accounts for an estate or trust, the opening balance should not simply refer to the total value of principal on hand as shown in detail in the prior account, but should list each item separately.

Instead of retyping the complete list of assets in the opening balance, the accountant may prefer to attach as an exhibit a copy of the inventory, closing balance from last account, etc., as appropriate.

Transactions shall be described in sufficient detail to give interested parties notice of their purpose and effect. It should be recognized that too much detail may be counterproductive to making the account understandable. In accounts covering long periods or dealing with extensive assets, it is usually desirable to consolidate information. For instance, where income from a number of securities is being accounted for over a long period of time, a statement of the total dividends received on each security with appropriate indication of changes in the number of shares held will be more readily understandable and easier to check for completeness than a chronological listing of all dividends received.

Although detail should generally be avoided for routine transactions, it will often be necessary to a proper understanding of an event that is somewhat out of the ordinary.

Illustrations:

3.3 Extraordinary appraisal costs should be shown separately and explained.

3.4 Interest and penalties in connection with later filing of tax returns should be shown separately and explained.

3.5 An extraordinary allocation between principal and income such as apportionment of proceeds of property acquired on foreclosure should be separately stated and explained.

3.6 Computation of a formula marital deduction gift involving non-probate assets should be explained.

**IV. A fiduciary account shall include both carrying values--representing the value of assets at acquisition by the fiduciary--and current values at the beginning and end of the accounting period.**

**Commentary:**

In order for transactions to be reported on a consistent basis, an appropriate carrying value for assets must be chosen and employed consistently.

The carrying value of an asset should reflect its value at the time it is acquired by the fiduciary (or a predecessor fiduciary). When such a value is not precisely determinable, the figure used should reflect a thoughtful decision by the fiduciary. For assets owned by a decedent, inventory values or estate tax values--generally reflective of date of death values--would be appropriate. Assets received in kind by a trustee from a settlor of an inter-vivos trust should be carried at their value at the time of receipt. For assets purchased during the administration of the fund, cost would normally be used. Use of Federal income tax bases for carrying value is acceptable when basis is reasonably representative of real values at the time of acquisition. Use of tax basis as a carrying value under other circumstances could be affirmatively misleading to beneficiaries and therefore is not appropriate.

In the Model Account, carrying value is referred to as "fiduciary acquisition value." The Model Account establishes the initial carrying value of assets as their value at date of death for inventoried assets, date of receipt for subsequent receipts and cost for investments.



Carrying value would not normally be adjusted for depreciation.

Except for adjustments that occur normally under the accounting system in use, carrying values should generally be continued unchanged through successive accounts and assets should not be arbitrarily “written up” or “written down.” In some circumstances, however, with proper disclosure and explanation, carrying value may be adjusted.

Illustrations:

4.1 Carrying values based on date of death may be adjusted to reflect changes on audit of estate or inheritance tax returns.

4.2 Where appropriate under applicable local law, a successor fiduciary may adjust the carrying value of assets to reflect values at the start of his administration.

4.3 Assets received in kind in satisfaction of a pecuniary legacy should be carried at the value used for purposes of distribution.

Though essential for accounting purposes, carrying values are commonly misunderstood by laymen as being a representation of actual values. To avoid this, the account should include both current values and carrying values.

The value of assets at the beginning and ending of each accounting period is necessary information of the evaluation of investment performance. Therefore, the account should show current values at the start of the period for all assets whose carrying values were established in a prior accounting period.

Illustrations:

4.4 The opening balance of the first account of a testamentary trustee will usually contain assets received in kind from the executor. Unless the carrying value was written up at the time of distribution (e.g., 4.2 or 4.3 supra) these assets will be carried at a value established during the executor’s administration. The current value at the beginning of the accounting period should also be shown.

4.5 An executor’s first account will normally carry assets at inventory (date of death) values or cost. No separate listing of current values at the beginning of the accounting period is necessary.

Current values should also be shown for all assets on hand at the close of the accounting period. The date on which current values are determined shall be stated and shall be the last day of the accounting period, or a date as close thereto as reasonably possible.

Current values should be shown in a column parallel to the column of carrying values. Both columns should be totalled.

In determining current values for assets for which there is no readily ascertainable current value, the source of the value stated in the account shall be explained. The fiduciary shall make a good faith effort to determine realistic values but should

not be expected to incur expenses for appraisals or similar costs when there is no reason to expect that the resulting information will be of practical consequence to the administration of the estate or the protection of the interests of the parties.

**Illustrations:**

4.6 When an asset is held under circumstances that make it clear that it will not be sold (e.g., a residence held for use of a beneficiary) the fiduciary's estimate of value would be acceptable in lieu of an appraisal.

4.7 Consideration such as a pending tax audit or offer of the property for sale may indicate the advisability of not publishing the fiduciary's best estimate of value. In such circumstances, a statement that value was fixed by some method such as "per company books", "formula under buy-sell agreement", "300% of assessed value" would be acceptable, but the fiduciary would be expected to provide further information to interested parties upon request.

**V. Gains and losses incurred during the accounting period shall be shown separately in the same schedule.**

**Commentary:**

Each transaction involving the sale or other disposition of securities during the accounting period shall be shown as a separate item in one combined schedule of the account indicating the transaction, date, explanation, and any gain or loss.

Although gains and losses from the sale of securities can be shown separately in accounts, the preferred method of presentation is to present this information in a single schedule. Such a presentation provides the most meaningful description of investment performance and will tend to clarify relationships between gains and losses that are deliberately realized at the same time.

**VI. The account shall show significant transactions that do not affect the amount for which the fiduciary is accountable.**

**Commentary:**

Transactions such as the purchase of an investment, receipt of a stock split or change of a corporate name do not alter the total fund for which a fiduciary is accountable but must be shown in order to permit analysis and an understanding of the administration of the fund. These can be best shown in information schedules.

One schedule should list all investments made during the accounting period. It should include those subsequently sold as well as those still on hand. Frequently the same money will be used for a series of investments. Therefore, the schedule should not be totalled in order to avoid giving an exaggerated idea of the size of the fund.

A second schedule (entitled "Changes in Investment Holdings" in the Model Account) should show all transactions affecting a particular security holding such as purchase of additional shares, partial sales, stock splits, change of corporate name, dividend distributions, etc. This schedule, similar to a ledger account for each holding, will reconcile opening and closing

entries for particular holdings, explain changes in carrying value and avoid extensive searches through the account for information scattered among other schedules.

*Committee Comment:* The Model Executor's Account and Model Trustee's Account published in connection with the above Report of the Fiduciary Accounting Standards Committee have been replaced by the Model Estate Account and Model Trust Account which appear in this Appendix.

Pa.O.C. MFA-1, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT MFA-1  
Current with amendments received through December 1, 2016.

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<a href="#">Chapter 7. Orphans' Court Divisions</a>
<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Model Forms of Account (Refs &amp; Annos)</a>

Pa.O.C.Rules, MFA-2

Form MFA-2. Model Estate Account

[Currentness](#)

IN THE COURT OF COMMON PLEAS OF \_\_\_\_\_ COUNTY, PA.

ORPHANS' COURT DIVISION

FILE NO. 98765

FIRST AND FINAL ACCOUNT OF

William C. Doe, Executor

For

ESTATE OF JOHN DOE, DECEASED

Date of Death: 11/14/05

Date of Incapacity, if any: None

Date of Executor's Appointment: 11/24/05

Date of First Complete Advertisement: 11/27/05

Accounting for the period: 11/24/05 to  
11/30/06

Purpose of Account: The Executor offers this Account to acquaint interested parties with the transactions that have occurred during the Administration.

It is important that the Account be carefully examined. Requests for additional information, questions or objections can be discussed with:

[Name of Counsel]

[Address]

[Address]

[Phone Number]

Supreme Court I.D. No. ....

**SUMMARY OF ACCOUNT**

PAGES

PRINCIPAL

Receipts	3-4		\$	160,488.76
Net Gain on Sales or Disposition	5			2,662.00
				\$ 163,150.76
Less Disbursements:				
Debts of Decedent	6	\$	485.82	
Funeral Expenses	6		1,375.00	
Administration Expenses	6		194.25	
Family Exemption	6		3,500.00	
Federal, State & Local Taxes	7		5,856.83	
Fees and Commissions	7		11,689.64	-23,101.54
Balance before Distributions				\$ 140,049.22
Distributions to Beneficiaries	8			-52,630.00
Principal Balance on Hand	9			\$ 87,419.22
For Information:				
Investments Made	10			
Changes in Holdings	11			

INCOME

Receipts	12	\$	2,513.40
Less Disbursements	13		-178.67
Balance before Distributions		\$	2,334.73
Distributions to Beneficiaries	14		-2,334.73
Income Balance on Hand		\$	.00

COMBINED BALANCE ON HAND \$ 87,419.22

Verification 15

**PRINCIPAL RECEIPTS**

**Assets Listed in Inventory**

**(Valued as of Date of Death)**

**Real Estate**

Residence

86 Norwood Road

Philadelphia, PA

\$ 50,000.00

**Common Stocks**

50 Shs. Best Oil Co. 5,000.00

1,000 Shs. Central Trust Co. 50,850.00

151 Shs. Electric Data Corp. 1,887.50

200 Shs. Home Telephone & Telegraph Co. 25,000.00

200 Shs. XYZ Corporation 6,000.00

**Personal Effects**

Furniture--1 antique chair 55.00

Furniture--1 antique highboy 2,000.00



Furniture--1 antique side table 60.00

Jewelry--1 pearl necklace 515.00

**Mutual Funds**

50 Shs. Fabulous Mutual Fund 1,833.33

\$ 

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 143,200.83

Cash in possession of decedent 42.54

First National Bank--checking account 516.93

Prudent Savings Fund Society--savings account 2,518.16

\$ 

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 146,278.46

**ADJUSTMENTS TO INVENTORY**

Increased value of common stock upon audit of Federal  
Estate Tax Return

RECEIVED AS:

200 Shs. XYZ Corporation	\$	6,000.00	
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SHOULD BE:

200 Shs. XYZ Corporation		10,000.00	4,000.00
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**SUBSEQUENT RECEIPTS**

02/22/06	Proceeds of Sale--Best Oil Co. rights to subscribe received 02/15/ 06		50.00
03/12/06	Fabulous Mutual Fund, capital gains dividend received in cash		32.50
05/11/06	Refund of overpayment of 2005 U.S. individual income tax		127.80
09/25/06	From Richard Rose, Ancillary Administrator, net proceeds on sale of oil and gas leases in Jefferson Parish, Louisiana		10,000.00

---

TOTAL PRINCIPAL RECEIPTS \$ 160,488.76

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**PRINCIPAL GAINS OR LOSSES ON SALES OR OTHER DISPOSITIONS**

		GAIN	LOSS
02/07/06	100 Shs. Home Telephone & Telegraph Co.		
	Net Proceeds	14,025.00	
	Acquisition Value	12,500.00	\$ 1,525.00
		<hr/>	
03/15/06	1,000 Shs. Central Trust Co.		
	Net Proceeds	27,467.00	
	Acquisition Value	25,425.00	2,042.00
		<hr/>	
03/15/06	200 Shs. XYZ Corporation		
	Net Proceeds	9,000.00	
	Acquisition Value	10,000.00	\$ 1,000.00
		<hr/>	
05/21/06	35 Shs. Electric Data Corp.		

Form MFA-2. Model Estate Account, PA ST ORPHANS CT MFA-2

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Net Proceeds	530.00	
Acquisition Value	437.50	92.50

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07/20/06 \$10,000 U.S. Treasury Bonds, 3% due 07/01/2009

Net Proceeds	10,000.00	
Acquisition Value	9,997.50	2.50

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TOTALS	\$	3,662.00	\$	1,000.00
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NET GAIN TRANSFERRED TO SUMMARY \$ 2,662.00

**DISBURSEMENTS OF PRINCIPAL**

**DEBTS OF DECEDENT**

01/25/06	John T. Hill, M.D.		
	Professional services	\$	250.00
01/25/06	Thomas Pharmacy		
	Prescriptions		23.82

02/01/06	Sanders Hardware		
	Purchases per bill dated 12/15/05	56.00	
04/12/06	PA Department of Revenue		
	Balance Final Life Period Income Tax	156.00	\$ 485.82

---

**FUNERAL EXPENSES**

01/10/06	Smith Funeral Home		
	Services	\$ 1,200.00	
02/15/06	Jones Memorials		
	Grave marker	175.00	1,375.00

---

**ADMINISTRATION EXPENSES**

11/14/05	Register of Wills		
	Probate fees	\$ 72.00	
02/22/06	Henry Smith		
	Appraisal of jewelry and antiques	50.00	



**Form MFA-2. Model Estate Account, PA ST ORPHANS CT MFA-2**

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	PA inheritance tax	\$	2,501.33		
	Less payment on				
	account 02/12/06		-2,105.26	396.07	
08/13/06	Internal Revenue Service				
	Federal estate tax			2,663.29	
11/15/06	Internal Revenue Service				
	U.S. fiduciary income tax for fiscal year ending 07/31/06 (allocable to capital gains)			283.84	
11/23/06	Internal Revenue Service				
	Deficiency in Federal				
	Estate Tax	\$	505.24		
	Interest				
	08/14/06 to 11/24/06		8.39	513.63	5,856.83

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**FEES AND COMMISSIONS**

11/16/06	Albert Schryver, Esq.				
	Fee as Guardian ad litem			\$	375.00
11/16/06	William C. Doe				
	Executor's compensation				6,314.64

11/16/06	Arden, Miles & Solomon		
	Attorney's fees	5,000.00	11,689.64
		<hr/>	<hr/>
	TOTAL DISBURSEMENTS OF PRINCIPAL		23,101.54
			\$

**DISTRIBUTIONS OF PRINCIPAL TO BENEFICIARIES**

TO: Janet Doe, in satisfaction of gift under Article FIRST of Will

12/01/05	Jewelry--1 pearl necklace	\$	515.00	
12/01/05	Furniture--1 antique highboy		2,000.00	
12/01/05	Furniture--1 antique side table		60.00	
12/01/05	Furniture--1 antique chair		55.00	\$ 2,630.00
			<hr/>	

TO: Janet Doe, in satisfaction of gift under Article SECOND of Will



12/01/05	Residence		
	86 Norwood Road		
	Philadelphia, PA		50,000.00

TOTAL DISTRIBUTIONS OF PRINCIPAL TO BENEFICIARIES		\$	52,630.00
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**PRINCIPAL BALANCE ON HAND**

	VALUE AT 11/30/2006	FIDUCIARY ACQUISITION VALUE
--	------------------------	-----------------------------------

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**Bonds**

\$40,000 U.S. Treasury Bills due

12/14/2006	\$	39,300.00	\$	39,300.00
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**Common Stocks**

50 Shs. Best Oil Co.	4,500.00	5,000.00
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1,000 Shs. Central Trust Co.	32,168.76	25,425.00
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**Form MFA-2. Model Estate Account, PA ST ORPHANS CT MFA-2**

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116 Shs. Electric Data Corp.	1,684.00	1,450.00
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200 Shs. Home Telephone & Telegraph Co.	16,000.00	12,500.00
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**Mutual Funds**

50 Shs. Fabulous Mutual Fund	4,016.17	1,833.33
------------------------------	----------	----------

\$	97,668.93	\$	85,508.33
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CASH (AUTOMATICALLY INVESTED)	1,910.89	1,910.89
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TOTAL PRINCIPAL BALANCE ON HAND	\$	99,579.82	\$	87,419.22
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**PRINCIPAL INVESTMENTS MADE**

02/0      \$10,000 U.S. Treasury Bonds, 3% due  
1/06

07/01/2009	\$	9,997.50
------------	----	----------

09/1      \$40,000 U.S. Treasury Bills due

4/06

12/14/2006

39,300.00

---

TOTAL PRINCIPAL INVESTMENTS MADE

\$ 49,297.50

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**CHANGES IN PRINCIPAL HOLDINGS**

ACCOUNT VALUE

---

Central Trust Co.

1,000 Shs.

Inventoried at

\$

50,850.00

01/15/06

1,000 Shs.

additional received in 2-1 split - par reduced to \$2.50

0.00

---

2,000 Shs.

\$

50,850.00

03/15/06

1,000 Shs.

Sold

-25,425.00

1,000 Shs.

\$

25,425.00

---

Form MFA-2. Model Estate Account, PA ST ORPHANS CT MFA-2

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Electric Data Corp.

	151 Shs.	Inventoried at	\$	1,887.50
05/21/06	35 Shs.	Sold		-437.50
	<u>116 Shs.</u>		\$	<u>1,450.00</u>

Home Telephone & Telegraph Co.

	200 Shs.	Inventoried at	\$	25,000.00
02/07/06	100 Shs.	Sold		-12,500.00
	<u>100 Shs.</u>		\$	<u>12,500.00</u>
03/30/06	100 Shs.	additional received in 2-1 split - par reduced to \$5		
				0.00
	<u>200 Shs.</u>		\$	<u>12,500.00</u>

**RECEIPTS OF INCOME**

**Best Oil Co.**

Dividend 50 Shs.			
01/02/06 to 10/02/06		\$	20.00

**Central Trust Co.**

01/15/06--Dividend 2,000 Shs.	\$	600.00	
Dividend 1,000 Shs.			
04/13/06 to 10/15/06		900.00	1,500.00

---

**Electric Data Corp.**

Dividend 151 Shs.			
12/29/05 to 03/30/06	\$	30.20	
Dividend 116 Shs.			
06/29/06 to 09/28/06		23.20	53.40

---

**Fabulous Mutual Fund**

Dividend 50 Shs.			
03/14/06 to 09/12/06			140.00

**Home Telephone & Telegraph Co.**

02/01/06--Dividend 200 Shs.	\$	225.00	
Dividend 200 Shs.			
05/01/06 to 11/01/06			
(after stock split)		450.00	675.00
		<hr/>	

**U.S. Treasury Bonds, 3% due 07/01/2009**

06/29/06--Interest \$10,000	\$	150.00	
Less: accrued interest paid			
on purchase 02/1/06		-25.00	125.00
		<hr/>	

TOTAL RECEIPTS OF INCOME \$ 2,513.40

**DISBURSEMENTS OF INCOME**

11/1 Internal Revenue Service  
5/06

U.S. fiduciary income tax for fiscal

year ending 07/31/06

(allocable to income) \$ 53.00

To be paid:

William C. Doe

Executor's income commission

5% on \$2,513.40 125.67

---

TOTAL DISBURSEMENTS OF INCOME \$ 178.67

---

**DISTRIBUTIONS OF INCOME TO BENEFICIARIES**

TO: Sharon Doe

11/16/06 Cash \$ 1,167.36

TO: William C. Doe, Trustee under Article FOURTH (A) for  
Walter Doe

11/16/06 Cash 1,167.37

---

TOTAL DISTRIBUTIONS OF INCOME TO BENEFICIARIES \$ 2,334.73

---

.....  
William C. Doe, Executor of the Will of John Doe,  
Deceased

**VERIFICATION**

WILLIAM C. DOE, Executor of the Will of JOHN DOE, Deceased, hereby declares under oath that he has fully and faithfully discharged the duties of his office; that the foregoing First and Final Account is true and correct and fully discloses all significant transactions occurring during the accounting period; that all known claims against the Estate have been paid in full; that, to his knowledge, there are no claims outstanding against the Estate; that all taxes presently due from the Estate have been paid; and that the grant of Letters Testamentary and the first complete advertisement thereof occurred more than four months before the filing of the foregoing First and Final Account.

This statement is made subject to penalties of [18 Pa.C.S.A. Section 4904](#) relating to unsworn falsification to authorities.

\_\_\_\_\_  
WILLIAM C. DOE

Dated: \_\_\_\_\_

Pa.O.C. MFA-2, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT MFA-2  
Current with amendments received through December 1, 2016.

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Purdon's Pennsylvania Statutes and Consolidated Statutes

Title 20 Pa.C.S.A. Decedents, Estates and Fiduciaries (Refs & Annos)

Chapter 7. Orphans' Court Divisions

Subchapter G. Procedure

Orphans' Court Rules (Refs & Annos)

Appendix of Forms

Model Forms of Account (Refs & Annos)

Pa.O.C.Rules, MFA-3

Form MFA-3. Model Trust Account

Currentness

Model Trust Account

IN THE COURT OF COMMON PLEAS OF \_\_\_\_\_ COUNTY, PA.

ORPHANS' COURT DIVISION

NO. 12345 of 1994

FIRST AND FINAL ACCOUNT

For the "Marital Trust" Established under the Will of

John H. Doe, Deceased

Stated by UPSTANDING TRUST COMPANY, Surviving Trustee

and

Mary W. Doe (Deceased Trustee, Died December 30, 2004)

presented on her behalf by UPSTANDING TRUST COMPANY,

as Executor of her Will

John H. Doe, Died:	01/30/92
Date of First Receipt of Funds:	02/11/94
Accounting for the period:	02/11/94 to 06/15/06

Purpose of Account: The Trustees offer this Account to acquaint interested parties with the transactions that have occurred during the Administration.

It is important that the Account be carefully examined. Requests for additional information, questions or objections can be discussed with:

[Name of Counsel]

[Address]

[Address]

[Telephone Number]

Supreme Court I.D. No. ....

**SUMMARY OF ACCOUNT**

**PAGES**

**PRINCIPAL**

Receipts	3-4		\$	158,259.02
Net Gain on Sales or Disposition	4-5			114,749.47
			\$	<u>273,008.49</u>
Less Disbursements:				
General Disbursements	6-7	\$	3,782.36	
Fees and Commissions	7		4,300.00	-8,082.36
Balance before Distributions			\$	<u>264,926.13</u>
Distributions to Beneficiaries	8			-10,703.79
Principal Balance on Hand	9		\$	<u>254,222.34</u>

For Information:

Form MFA-3. Model Trust Account, PA ST ORPHANS CT MFA-3

---

Investments Made	10
Changes in Holdings	11-13

**INCOME**

Receipts	14	\$	7,755.20
Less Disbursements	15		-72.40
Balance before Distributions		\$	7,682.80
Distributions to Beneficiaries	16		-1,400.19
Income Balance on Hand	17	\$	6,282.61

---

COMBINED BALANCE ON HAND \$ 260,504.95

Verification 18

**PRINCIPAL RECEIPTS**

**Prior Award:**

Assets Awarded trustees by Adjudication dated

January 30, 1994, of Smith, J., upon the First Account of the Executors and the Schedule of Distribution pursuant thereto:

**Real Estate**

Premises 789 Main Street, Media, PA	\$	10,000.00
-------------------------------------	----	-----------

**Bonds**

\$7,000 Bethlehem, PA General Bonds 1.75% due 04/01/1995		6,965.00
--	--	----------

\$20,000 Ohio Turnpike Commission Project One bonds, 3.25% due 06/01/2025		18,025.00
---	--	-----------

**Common Stocks**

352 Shs. American Telephone & Telegraph Co.		54,340.00
---	--	-----------

5 Shs. Southwest Rodeo Oil Co.		1.00
--------------------------------	--	------

703 Shs. XYZ & Co.		67,663.75
--------------------	--	-----------

	156,994.75
\$	

Checking account, Upstanding Trust Co.	264.27
--	--------

	157,259.02
\$	

**SUBSEQUENT RECEIPTS**

03/1 5/94	Adjustment of Sewer Assessment	1,000.00
--------------	--------------------------------	----------

TOTAL PRINCIPAL RECEIPTS	\$ 158,259.02
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**PRINCIPAL GAINS OR LOSSES ON SALES OR OTHER DISPOSITIONS**

	GAIN	LOSS
--	------	------

07/02/94	103 Shs. XYZ & Co.	
	Net Proceeds	25,614.54
	Acquisition Value	9,913.75
		\$ 15,700.79

Form MFA-3. Model Trust Account, PA ST ORPHANS CT MFA-3

---

04/06/95 100 Shs. XYZ & Co.

Net Proceeds 22,226.25

Acquisition Value 9,625.00 12,601.25

---

07/11/95 5 Shs. Southwest Rodeo Oil Co.

Company declared bankruptcy

Net Proceeds 0.00

Acquisition Value 1.00 \$ 1.00

---

03/22/96 1,056 Rts. American Telephone & Telegraph Co.

Net Proceeds 1,484.41

Acquisition Value 1,484.41

---

03/12/98 1,056 Rts. American Telephone & Telegraph Co.

Net Proceeds 2,507.00

Acquisition Value 2,507.00

---

12/29/01 \$20,000 Ohio Turnpike Commission Project One bonds, 3.25% due 06/01/2025

Net Proceeds 18,450.00

Form MFA-3. Model Trust Account, PA ST ORPHANS CT MFA-3

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	Acquisition Value	18,025.00	425.00	
05/05/05	2,112 Rts. American Telephone & Telegraph Co.			
	Net Proceeds	1,225.49		
	Acquisition Value	1,225.49		
06/19/05	500 Shs. XYZ & Co.			
	Net Proceeds	56,337.21		
	Acquisition Value	1.00	56,336.21	
08/09/05	\$50,000 Commercial Credit Co., demand note			
	Net Proceeds	50,000.00		
	Acquisition Value	50,000.00		
			\$ 85,063.25	\$ 1.00
09/22/05	852 Shs. American Telephone & Telegraph Co.			
	Net Proceeds	39,503.92		
	Acquisition Value	19,816.70	19,687.22	
11/17/05	Premises 789 Main Street, Media, PA			



Form MFA-3. Model Trust Account, PA ST ORPHANS CT MFA-3

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	Sold receiving		
	Purchase Money Mortgage	\$15,000.00	
	Cash	5,000.00	
	Less: Settlement Costs	1,200.00	
	as itemized in Principal Disbursements		
	Net Proceeds	20,000.00	
	Acquisition Value	10,000.00	10,000.00
		<hr/>	
11/17/05	\$70,000 U.S. Treasury Bills due 11/19/2005		
	Net Proceeds	68,000.00	
	Acquisition Value	68,000.00	
		<hr/>	
06/15/06	Mortgage on 789 Main Street Media, PA		
	Principal received on account		
	Net Proceeds	250.00	
	Acquisition Value	250.00	
		<hr/>	
		<hr/>	
	TOTALS	\$ 114,750.47	\$ 1.00
		<hr/>	
	NET GAIN TRANSFERRED TO SUMMARY		\$ 114,749.47

**DISBURSEMENTS OF PRINCIPAL**

**GENERAL DISBURSEMENTS**

**Federal Fiduciary Income Tax**

04/15/05	1st Qtr. Estimated	\$		
06/15/05	2nd Qtr. Estimated		300.00	
09/15/05	3rd Qtr. Estimated		300.00	
01/15/06	4th Qtr. Estimated		300.00	
04/15/06	Balance 2005		172.00	
04/15/06	1st Qtr. Estimated		290.00	
06/15/06	2nd Qtr. Estimated		290.00	\$ 1,952.00

---

**Pennsylvania Fiduciary Income Tax**

Form MFA-3. Model Trust Account, PA ST ORPHANS CT MFA-3

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04/15/05	1st Qtr. Estimated	\$	100.00	
06/15/05	2nd Qtr. Estimated		100.00	
09/15/05	3rd Qtr. Estimated		100.00	
12/30/05	4th Qtr. Estimated		100.00	
04/15/06	1st Qtr. Estimated		90.00	
05/15/06	Refund 2005		-27.00	
06/15/06	2nd Qtr. Estimated		90.00	553.00
<hr/>				
05/15/05	Fire Insurance, 789 Main Street, Media, PA			50.00
11/17/05	Expenses re Sale of Premises 789 Main Street Media, PA:			
	Commission	\$	1,000.00	
	Transfer Tax		200.00	1,200.00
<hr/>				
				<hr/>
			\$	3,755.00

Form MFA-3. Model Trust Account, PA ST ORPHANS CT MFA-3

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06/15/06	Reimbursement to Smith, Jones and Brown, for Miscellaneous expenses, 02/11/06 to date:				
	Postage and insurance	\$	26.21		
	Telephone		1.15	27.36	\$ 3,782.36

---

**FEES AND COMMISSIONS**

To be paid:

Smith, Jones and Brown Attorney's fees					4,300.00
--	--	--	--	--	----------

---

TOTAL DISBURSEMENTS OF PRINCIPAL					\$ 8,082.36
----------------------------------	--	--	--	--	-------------

**DISTRIBUTIONS OF PRINCIPAL TO BENEFICIARIES**

To: Mary W. Doe

07/01/94	\$7,000 Bethlehem, PA General Bonds 1.75% due 04/01/1995	\$	6,965.00		
07/02/94	Cash		238.79	\$	7,203.79

---

To: Goodworks Charity

05/04/06	Advance distribution, cash	3,500.00
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---

TOTAL DISTRIBUTIONS OF PRINCIPAL TO BENEFICIARIES	\$	10,703.79
---	----	-----------

**PRINCIPAL BALANCE ON HAND**

<b>VALUE AT 06/15/2006</b>	<b>FIDUCIARY ACQUISITION VALUE</b>
--------------------------------	--

---

**Bonds**

\$120,000 ABC Corp, demand note	\$	120,000.00	\$	120,000.00
\$20,000 Indiana Toll Rd. Comm. East/West Revenue Bonds, 3.5% due 12/01/ 2022		13,600.00		17,275.00

**Common Stocks**

680 Shs. ABC Corp.	56,355.00	48,124.00
1,260 Shs. American Telephone & Telegraph Co.	57,015.00	29,306.40

**Mortgages**

Mortgage on 789 Main Street Media, PA                      14,750.00                      14,750.00

---

\$    261,720.00                      \$    229,455.40

Checking Account, Upstanding Trust Co.                      24,766.94                      24,766.94

---

TOTAL PRINCIPAL BALANCE ON                      \$                      286,486.94                      \$                      254,222.34  
HAND

---

**PRINCIPAL INVESTMENTS MADE**

12/2                      \$20,000 Indiana Toll Rd. Comm. East/West Revenue Bonds, 3.5% due                      \$                      17,275.00  
8/01                      12/01/2022

06/2                      \$50,000 Commercial Credit Co., demand note                      50,000.00  
9/05

08/1                      \$70,000 U.S. Treasury Bills due 11/19/2005                      68,000.00  
8/05

09/2 8/05	\$120,000 ABC Corp, demand note	120,000.00
--------------	---------------------------------	------------

09/2 8/05	Mortgage on 789 Main Street Media, PA	15,000.00
--------------	---------------------------------------	-----------

TOTAL PRINCIPAL INVESTMENTS MADE	\$	270,275.00
----------------------------------	----	------------

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**CHANGES IN PRINCIPAL HOLDINGS**

**ACCOUNT VALUE**

**American Telephone & Telegraph Co.**

	352 Shs.	Awarded at	\$	54,340.00
--	----------	------------	----	-----------

04/24/94	704 Shs.	Rec'd in three for one split		0.00
----------	----------	------------------------------	--	------

	1,056 Shs.		\$	54,340.00
--	------------	--	----	-----------

03/22/96	.....	1,056 Rts. to subscribe to additional stock sold		-1,484.41
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Form MFA-3. Model Trust Account, PA ST ORPHANS CT MFA-3

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	1,056 Shs.		\$	52,855.59
03/12/98	.....	1,056 Rts. to subscribe to additional stock sold		-2, 507.00
	1,056 Shs.		\$	50,348.59
06/22/98	1,056 Shs.	Rec'd in two for one split		0.00
	2,112 Shs.		\$	50,348.59
05/05/05	.....	2,112 Rts. to subscribe to additional stock sold		-1, 225.49
	2,112 Shs.		\$	49,123.10
09/22/05	852 Shs.	Sold		-19,816.70
	1,260 Shs.		\$	29,306.40

**Premises 789 Main Street, Media, PA**

	0 Uts.	Awarded at	\$	10,000.00
11/17/05		Sold receiving		-10,000.00
		Purchase Money Mortgage	\$15,000.00	
		Cash	5,000.00	
		Less: Settlement Costs	1,200.00	



0 Uts. \$ 0.00

---

**Mortgage on 789 Main Street Media, PA**

09/28/05 Mortgage received on sale of said premises \$ 15,000.00

06/15/06 \$250 principal received on account -250.00

\$ 14,750.00

---

**XYZ & Co.**

703 Shs. Awarded at \$ 67,663.75

07/02/94 103 Shs. Sold -9,913.75

600 Shs. \$ 57,750.00

---

04/06/95 100 Shs. Sold -9,625.00

500 Shs. \$ 48,125.00

---

07/09/97 0 Shs. 250 Shs. ABC Corp., received @ 47.6875 in one-half for one divestment distribution -11,921.88

---

Form MFA-3. Model Trust Account, PA ST ORPHANS CT MFA-3

	500 Shs.		\$	36,203.12
01/06/99	0 Shs.	180 Shs. ABC Corp received @ 79.00 in a 0.36 share of one divestment distribution		-14,220.00
	<hr/> 500 Shs.		\$	<hr/> 21,983.12
01/04/00	0 Shs.	250 Shs. ABC Corp. received @ 96.0625 in a one-half for one investment distribution, normally \$24,015.62 of which the following was applied to account value		-21,982.12
	<hr/> 500 Shs.		\$	<hr/> 1.00
06/19/05	500 Shs.	Sold		-1.00
	<hr/> 0 Shs.		\$	<hr/> 0.00

**ABC Corp.**

07/09/97	250 Shs.	Rec'd in distribution on 500 Shs. XYZ & Co.	\$	11,921.88
01/06/99	180 Shs.	Rec'd in similar distribution		14,220.00
	<hr/> 430 Shs.		\$	<hr/> 26,141.88
01/04/00	250 Shs.	Rec'd in similar distribution		21,982.12
	<hr/> 680 Shs.		\$	<hr/> 48,124.00
06/15/06	0 Shs.	34 Shs. Received as a 5% stock dividend, transferred to income		0.00

680 Shs.	\$ 48,124.00
_____	_____

**RECEIPTS OF INCOME**

**Waiver of Income Accounting**

An Income Accounting having been waived for the period from 02/11/1994 to 12/30/2004 by Upstanding Trust Company, Executor of the Will of Mary C. Doe, Deceased and from 12/31/2004 to 02/28/2006 by Goodworks Charity, a limited Accounting of Income follows:

02/28/06	Balance per last statement rendered	\$ 1,773.25
06/15/06	34 Shs. ABC Corp., 5% stock dividend @ \$79.00	2,686.00

**ABC Corp, demand note**

03/15/06	Interest \$120,000	\$ 520.00
06/15/06	Interest \$120,000	520.00
		1,040.00

---

**ABC Corp.**

**Form MFA-3. Model Trust Account, PA ST ORPHANS CT MFA-3**

---

03/08/06	Dividend 680 Shs.	\$	578.00	
06/08/06	Dividend 680 Shs.		578.00	1,156.00

---

**American Telephone & Telegraph Co.**

03/01/06	Dividend 1,260 Shs.	\$	296.10	
06/01/06	Dividend 1,260 Shs.		296.10	592.20

---

**Indiana Toll Rd. Comm. East/West Revenue Bonds, 3.5% due 12/01/ 2022**

06/01/06	Interest \$20,000			350.00
----------	-------------------	--	--	--------

**Mortgage on 789 Main Street Media, PA**

06/15/06	Interest			75.00
----------	----------	--	--	-------

**Upstanding Trust Company Checking Account**

03/31/06	Interest	\$	27.29	
04/30/06	Interest		27.04	
05/31/06	Interest		28.42	82.75

---

TOTAL RECEIPTS OF INCOME \$ 7,755.20

---

**DISBURSEMENTS OF INCOME**

06/1 Upstanding Trust Co. 5% commission on income collected 3/30/06 to  
5/06 05/31/06 \$ 72.40

---

TOTAL DISBURSEMENTS OF INCOME \$ 72.40

---

**DISTRIBUTIONS OF INCOME TO BENEFICIARIES**

To: Upstanding Trust Company, Executor of the Will of Mary W. Doe,  
Deceased - Income on hand as of 12/30/2004

03/1 Cash  
2/05 \$ 650.19

To: Goodworks Charity

06/1 Cash 750.00

---

5/06

---

TOTAL DISTRIBUTIONS OF INCOME TO BENEFICIARIES	\$	1,400.19
--	----	----------

---

**INCOME BALANCE ON HAND**

	<b>VALUE AT 06/15/2006</b>	<b>FIDUCIARY ACQUISITION VALUE</b>
<b><u>Common Stocks</u></b>		
34 Shs. ABC Corp.	\$ 2,987.75	\$ 2,686.00
	\$ 2,987.75	\$ 2,686.00
Checking Account, Upstanding Trust Co.	3,596.61	3,596.61
TOTAL INCOME BALANCE ON HAND	\$ 6,584.36	\$ 6,282.61

---

UPSTANDING TRUST COMPANY

By .....

Walter Trust, Vice President

Surviving Trustee under the

Will of John H. Doe, Deceased

AND

UPSTANDING TRUST COMPANY

By .....

Walter Trust, Vice President

Executor of the Will of

Mary W. Doe, Deceased Trustee

**VERIFICATION**

WALTER TRUST, Vice President of Upstanding Trust Company, Surviving Trustee under the Will of JOHN H. DOE and Executor under the Will of Mary W. Doe, Deceased Trustee under the Will of John H. Doe, hereby declares under oath that said Trustees have fully and faithfully discharged the duties of their office; that the foregoing First and Final Account is true and correct and fully discloses all significant transactions occurring during the accounting period; that all known claims against the Trust have been paid in full; that, to his knowledge, there are no claims now outstanding against the Trust; and that all taxes presently due from the Trust have been paid.

This statement is made subject to the penalties of [18 Pa. C.S.A. Section 4904](#) relating to unsworn falsification to authorities.

\_\_\_\_\_  
WALTER TRUST

Dated: \_\_\_\_\_

Pa.O.C. MFA-3, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT MFA-3  
Current with amendments received through December 1, 2016.

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End of Document

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<a href="#">Purdon's Pennsylvania Statutes and Consolidated Statutes</a>
<a href="#">Title 20 Pa.C.S.A. Decedents, Estates and Fiduciaries (Refs &amp; Annos)</a>
<a href="#">Chapter 7. Orphans' Court Divisions</a>
<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Model Forms of Account (Refs &amp; Annos)</a>

Pa.O.C.Rules, MFA-4

Form MFA-4. Model Charitable Remainder Unitrust Account

[Currentness](#)

IN THE COURT OF COMMON PLEAS OF \_\_\_\_\_ COUNTY, PA.

ORPHANS' COURT DIVISION

NO. 5678 OF 2006

FIRST ACCOUNT

FOR THE TRUST ESTABLISHED UNDER DEED DATED JANUARY 1, 2001

OF JOHN DOE AND JANE DOE, SETTLORS

STATED BY UPSTANDING TRUST COMPANY, TRUSTEE

Date of Deed:

01/01/01

Date of First Receipt of Funds: 01/01/01

Accounting for the period: 01/01/01 to 12/31/05

Purpose of Account: The Trustee offers this Account to acquaint interested parties with the transactions that have occurred during the Administration.

It is important that the Account be carefully examined. Requests for additional information, questions or objections can be discussed with:

[Name of Counsel]

[Address]

[Address]

[Telephone Number]

Supreme Court I.D. No. ....

**SUMMARY OF ACCOUNT**

**PAGES**

**PRINCIPAL**

**Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4**

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Receipts	3		\$	10,649,000.00
Net Gain on Sales or Disposition	4			138,618.87
			\$	<u>10,787,618.87</u>
Less Disbursements:				
Administration--Misc. Exp.	5	\$	267,313.00	
Transfers to Income	5		2,127,000.00	-2,394,313.00
Balance before Distributions			\$	<u>8,393,305.87</u>
Principal Balance on Hand	6		\$	<u>8,393,305.87</u>

For Information:

Investments Made	7			
Changes in Holdings	8-9			

**INCOME**

Receipts	10	\$	2,717,875.03
	-1		
	6		
Less Disbursements	17		-120,059.00
Balance before Distributions		\$	<u>2,597,816.03</u>
Distributions to Beneficiaries	18		-2,597,118.60
	-1		
	9		
Income Balance on Hand	20	\$	<u>697.43</u>

COMBINED BALANCE ON HAND	\$	8,394,003.30
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Unitrust Statement(s)	21
	-2
	8

Verification	29
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**PRINCIPAL RECEIPTS**

Received from John Doe and Jane Doe, Settlers, for the uses and purposes as set forth in their Deed of Trust dated January 1, 2001, consisting of:

**Bonds**

\$500,000 AT&T Corp., 4.25% due 07/01/2001	\$	490,000.00
--	----	------------

\$500,000 U.S. Treasury Bond, 3% due 10/01/2003		489,000.00
---	--	------------

**Common Stocks**

25,000 Shs. Exxon Mobil Corp. 2,125,000.00

22,000 Shs. General Electric Co. 1,320,000.00

34,000 Shs. General Motors Corp. 2,550,000.00

15,000 Shs. Int'l Business Machines Corp. 1,875,000.00

20,000 Shs. Microsoft Corp 1,400,000.00

\$ 

---

 10,249,000.00

Cash 400,000.00

TOTAL PRINCIPAL RECEIPTS \$ 

---

 10,649,000.00 

---

**PRINCIPAL GAINS OR LOSSES ON SALES OR OTHER DISPOSITIONS**

		GAIN	LOSS
07/01/01	\$500,000 AT&T Corp., 4.25% due 07/01/2001		
	Net Proceeds	500,000.00	
	Acquisition Value	490,000.00	\$ 10,000.00
		<hr/>	
01/04/02	34,000 Shs. General Motors Corp.		
	Net Proceeds	2,255,981.00	
	Acquisition Value	2,550,000.00	\$ 294,019.00
		<hr/>	
07/01/02	5,000 Shs. Exxon Mobil Corp.		
	Net Proceeds	491,234.00	
	Acquisition Value	425,000.00	66,234.00
		<hr/>	
12/22/02	10,000 Shs. General Electric Co.		
	Net Proceeds	895,786.00	
	Acquisition Value	600,000.00	295,786.00
		<hr/>	
10/02/03	\$500,000 U.S. Treasury Bond, 3% due 10/01/2003		



**DISBURSEMENTS OF PRINCIPAL**

**ADMINISTRATION--MISC. EXPENSES**

**Upstanding Trust Company Trustee's  
Fees**

03/30/01	\$	13,088.00
06/30/01		13,125.00
09/30/01		12,297.00
12/30/01		13,045.00
03/30/02		13,129.00
06/30/02		13,155.00
09/30/02		13,269.00
12/30/02		13,400.00
03/30/03		13,515.00
06/30/03		13,532.00
09/30/03		13,615.00
12/30/03		13,718.00
03/30/04		14,543.00
06/30/04		14,618.00
09/30/04		14,624.00
12/30/04		14,655.00
03/30/05		12,458.00



06/30/05	12,516.00				
09/30/05	12,499.00				
12/30/05	12,512.00	\$	267,313.00	\$	267,313.00

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**TRANSFERS FROM PRINCIPAL TO INCOME TO SATISFY UNITRUST PAYOUTS**

12/30/01			471,000.00		
12/30/02			448,000.00		
12/30/03			424,000.00		
12/30/04			400,000.00		
12/30/05			384,000.00		2,127,000.00

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TOTAL DISBURSEMENTS OF PRINCIPAL					2,394,313.00
				\$	00

**PRINCIPAL BALANCE ON HAND**

<b>VALUE AT 12/31/2005</b>	<b>FIDUCIARY ACQUISITION VALUE</b>
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**Bonds**

Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4

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\$500,000 U.S. Treasury Bond, 3.5% due 01/01/2009	\$	498,656.00	\$	498,765.00
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**Common Stocks**

20,000 Shs. Exxon Mobil Corp.		1,936,589.00		1,700,000.00
12,000 Shs. General Electric Co.		998,787.00		720,000.00
14,500 Shs. Int'l Business Machines Corp.		1,965,632.00		1,812,500.00
20,000 Shs. Microsoft Corp		1,932,652.00		1,400,000.00
50,000 Shs. Xerox Corporation		791,564.00		775,345.00

**Mutual Funds**

56,500 Shs. Vanguard Long Term Bond Fund		850,522.00		849,518.71
5,500 Shs. Vanguard S&P 500 Index Fund		616,654.00		578,964.16

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	\$	9,591,056.00	\$	8,335,092.87
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Upstanding Trust Company Money Market		58,213.00		58,213.00
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TOTAL PRINCIPAL BALANCE ON HAND	\$	9,649,269.00	\$	8,393,305.87
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**PRINCIPAL INVESTMENTS MADE**

01/0 6/02	66,500 Shs. Vanguard Long Term Bond Fund		\$	999,876.00
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01/0 6/02	9,500 Shs. Vanguard S&P 500 Index Fund			1,000,029.0 0
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12/2 7/02	50,000 Shs. Xerox Corporation			775,345.00
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12/2 9/02	\$500,000 U.S. Treasury Bond, 3.5% due 01/01/2009			498,765.00
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TOTAL PRINCIPAL INVESTMENTS MADE			\$	3,274,015.0 0
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**CHANGES IN PRINCIPAL HOLDINGS**

ACCOUNT VALUE

**Exxon Mobil Corp.**

	25,000 Shs.	Received from Settlers	\$	2,125,000.00
07/01/02	5,000 Shs.	Sold		-425,000.00
	<hr/>			
	20,000 Shs.		\$	1,700,000.00
	<hr/>			

**General Electric Co.**

	22,000 Shs.	Received from Settlers	\$	1,320,000.00
12/22/02	10,000 Shs.	Sold		-600,000.00
	<hr/>			
	12,000 Shs.		\$	720,000.00
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**Int'l Business Machines Corp.**

	15,000 Shs.	Received from Settlers	\$	1,875,000.00
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Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4

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12/15/05	500 Shs.	Sold		-62,500.00
	<hr/>			
	14,500 Shs.		\$	1,812,500.00
	<hr/>			

**Vanguard Long Term Bond Fund**

01/06/02	66,500 Shs.	Invested	\$	999,876.00
11/15/04	10,000 Shs.	Sold		-150,357.29
	<hr/>			
	56,500 Shs.		\$	849,518.71
	<hr/>			

**Vanguard S&P 500 Index Fund**

01/06/02	9,500 Shs.	Invested	\$	1,000,029.00
03/15/04	4,000 Shs.	Sold		-421,064.84
	<hr/>			
	5,500 Shs.		\$	578,964.16
	<hr/>			

**RECEIPTS OF INCOME**

**AT&T Corp., 4.25% due 07/01/2001**

01/04/01 Interest \$500,000	\$	10,625.00		
07/04/01 Interest \$500,000		10,625.00	\$	21,250.00

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**Exxon Mobil Corp.**

02/14/01 Dividend 25,000 Shs.	\$	500.00		
05/14/01 Dividend 25,000 Shs.		500.00		
08/14/01 Dividend 25,000 Shs.		500.00		
11/14/01 Dividend 25,000 Shs.		500.00		
02/14/02 Dividend 25,000 Shs.		500.00		
05/14/02 Dividend 25,000 Shs.		500.00		
08/14/02 Dividend 20,000 Shs.		400.00		
11/14/02 Dividend 20,000 Shs.		400.00		
02/14/03 Dividend 20,000 Shs.		400.00		
05/14/03 Dividend 20,000 Shs.		400.00		
08/14/03 Dividend 20,000 Shs.		400.00		

**Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4**

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11/14/03 Dividend 20,000 Shs.	400.00		
02/14/04 Dividend 20,000 Shs.	400.00		
05/14/04 Dividend 20,000 Shs.	420.00		
08/14/04 Dividend 20,000 Shs.	420.00		
11/14/04 Dividend 20,000 Shs.	420.00		
02/14/05 Dividend 20,000 Shs.	420.00		
05/14/05 Dividend 20,000 Shs.	420.00		
08/14/05 Dividend 20,000 Shs.	420.00		
11/14/05 Dividend 20,000 Shs.		420.00	8,740.00

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**General Electric Co.**

01/17/01 Dividend 22,000 Shs.	\$	2,860.00
04/17/01 Dividend 22,000 Shs.	2,860.00	
07/17/01 Dividend 22,000 Shs.	2,860.00	
10/17/01 Dividend 22,000 Shs.	2,860.00	
01/17/02 Dividend 22,000 Shs.	2,860.00	
04/17/02 Dividend 22,000 Shs.	2,860.00	
07/17/02 Dividend 22,000 Shs.	2,860.00	
10/17/02 Dividend 22,000 Shs.	2,860.00	
01/17/03 Dividend 12,000 Shs.	1,560.00	

**Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4**

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04/17/03 Dividend 12,000 Shs.	1,560.00
07/17/03 Dividend 12,000 Shs.	1,560.00
10/17/03 Dividend 12,000 Shs.	1,560.00
01/17/04 Dividend 12,000 Shs.	1,560.00
04/17/04 Dividend 12,000 Shs.	1,560.00
07/17/04 Dividend 12,000 Shs.	1,560.00
10/17/04 Dividend 12,000 Shs.	1,560.00

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\$	35,360.00	\$	29,990.00
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01/17/05 Dividend 12,000 Shs.	1,560.00
04/17/05 Dividend 12,000 Shs.	1,560.00
07/17/05 Dividend 12,000 Shs.	1,560.00
10/17/05 Dividend 12,000 Shs.	1,560.00

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1,560.00	41,600.00
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**General Motors Corp.**

01/06/01 Dividend 34,000 Shs.	\$	1,700.00
04/06/01 Dividend 34,000 Shs.	1,700.00	
07/06/01 Dividend 34,000 Shs.	1,700.00	
10/06/01 Dividend 34,000 Shs.	1,700.00	6,800.00

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**Int'l Business Machines Corp.**

03/04/01 Dividend 15,000 Shs.	\$	1,950.00
06/04/01 Dividend 15,000 Shs.	1,950.00	
09/04/01 Dividend 15,000 Shs.	1,950.00	
12/04/01 Dividend 15,000 Shs.	1,950.00	
03/04/02 Dividend 15,000 Shs.	1,950.00	
06/04/02 Dividend 15,000 Shs.	1,950.00	
09/04/02 Dividend 15,000 Shs.	1,950.00	
12/04/02 Dividend 15,000 Shs.	1,950.00	
03/04/03 Dividend 15,000 Shs.	1,950.00	
06/04/03 Dividend 15,000 Shs.	1,950.00	
09/04/03 Dividend 15,000 Shs.	1,950.00	
12/04/03 Dividend 15,000 Shs.	1,950.00	
03/04/04 Dividend 15,000 Shs.	1,950.00	
06/04/04 Dividend 15,000 Shs.	1,950.00	
09/04/04 Dividend 15,000 Shs.	1,950.00	
12/04/04 Dividend 15,000 Shs.	1,950.00	

Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4

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03/04/05 Dividend 15,000 Shs.	1,950.00		
06/04/05 Dividend 15,000 Shs.	1,950.00		
09/04/05 Dividend 15,000 Shs.	1,950.00		
12/04/05 Dividend 15,000 Shs.		1,950.00	39,000.00

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**Microsoft Corp**

02/08/01 Dividend 20,000 Shs.	\$	2,600.00	
05/08/01 Dividend 20,000 Shs.		2,600.00	
08/08/01 Dividend 20,000 Shs.		2,600.00	
11/08/01 Dividend 20,000 Shs.		2,600.00	
	\$	10,400.00	\$ 117,390.00

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02/08/02 Dividend 20,000 Shs.	2,600.00
05/08/02 Dividend 20,000 Shs.	2,600.00
08/08/02 Dividend 20,000 Shs.	2,600.00
11/08/02 Dividend 20,000 Shs.	2,600.00
02/08/03 Dividend 20,000 Shs.	2,600.00
05/08/03 Dividend 20,000 Shs.	2,600.00
08/08/03 Dividend 20,000 Shs.	2,600.00
11/08/03 Dividend 20,000 Shs.	2,600.00

**Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4**

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02/08/04 Dividend 20,000 Shs.	2,600.00		
05/08/04 Dividend 20,000 Shs.	2,600.00		
08/08/04 Dividend 20,000 Shs.	2,600.00		
11/08/04 Dividend 20,000 Shs.	2,600.00		
02/08/05 Dividend 20,000 Shs.	2,600.00		
05/08/05 Dividend 20,000 Shs.	2,600.00		
08/08/05 Dividend 20,000 Shs.	2,600.00		
11/08/05 Dividend 20,000 Shs.		2,600.00	52,000.00

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**U.S. Treasury Bond, 3% due 10/01/2003**

04/10/01 Interest \$500,000	\$	7,500.00	
10/10/01 Interest \$500,000	7,500.00		
04/10/02 Interest \$500,000	7,500.00		
10/10/02 Interest \$500,000	7,500.00		
04/10/03 Interest \$500,000	7,500.00		
10/01/03 Interest \$500,000		7,500.00	45,000.00

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**U.S. Treasury Bond, 3.5% due 01/01/2009**

01/06/03 Interest \$500,000	\$	8,750.00	
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Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4

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07/06/03 Interest \$500,000	8,750.00		
01/06/04 Interest \$500,000	8,750.00		
07/06/04 Interest \$500,000	8,750.00		
01/06/05 Interest \$500,000	8,750.00		
07/06/05 Interest \$500,000		8,750.00	52,500.00

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**Upstanding Trust Company Money Market**

02/01/01 Interest	\$	1,375.12		
03/01/01 Interest		1,122.22		
04/01/01 Interest		1,253.22		
05/01/01 Interest		998.32		
	\$	4,748.88	\$	266,890.00
06/01/01 Interest		955.67		
07/01/01 Interest		996.22		
08/01/01 Interest		922.87		
09/01/01 Interest		498.80		
10/01/01 Interest		785.32		
11/01/01 Interest		811.32		
12/01/01 Interest		800.20		

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Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4

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01/01/02 Interest	1,795.60
02/01/02 Interest	1,567.22
03/01/02 Interest	1,223.00
04/01/02 Interest	1,119.00
05/01/02 Interest	1,223.00
06/01/02 Interest	1,001.75
07/01/02 Interest	1,301.75
08/01/02 Interest	901.75
09/01/02 Interest	1,002.34
10/01/02 Interest	1,212.34
11/01/02 Interest	1,022.34
12/01/02 Interest	955.66
01/01/03 Interest	1,101.00
02/01/03 Interest	1,122.00
03/01/03 Interest	1,121.00
04/01/03 Interest	1,133.00
05/01/03 Interest	1,119.00
06/01/03 Interest	1,122.00
07/01/03 Interest	1,211.00
08/01/03 Interest	1,201.00
09/01/03 Interest	1,233.00
10/01/03 Interest	1,241.00
11/01/03 Interest	1,222.00
12/01/03 Interest	1,234.00

Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4

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01/01/04 Interest	1,112.00
02/01/04 Interest	1,122.00
03/01/04 Interest	1,111.00
04/01/04 Interest	950.00
05/01/04 Interest	1,003.00
06/01/04 Interest	996.00
07/01/04 Interest	1,099.00
08/01/04 Interest	1,101.00
09/01/04 Interest	993.00
10/01/04 Interest	897.00

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\$	49,289.03	\$	266,890.00
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11/01/04 Interest	1,022.00
12/01/04 Interest	998.00
01/01/05 Interest	904.00
02/01/05 Interest	997.00
03/01/05 Interest	1,022.00
04/01/05 Interest	1,012.00
05/01/05 Interest	957.00
06/01/05 Interest	1,040.00
07/01/05 Interest	1,021.00
08/01/05 Interest	1,012.00
09/01/05 Interest	1,066.00

Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4

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10/01/05 Interest	921.00		
11/01/05 Interest	991.00		
12/01/05 Interest		1,010.00	63,262.03

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**Vanguard Long Term Bond Fund**

02/04/02 Dividend 66,500 Shs.	\$	3,755.00	
03/04/02 Dividend 66,500 Shs.		3,821.00	
04/04/02 Dividend 66,500 Shs.		3,966.00	
05/04/02 Dividend 66,500 Shs.		3,884.00	
06/04/02 Dividend 66,500 Shs.		3,892.00	
07/04/02 Dividend 66,500 Shs.		3,921.00	
08/04/02 Dividend 66,500 Shs.		3,866.00	
09/04/02 Dividend 66,500 Shs.		3,904.00	
10/04/02 Dividend 66,500 Shs.		3,916.00	
11/04/02 Dividend 66,500 Shs.		3,924.00	
12/04/02 Dividend 66,500 Shs.		3,911.00	
01/04/03 Dividend 66,500 Shs.		3,922.00	
02/04/03 Dividend 66,500 Shs.		3,916.00	
03/04/03 Dividend 66,500 Shs.		3,945.00	
04/04/03 Dividend 66,500 Shs.		3,941.00	
05/04/03 Dividend 66,500 Shs.		3,933.00	
06/04/03 Dividend 66,500 Shs.		3,922.00	
07/04/03 Dividend 66,500 Shs.		3,922.00	

Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4

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08/04/03 Dividend 66,500 Shs.	3,966.00
09/04/03 Dividend 66,500 Shs.	3,961.00
10/04/03 Dividend 66,500 Shs.	3,955.00
11/04/03 Dividend 66,500 Shs.	3,960.00
12/04/03 Dividend 66,500 Shs.	3,962.00
01/04/04 Dividend 66,500 Shs.	3,855.00

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\$	93,920.00	\$	330,152.03
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02/04/04 Dividend 66,500 Shs.	3,801.00
03/04/04 Dividend 66,500 Shs.	3,812.00
04/04/04 Dividend 66,500 Shs.	3,790.00
05/04/04 Dividend 66,500 Shs.	3,780.00
06/04/04 Dividend 66,500 Shs.	3,781.00
07/04/04 Dividend 66,500 Shs.	3,766.00
08/04/04 Dividend 66,500 Shs.	3,758.00
09/04/04 Dividend 66,500 Shs.	3,741.00
10/04/04 Dividend 66,500 Shs.	3,722.00
11/04/04 Dividend 66,500 Shs.	3,716.00
12/04/04 Dividend 56,500 Shs.	3,157.00
01/04/05 Dividend 56,500 Shs.	3,044.00
02/04/05 Dividend 56,500 Shs.	3,019.00
03/04/05 Dividend 56,500 Shs.	3,044.00
04/04/05 Dividend 56,500 Shs.	3,115.00
05/04/05 Dividend 56,500 Shs.	3,111.00



**Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4**

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06/04/05 Dividend 56,500 Shs.	3,099.00		
07/04/05 Dividend 56,500 Shs.	3,111.00		
08/04/05 Dividend 56,500 Shs.	3,116.00		
09/04/05 Dividend 56,500 Shs.	3,115.00		
10/04/05 Dividend 56,500 Shs.	3,122.00		
11/04/05 Dividend 56,500 Shs.	3,132.00		
12/04/05 Dividend 56,500 Shs.		3,121.00	171,893.00

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**Vanguard S&P 500 Index Fund**

04/05/02 Dividend 9,500 Shs.	\$	3,756.00	
07/05/02 Dividend 9,500 Shs.	3,922.00		
10/05/02 Dividend 9,500 Shs.	4,015.00		
01/05/03 Dividend 9,500 Shs.	4,111.00		
04/05/03 Dividend 9,500 Shs.	4,221.00		
07/05/03 Dividend 9,500 Shs.	4,234.00		
10/05/03 Dividend 9,500 Shs.	4,311.00		
01/05/04 Dividend 9,500 Shs.	4,223.00		
04/05/04 Dividend 5,500 Shs.	4,111.00		
07/05/04 Dividend 5,500 Shs.	4,005.00		
10/05/04 Dividend 5,500 Shs.	4,055.00		
01/05/05 Dividend 5,500 Shs.	4,120.00		
04/05/05 Dividend 5,500 Shs.	4,234.00		
07/05/05 Dividend 5,500 Shs.	4,001.00		

Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4

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10/05/05 Dividend 5,500 Shs.	4,011.00	61,330.00
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\$	563,375.03	
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**Xerox Corporation**

04/05/03 Dividend 50,000 Shs.	\$	2,500.00	
07/05/03 Dividend 50,000 Shs.		2,500.00	
10/05/03 Dividend 50,000 Shs.		2,500.00	
01/05/04 Dividend 50,000 Shs.		2,500.00	
04/05/04 Dividend 50,000 Shs.		2,500.00	
07/05/04 Dividend 50,000 Shs.		2,500.00	
10/05/04 Dividend 50,000 Shs.		2,500.00	
01/05/05 Dividend 50,000 Shs.		2,500.00	
04/05/05 Dividend 50,000 Shs.		2,500.00	
07/05/05 Dividend 50,000 Shs.		2,500.00	
10/05/05 Dividend 50,000 Shs.		2,500.00	27,500.00

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**Transfers from Principal to Income to Satisfy  
Unitrust Payouts**

Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4

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12/30/01	\$	471,000.00	
12/30/02		448,000.00	
12/30/03		424,000.00	
12/30/04		400,000.00	
12/30/05		384,000.00	2,127,000.00

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TOTAL RECEIPTS OF INCOME \$ 2,717,875.03

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**DISBURSEMENTS OF INCOME**

**Upstanding Trust Company**

**Trustee's Fees**

03/30/01	\$	5,609.00
06/30/01		5,715.00
09/30/01		5,823.00
12/30/01		5,912.00
03/30/02		6,010.00
06/30/02		6,211.00
09/30/02		6,055.00
12/30/02		6,234.00
03/30/03		6,311.00
06/30/03		6,312.00

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Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4

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09/30/03		6,322.00		
12/30/03		6,335.00		
03/30/04		6,431.00		
06/30/04		6,455.00		
09/30/04		6,459.00		
12/30/04		6,466.00		
03/30/05		5,340.00		
06/30/05		5,342.00		
09/30/05		5,351.00		
12/30/05		5,366.00	\$	120,059.00
<hr/>				
	TOTAL DISBURSEMENTS OF INCOME		\$	120,059.00
<hr/>				

**DISTRIBUTIONS OF INCOME TO BENEFICIARIES**

**2001 Unitrust Payouts**

Jane Doe

03/30/01	\$	66,556.25		
06/30/01		66,556.25		
09/30/01		66,556.25		
12/30/01		66,556.25	\$	266,225.00
<hr/>				

John Doe

03/30/01	\$	66,556.25		
06/30/01		66,556.25		
09/30/01		66,556.25		
12/30/01		66,556.25	266,225.00	\$ 532,450.00

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**2002 Unitrust Payouts**

Jane Doe

03/30/02	\$	67,378.02		
06/30/02		67,378.02		
09/30/02		67,378.02		
12/30/02		67,378.02	\$ 269,512.08	

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John Doe

03/30/02	\$	67,378.02		
06/30/02		67,378.02		
09/30/02		67,378.02		
12/30/02		67,378.02	269,512.08	539,024.16

---

**2003 Unitrust Payouts**

Jane Doe

03/30/03	\$	68,486.86	
06/30/03		68,486.87	
09/30/03		68,486.86	
12/30/03		68,486.87	\$ 273,947.46

---

John Doe

03/30/03	\$	68,486.87		
06/30/03		68,486.86		
09/30/03		68,486.87		
12/30/03		68,486.86	273,947.46	547,894.92

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				\$ 1,619,369.08
--	--	--	--	-----------------

**2004 Unitrust Payouts**

Jane Doe

03/30/04	\$	62,709.55	
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**Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4**

---

06/30/04		62,709.55		
09/30/04		62,709.55		
12/30/04		62,709.55	\$	250,838.20

---

**John Doe**

03/30/04	\$	62,709.55		
06/30/04		62,709.55		
09/30/04		62,709.55		
12/30/04		62,709.55		250,838.20
				501,676.40

---

**2005 Unitrust Payouts**

**Jane Doe**

03/30/05	\$	59,509.14		
06/30/05		59,509.14		
09/30/05		59,509.14		
12/30/05		59,509.14	\$	238,036.56

---

**John Doe**

903/30/05	\$	59,509.14		
06/30/05		59,509.14		

09/30/05	59,509.14		
12/30/05	59,509.14	238,036.56	476,073.12

---

TOTAL DISTRIBUTIONS OF INCOME TO BENEFICIARIES \$ 2,597,118.60

**INCOME BALANCE ON HAND**

	VALUE AT 12/31/2005	FIDUCIARY ACQUISITION VALUE
Upstanding Trust Company Money Market	\$ 697.43	\$ 697.43
TOTAL INCOME BALANCE ON HAND	\$ 697.43	\$ 697.43

**UNITRUST STATEMENT**

Fair Market Value as of 01/01/2001

**MARKET VALUE**

**Bonds**



Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4

---

\$500,000 AT&T 4.25% due 07/01/2001	\$	490,000.00
\$500,000 US Treasury Bond 3% due 10/01/2003		489,000.00

**Common Stocks**

25,000 Shs. Exxon Mobil Corp.		2,125,000.00
22,000 Shs. General Electric Co.		1,320,000.00
34,000 Shs. General Motors Corp.		2,550,000.00
15,000 Shs. Int'l Business Machines Corp.		1,875,000.00
20,000 Shs. Microsoft Corp		1,400,000.00
		<hr/>
	\$	10,249,000.00

**Cash**

Principal Cash		400,000.00
----------------	--	------------

Income Cash .00

---

Fair Market Value \$ 10,649,000.00

Payout Rate 5.000%

2001 Unitrust Payout \$ 532,450.00

Number of Payments per Year 4

Installment Amount \$ 133,112.50

Paid as Follows:

Jane Doe 50.000% \$ 66,556.25

John Doe 50.000% \$ 66,556.25

**UNITRUST STATEMENT**

**Fair Market Value as of 01/01/2002**

**MARKET VALUE**

**Bonds**

\$500,000 US Treasury Bond 3% due 10/01/2003	\$	488,965.00
---	----	------------

**Common Stocks**

25,000 Shs. Exxon Mobil Corp.		2,460,000.00
-------------------------------	--	--------------

22,000 Shs. General Electric Co.		1,461,321.00
----------------------------------	--	--------------

34,000 Shs. General Motors Corp.		2,316,000.00
----------------------------------	--	--------------

15,000 Shs. Int'l Business Machines Corp.		2,001,020.00
---	--	--------------

20,000 Shs. Microsoft Corp		1,675,032.00
----------------------------	--	--------------

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	\$	10,402,338.00
--	----	---------------

**Cash**

Principal Cash		377,445.00
----------------	--	------------

Income Cash		700.28
-------------	--	--------

Fair Market Value		\$	10,780,483.28
Payout Rate			5.000%
2002 Unitrust Payout		\$	539,024.16
Number of Payments per Year			4
Installment Amount		\$	134,756.04
Paid as Follows:			
Jane Doe	50.000%	\$	67,378.02
John Doe	50.000%	\$	67,378.02

**UNITRUST STATEMENT**

**Fair Market Value as of 01/01/2003**

**MARKET VALUE**

**Bonds**

Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4

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\$500,000 US Treasury Bond 3% due 10/01/2003	\$	491,253.00
---	----	------------

\$500,000 US Treasury Bond 3.5% due 01/01/2009		498,765.00
---	--	------------

**Common Stocks**

20,000 Shs. Exxon Mobil Corp.		1,853,265.00
-------------------------------	--	--------------

12,000 Shs. General Electric Co.		975,895.00
----------------------------------	--	------------

15,000 Shs. Int'l Business Machines Corp.		1,991,897.00
---	--	--------------

20,000 Shs. Microsoft Corp		1,999,787.00
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50,000 Shs. Xerox Corporation		797,841.00
-------------------------------	--	------------

**Mutual Funds**

66,500 Shs. Vanguard Long Term Bond Fund		1,002,122.00
--	--	--------------

9,500 Shs. Vanguard S&P 500 Index Fund		1,101,210.00
--	--	--------------

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	\$	10,712,035.00
--	----	---------------

**Cash**

Principal Cash	245,478.00
----------------	------------

Income Cash	384.87
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Fair Market Value	\$ 10,957,897.87
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Payout Rate	5.000%
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2003 Unitrust Payout	\$ 547,894.89
----------------------	---------------

Number of Payments per Year	4
-----------------------------	---

Installment Amount	\$ 136,973.72
--------------------	---------------

---

	\$ 136,973.72
--	---------------

Paid as Follows:

Jane Doe	50.000%	\$ 68,486.86
----------	---------	--------------

John Doe	50.000%	\$ 68,486.86
----------	---------	--------------

**UNITRUST STATEMENT**

**Fair Market Value as of 01/01/2004**

**MARKET VALUE**

**Bonds**

\$500,000 US Treasury Bond 3.5% due 01/01/2009	\$	497,888.00
---	----	------------

**Common Stocks**

20,000 Shs. Exxon Mobil Corp.		1,911,221.00
-------------------------------	--	--------------

12,000 Shs. General Electric Co.		954,668.00
----------------------------------	--	------------

15,000 Shs. Int'l Business Machines Corp.		1,801,254.00
--	--	--------------

20,000 Shs. Microsoft Corp		1,852,325.00
----------------------------	--	--------------

50,000 Shs. Xerox Corporation		766,897.00
-------------------------------	--	------------

**Mutual Funds**

Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4

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66,500 Shs. Vanguard Long Term Bond Fund	997,898.00
9,500 Shs. Vanguard S&P 500 Index Fund	988,787.00
	<hr/>
	\$ 9,770,938.00

**Cash**

Principal Cash	267,098.00
Income Cash	-4,508.05
	<hr/>

Fair Market Value \$ 10,033,527.95

Payout Rate 5.000%

2004 Unitrust Payout \$ 501,676.40

Number of Payments per Year 4

Installment Amount \$ 125,419.10

---

\$ 125,419.10



Paid as Follows:

Jane Doe	50.000%	\$	62,709.55
John Doe	50.000%	\$	62,709.55

**UNITRUST STATEMENT**

**Fair Market Value as of 01/01/2005**

**MARKET VALUE**

**Bonds**

\$500,000 US Treasury Bond 3.5% due 01/01/2009	\$	498,656.00
---	----	------------

**Common Stocks**

20,000 Shs. Exxon Mobil Corp.	1,899,562.00
12,000 Shs. General Electric Co.	932,221.00
15,000 Shs. Int'l Business Machines Corp.	1,755,696.00

Form MFA-4. Model Charitable Remainder Unitrust Account, PA ST ORPHANS CT MFA-4

---

20,000 Shs. Microsoft Corp 1,856,665.00

50,000 Shs. Xerox Corporation 766,545.00

**Mutual Funds**

56,500 Shs. Vanguard Long Term Bond Fund 847,838.00

5,500 Shs. Vanguard S&P 500 Index Fund 544,500.00

---

\$ 9,101,683.00

**Cash**

Principal Cash 424,698.00

Income Cash -4,918.45

---

Fair Market Value \$ 9,521,462.55

Payout Rate 5.000%

2005 Unitrust Payout \$ 476,073.13

Number of Payments per Year 4

Installment Amount \$ 119,018.28

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\$ 119,018.28

Paid as Follows:

Jane Doe 50.000% \$ 59,509.14

John Doe 50.000% \$ 59,509.14

UPSTANDING TRUST COMPANY

By \_\_\_\_\_  
Walter Trust, Vice President  
Trustee under Deed dated January 1, 2001  
of John Doe and Jane Doe, Settlers

**VERIFICATION**

WALTER TRUST, Vice President of Upstanding Trust Company, Trustee under Deed dated January 1, 2001 of JOHN DOE and JANE DOE, Settlers, hereby declares under oath that said Trustee has fully and faithfully discharged the duties of its office; that the foregoing First Account is true and correct and fully discloses all significant transactions occurring during the accounting period; that all known claims against the trust have been paid in full; that, to his knowledge, there are no claims now outstanding against the Trust; and that no taxes are presently due from the Trust on account of its status as a charitable remainder unitrust.

This statement is made subject to penalties of [18 Pa. C.S.A. Section 4904](#) relating to unsworn falsification to authorities.

\_\_\_\_\_  
Walter Trust

Dated: \_\_\_\_\_

Pa.O.C. MFA-4, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT MFA-4  
Current with amendments received through December 1, 2016.

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<a href="#">Chapter 7. Orphans' Court Divisions</a>
<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Adoption Forms</a>

Pa.O.C.Rules, Form 15.6

Form 15.6. Notice of Orphans' Court Proceedings to be Filed With Clerk in Dependency Proceedings by Solicitor of County Agency (Pa. O.C. Rule 15.6(b))

[Currentness](#)

**Præcipe to Clerk in Dependency Proceeding of Filing of a Petition to Terminate Parental Rights, Confirm Consent, or Adopt**

IN THE COURT OF COMMON PLEAS  
COUNTY PENNSYLVANIA  
JUVENILE DIVISION

In the Interest  
of \_\_\_\_\_, a Minor  
[Initials of Minor]  
Date of Birth \_\_\_\_\_

Docket No.: CP- \_\_\_\_\_ -DP- \_\_\_\_\_ - \_\_\_\_\_

TO CLERK OF \_\_\_\_\_:  
[Title of Clerk Maintaining Dependency Docket]

Please kindly record the following in the CPCMS – Dependency Module:

I hereby notify you that the following has been filed on \_\_\_\_\_ with the Orphans' Court in \_\_\_\_\_ County concerning the above-child:

- A petition to relinquish parental rights of \_\_\_\_\_.
- A petition to terminate parental rights of \_\_\_\_\_.
- A petition to confirm consent of \_\_\_\_\_.
- A petition for adoption \_\_\_\_\_.

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

\_\_\_\_\_  
On behalf of:

**Praecepto to Clerk in Dependency Proceeding of Entry of Decision Disposing of Petition**

IN THE COURT OF COMMON PLEAS  
COUNTY PENNSYLVANIA  
JUVENILE DIVISION

In the Interest  
of \_\_\_\_\_, a Minor  
[Initials of Minor]  
Date of Birth \_\_\_\_\_

Docket No.: CP- \_\_\_\_\_ -CP- \_\_\_\_\_ -

TO CLERK OF \_\_\_\_\_;  
[Title of Clerk Maintaining Dependency Docket]

Please kindly record the following in the CPCMS – Dependency Module:

I hereby notify you that the following has been filed on \_\_\_\_\_ with the Orphans' Court in \_\_\_\_\_ County concerning the above-child:

- An order  granting  denying the petition to relinquish parental rights of \_\_\_\_\_.
- An order  granting  denying the petition to terminate parental rights of \_\_\_\_\_.
- An order  granting  denying the petition to confirm consent of \_\_\_\_\_.
- With the above-order relinquishing or terminating parental rights or confirming the consent of the parent(s), the child is available for adoption.  
Do not check if at least one parent still has parental rights.
- An order  granting  denying the petition for adoption.

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

\_\_\_\_\_  
On behalf of:

**Praecipe to Clerk in Dependency Proceeding of Filing of Notice of Appeal**

IN THE COURT OF COMMON PLEAS  
COUNTY PENNSYLVANIA  
JUVENILE DIVISION

In the Interest  
of \_\_\_\_\_ a Minor  
[Initials of Minor]  
Date of Birth \_\_\_\_\_

Docket No.: CP- \_\_\_\_\_ -DP- \_\_\_\_\_ - \_\_\_\_\_

TO CLERK OF \_\_\_\_\_;  
[Title of Clerk Maintaining Dependency Docket]

Please kindly record the following in the CPCMS – Dependency Module:

I hereby notify you that an appeal has been filed on \_\_\_\_\_ concerning the above-child from the following Orphans' Court order:

- An order  granting  denying the petition to relinquish parental rights of \_\_\_\_\_
- An order  granting  denying the petition to terminate parental rights of \_\_\_\_\_
- An order  granting  denying the petition to confirm consent of \_\_\_\_\_
- An order  granting  denying the petition for adoption.

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

On behalf of: \_\_\_\_\_

**Praecipe to Clerk in Dependency Proceeding of Entry of Decision Disposing of Appeal**



IN THE COURT OF COMMON PLEAS  
COUNTY PENNSYLVANIA  
JUVENILE DIVISION

In the Interest  
of \_\_\_\_\_, a Minor  
[Initials of Minor]  
Date of Birth \_\_\_\_\_

Docket No.: CP-\_\_\_\_-DP-\_\_\_\_-

TO CLERK OF \_\_\_\_\_  
[Title of Clerk Maintaining Dependency Docket]

Please kindly record the following in the CPCMS – Dependency Module:

I hereby notify you that the appeal from the Orphans' Court order concerning the above-child has been disposed on \_\_\_\_\_ in the following manner:

Quashed     Affirmed     Reversed     Vacated & Remanded

Other: \_\_\_\_\_

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

On behalf of: \_\_\_\_\_

JOPC Form Rev. 4/15/13

**Credits**

Adopted effective April 19, 2013.

Pa.O.C. Form 15.6, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form 15.6  
Current with amendments received through December 1, 2016.

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<a href="#">Chapter 7. Orphans' Court Divisions</a>
<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Adoption Forms</a>

Pa.O.C.Rules, Form 15.8

Form 15.8. Forms for Registration of Foreign Adoption Decree (Pa. O.C. Rule 15.8), including Instructions for Filing Petition, Petition to Register Foreign Adoption Decree, and Proposed Final Decrees

[Currentness](#)

**IN THE COURT OF COMMON PLEAS**

\_\_\_\_\_ COUNTY, PENNSYLVANIA

**ORPHANS' COURT DIVISION**

**(FAMILY COURT DIVISION in Philadelphia County)**

**IN RE: FOREIGN ADOPTION OF \_\_\_\_\_**

**FILE NO. \_\_\_\_\_**

**PETITION TO REGISTER FOREIGN ADOPTION DECREE**  
**PURSUANT TO 23 Pa. C.S. § 2908**

1. Petitioner(s), the Adopting Parent(s) of the above-named adopted child, is/are

\_\_\_\_\_

2. Petitioner(s) reside(s) in \_\_\_\_\_ County, Pennsylvania, at

\_\_\_\_\_  
*(Street Address)*

\_\_\_\_\_  
*(City, State, Zip)*

3. Has any other court in this Commonwealth or in any other state reviewed, registered, finalized or otherwise assumed jurisdiction over the foreign adoption decree being registered here:

*(circle one)*  Yes  No

If yes, please provide the name of the court, the state and county, what was previously presented to the court and the resulting decision from the court: *(Attach all court decrees).*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. The full name of the adopted child at birth as listed on the foreign birth certificate, if available, was \_\_\_\_\_
5. The full name of the adopted child as written on the foreign adoption decree is \_\_\_\_\_
6. The full name of the adopted child as he or she is to be known from this time forward is \_\_\_\_\_
7. The date of birth of the adopted child is \_\_\_\_\_
8. The date of the foreign adoption decree is \_\_\_\_\_
9. The type of United States visa issued to the adopted child is:  
(circle one)  IR-2,  IR-3,  IH-3,  IR-4,  IH-4
10. The following documents are attached to this Petition:
  - a. Copy of child's birth certificate or other birth identification issued by country of birth; if none, an affidavit of parent(s) stating why none is available.
  - b. Copy of Decree of Adoption issued by foreign government; if Decree is not in English, an English translation certified by the translator to be correct.
  - c. Copy of adopted child's United States visa.
  - d. Pennsylvania Department of Health, Division of Vital Records Form No. HD01273F, Certificate of Adoption of a Foreign-Born Child with Parts 1 and 2 (and Part 3, if applicable) completed.
  - e. Pennsylvania Department of Health, Division of Vital Records Form No. HD01275F, Statement of Citizenship and Residency.
  - f. Copy of U.S. Government Form N-560, Certificate of Citizenship, and/or a copy of the child's United States passport, if either or both documents are available.

WHEREFORE, Petitioner(s) request(s) that this Court enter a Decree authorizing the registration and docketing of the attached Foreign Adoption Decree with the Clerk of the appropriate Court and decreeing that

\_\_\_\_\_ shall henceforth be known as  
*(Name of child as written on Foreign Adoption Decree)*

\_\_\_\_\_ and shall have all the  
*(Child's name from this time forward)*

rights of a child and heir of the Petitioner(s).

\_\_\_\_\_  
Signature of Adopting Parent<sup>1</sup>

\_\_\_\_\_  
Signature of Adopting Parent

\_\_\_\_\_  
Daytime telephone no. for Adopting Parent(s)

\_\_\_\_\_  
<sup>1</sup> When there are two adopting parents, both must sign.

**VERIFICATION TO PETITION TO REGISTER FOREIGN ADOPTION DECREE  
PURSUANT TO 23 Pa. C.S. § 2908**

I/We, \_\_\_\_\_, verify that I/we am/are the Petitioner(s) named in the foregoing Petition, that I/we have read and understand the information set forth in the Instructions to the Petition to Register Foreign Adoption Decree, and that the facts set forth in the foregoing Petition are true and correct to the best of my/our knowledge, information and belief. I/We further verify that all documents attached to this Petition are true and correct copies of the originals. I/We understand that false statements made herein are subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

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

\_\_\_\_\_  
Signature of Adopting Parent

\_\_\_\_\_  
Signature of Adopting Parent

**IN THE COURT OF COMMON PLEAS**  
\_\_\_\_\_ COUNTY, PENNSYLVANIA  
**ORPHANS' COURT DIVISION**  
**(FAMILY COURT DIVISION in Philadelphia County)**

IN RE: FOREIGN ADOPTION OF \_\_\_\_\_  
ADOPTION NO. \_\_\_\_\_

**FINAL DECREE**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, it  
is hereby ORDERED and DECREED that the Petition of \_\_\_\_\_  
\_\_\_\_\_ (Adopting Parent(s))  
\_\_\_\_\_ to Register

Foreign Adoption Decree is GRANTED and that this Court authorizes the  
registration and docketing of the Foreign Adoption Decree entered on

\_\_\_\_\_ by \_\_\_\_\_  
(Date of Foreign Adoption Decree) (Name of Foreign Court)  
in \_\_\_\_\_  
(Foreign Country)

It is FURTHER ORDERED and DECREED that the above Foreign Adoption  
Decree shall be enforceable as if this Court had entered the Decree and that  
henceforth this child \_\_\_\_\_  
(Name of child as written on Foreign Adoption Decree)

shall be known as \_\_\_\_\_ and shall  
(Child's name from this time forward)

have all the rights of a child and heir of \_\_\_\_\_  
(Adopting Parent(s))

BY THE COURT:

\_\_\_\_\_



**IN THE COURT OF COMMON PLEAS**  
\_\_\_\_\_ COUNTY, PENNSYLVANIA  
**ORPHANS' COURT DIVISION**  
**(FAMILY COURT DIVISION in Philadelphia County)**

IN RE: FOREIGN ADOPTION OF \_\_\_\_\_  
ADOPTION NO. \_\_\_\_\_

**FINAL DECREE**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, it  
is hereby ORDERED and DECREED that the Petition of \_\_\_\_\_  
\_\_\_\_\_ (Adopting Parent(s))  
\_\_\_\_\_ to Register

Foreign Adoption Decree is DENIED.

BY THE COURT:

\_\_\_\_\_

**INSTRUCTIONS FOR FILING  
PETITION TO REGISTER FOREIGN ADOPTION DECREE  
PURSUANT TO 23 Pa. C.S. § 2908**

When a child is adopted in conformity with the laws of a foreign country, the adopting parent(s) may register the Foreign Adoption Decree so that the Decree is considered full and final, enforceable as if entered pursuant to the Pennsylvania Adoption Act, and a Pennsylvania birth certificate can be obtained.

Adopting parent(s) seeking to register the Foreign Adoption Decree must:

1. Complete, sign and date the Petition to Register Foreign Adoption Decree and Verification. If a Foreign Adoption Decree shows that there are two adopting parents, both parent(s) must execute the Petition to Register Foreign Adoption Decree.
2. Attach the following documents to the Petition:
  - A copy of the Foreign Adoption Decree;
  - A copy of the child's birth certificate. If no birth certificate was issued, a copy of any other birth identification issued by the country of birth should be attached. If no birth certificate or birth identification can be obtained, an Affidavit stating the reason should be submitted;
  - A copy of the child's United States visa;
  - An English translation of all documents not in English, with a verification by the translator that all translations are true and correct;
  - Pennsylvania Department of Health, Division of Vital Records Form No. HD01273F, Certificate of Adoption of a Foreign-Born Child with Parts 1 and 2 (and Part 3, if applicable) completed;
  - Pennsylvania Department of Health, Division of Vital Records Form No. HD01275F, Statement of Citizenship and Residency;
  - If available, a copy of U. S. Government Form N-560 and/or a copy of the child's U.S. Passport.
3. The Petition to Register with the attachments should be filed with the Clerk of the Orphans' Court Division of the Court of Common Pleas in the county in which the adopting parent(s) reside(s), except for Philadelphia County resident(s), who must file with the Family Court Division. A filing fee will be charged in accordance with the fee schedule of the county court.

After the Petition to Register is filed, it will be submitted to the Court for review. If the Petition to Register and accompanying documents establish that the foreign adoption of the child is full and final, the Court will enter a Decree directing the registration of the Foreign Adoption Decree. The Clerk of the appropriate Court will then issue a certificate of adoption and transmit to the Department of Health, Division of Vital Records Forms HD01273F and HD01275F, and if provided by the adopting parent(s), a copy of U.S. Government Form N-560 and/or a copy of the child's United States passport.

If the Court cannot determine that the foreign adoption is full and final, it will enter a Decree denying the petition. In that case, it will be necessary to proceed under Pa.O.C. Rule 15.9.

Some of the following are reasons why a foreign adoption may not be a full and final adoption eligible for registration:

- both adopting parents were not present for the adoption hearing in the foreign country and the foreign country is not a Hague Convention country; or
- the sole adopting parent was not present at the adoption hearing in the foreign country and the foreign country is not a Hague Convention country; or
- the foreign court did not enter a final adoption Decree or Order or its equivalent; or
- the child's United States visa is not the type that affords the child full United States citizenship.

If the child has an IH-4 or IR-4 United States visa, it will be necessary to proceed under Pa.O.C. Rule 15.9.

**Credits**

Adopted Aug. 30, 2006, effective Sept. 5, 2006. Amended Jan. 3, 2011, effective in sixty days (March 4, 2011).

Pa.O.C. Form 15.8, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form 15.8  
Current with amendments received through December 1, 2016.

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<a href="#">Subchapter G. Procedure</a>
<a href="#">Orphans' Court Rules (Refs &amp; Annos)</a>
<a href="#">Appendix of Forms</a>
<a href="#">Adoption Forms</a>

Pa.O.C.Rules, Form 15.9

Form 15.9. Form Petition for Adoption of a Foreign Born Child (Pa. O.C. Rule 15.9), including the Petition for Adoption of a Foreign Born Child, Report of the Intermediary, Verification of Translator, Preliminary Decree, and Final Decree

[Currentness](#)

IN THE COURT OF COMMON PLEAS OF  
\_\_\_\_\_ COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

(FAMILY COURT DIVISION in Philadelphia County)

IN RE: ADOPTION OF \_\_\_\_\_  
(initials only)

ADOPTION NO. \_\_\_\_\_

**PRELIMINARY DECREE**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_,  
upon consideration of the within Petition and on the motion of \_\_\_\_\_,  
Esquire, attorney for Petitioner(s) or \_\_\_\_\_, Pro Se, a hearing  
thereon is fixed for \_\_\_\_\_ in  
\_\_\_\_\_ before the Honorable \_\_\_\_\_  
at \_\_\_\_\_ am/pm.

Notice shall be given to the following persons and or entities having any legal  
and/or physical rights to the child:

1. NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
\_\_\_\_\_  
RELATIONSHIP \_\_\_\_\_
2. NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
\_\_\_\_\_  
RELATIONSHIP \_\_\_\_\_
3. NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
\_\_\_\_\_  
RELATIONSHIP \_\_\_\_\_

\_\_\_\_\_  
J.

IN THE COURT OF COMMON PLEAS OF  
\_\_\_\_\_  
COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

(FAMILY COURT DIVISION in Philadelphia County)

IN RE: ADOPTION OF \_\_\_\_\_  
(initials only)

ADOPTION NO. \_\_\_\_\_

**FINAL DECREE**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, upon consideration of the within Petition and after the hearing thereon, the Court having made an investigation to verify the statements of the Petition and other facts to give the Court full knowledge as to the desirability of the proposed adoption; and the Court, being satisfied, finds that the statements made in the Petition are true, that the needs and welfare of the child proposed to be adopted will be promoted by this adoption, and that all requirements of the Adoption Act have been met, it is hereby ORDERED, ADJUDGED and DECREED that this child,

\_\_\_\_\_ is hereby adopted,  
(Name of child as written on Foreign Decree)

shall be known as \_\_\_\_\_ and shall  
(Child's name from this time forward)

have all the rights of a child and heir of \_\_\_\_\_  
(Adopting Parent(s))

\_\_\_\_\_ and shall be subject to the duties of a child to said adopting parent(s).

\_\_\_\_\_  
J.

IN THE COURT OF COMMON PLEAS OF  
\_\_\_\_\_ COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

(FAMILY COURT DIVISION in Philadelphia County)

IN RE: ADOPTION OF \_\_\_\_\_  
(initials only)

ADOPTION NO. \_\_\_\_\_

**PETITION FOR ADOPTION OF A FOREIGN BORN CHILD**

To the Honorable, the Judge of said Court:

The Petition of \_\_\_\_\_ under  
(Name(s) of Adopting Parent(s))

23 Pa. C.S. §§ 2701 and 2908 respectfully states that:

1. At least one of the Petitioners filing this Petition is a resident of the Commonwealth of Pennsylvania and has resided in this Commonwealth since \_\_\_\_\_

(Provide at least month and year)

2. No other court in this Commonwealth or in any other state has reviewed, registered, finalized or otherwise assumed jurisdiction over the adoption of this child, except as follows: \_\_\_\_\_

(Provide name of court, county and state)

Explain the proceeding previously initiated and the resulting decision from the court: (Attach all court decrees).

3. Petitioner(s) desire(s) to adopt this child known as \_\_\_\_\_

(Name of child as written on Foreign Decree)

and intend that such child shall be treated as one of (his/her/their) heirs and hereby declare(s) that (he/she/they) will perform all the duties of parent(s) to him/her.

4. The child has entered the United States pursuant to a United States visa. A true and correct copy of the United States visa is attached as an exhibit to this Petition. The United States visa was issued as an:

(Please circle one)  IR-2,  IR-3,  IH-3,  IR-4 or  IH-4

5. a) The child's full name as shown on the United States visa is \_\_\_\_\_

b) The full birth name of the child as listed on the foreign birth certificate (if \_\_\_\_\_

available) is \_\_\_\_\_

c) The full name of the child as it appears on the foreign decree is \_\_\_\_\_

d) The full name of the child as he/she is to be known from this time forward is \_\_\_\_\_

6. The child has resided with Petitioner(s) for the following length of time \_\_\_\_\_

7. Information concerning the Petitioner(s), the adopting parent(s), is as follows:

a) Adopting Father:

- 1) Full name \_\_\_\_\_
- 2) Residence \_\_\_\_\_
- 3) Marital status \_\_\_\_\_
- 4) Age \_\_\_\_\_
- 5) Occupation \_\_\_\_\_
- 6) Religious affiliation \_\_\_\_\_
- 7) Racial background \_\_\_\_\_
- 8) Relationship to adoptee by blood or marriage, if any \_\_\_\_\_
- 9) Daytime telephone no. \_\_\_\_\_

b) Adopting Mother:

- 1) Full name \_\_\_\_\_
- 2) Residence \_\_\_\_\_
- 3) Marital status \_\_\_\_\_
- 4) Age \_\_\_\_\_
- 5) Occupation \_\_\_\_\_
- 6) Religious affiliation \_\_\_\_\_
- 7) Racial background \_\_\_\_\_
- 8) Relationship to adoptee by blood or marriage, if any \_\_\_\_\_
- 9) Daytime telephone no. \_\_\_\_\_

8. The following reports, as applicable, have been completed as of the dates set forth below. A true and correct copy of each of these reports is attached as an exhibit to this Petition.

a) Report of Intermediary described in 23 Pa. C.S. § 2533 \_\_\_\_\_

b) Home Study and/or Preplacement Reports described in 23 Pa. C.S. § 2530 \_\_\_\_\_

c) Investigation Reports described in 23 Pa. C.S. § 2535 \_\_\_\_\_

d) Postplacement Reports, if any \_\_\_\_\_

9. Information concerning the intermediary agency, if any, is as follows:

Name of agency \_\_\_\_\_

Address \_\_\_\_\_

Telephone no. \_\_\_\_\_



County where office is located \_\_\_\_\_

10. If there is no report of an intermediary, the following information is being provided by the Petitioner(s) as to the adoptee child:

- a) Sex \_\_\_\_\_
- b) Racial background \_\_\_\_\_
- c) Age \_\_\_\_\_
- d) Birth date \_\_\_\_\_
- e) Birthplace \_\_\_\_\_
- f) Places of residence since birth \_\_\_\_\_
- g) Religious affiliation \_\_\_\_\_
- h) A full statement of the value of all property owned or possessed by the child, if any \_\_\_\_\_
  
- i) State whether medical history information was obtained, and if not, explain why not \_\_\_\_\_

11. If there is no report of an intermediary, and the adoptee child is under 18 years of age, provide the following information as to the birth mother, if known:

- a) Name \_\_\_\_\_
- b) Residence or last known address \_\_\_\_\_
- c) Racial background \_\_\_\_\_
- d) Age \_\_\_\_\_
- e) Marital status as of the time of the birth of child \_\_\_\_\_
- f) Marital status during one year prior to birth of child \_\_\_\_\_
- g) Religious affiliation \_\_\_\_\_
- h) Birth mother's parental rights were terminated by decree of \_\_\_\_\_  
\_\_\_\_\_ dated \_\_\_\_\_

12. If there is no report of an intermediary, and the adoptee child is under 18 years of age, provide the following information as to the birth father, if known:

- a) Name \_\_\_\_\_
- b) Residence or last known address \_\_\_\_\_
- c) Racial background \_\_\_\_\_
- d) Age \_\_\_\_\_
- e) Marital status as of the time of the birth of child \_\_\_\_\_
- f) Marital status during one year prior to birth of child \_\_\_\_\_
- g) Religious affiliation \_\_\_\_\_
- h) Birth father's parental rights were terminated by decree of \_\_\_\_\_  
\_\_\_\_\_ dated \_\_\_\_\_

13. If there is no report of an intermediary, attach a copy of the birth certificate. If no birth certificate or other birth identification issued by the country of birth can be obtained, a statement of the reason and a detailed explanation of the efforts made to obtain the certificate are required and attached as an exhibit to this Petition.

14. If there is no report of an intermediary, attach copies of any foreign decrees and/or documents concerning this adoption, including any decree terminating the parental rights of birth mother and/or birth father, if needed, with an English translation for those decrees and/or documents not in English, certified by a translator to be true and correct translations of the foreign decrees and/or documents.

15. If there is no report of an intermediary, attach all consents required by Section 2711 of the Adoption Code, 23 Pa. C.S. § 2711. If consents are not required, explain:

16. Attach Pennsylvania Department of Health, Division of Vital Records Form No. HD01273F, Certificate of Adoption of a Foreign-Born Child with Parts 1 and 2 (and Part 3, if applicable) completed.

17. Attach Pennsylvania Department of Health, Division of Vital Records Form No. HD01275F, Statement of Citizenship and Residency.

18. Attach U.S. Government Form N-560, Certificate of Citizenship, and/or a copy of the child's United States passport, if either or both documents are available.

19. It is the desire of the Petitioner(s) that the relationship of parent and child be established between the Petitioner(s) and the adoptee child.

WHEREFORE, Petitioner(s) pray your Honorable Court to enter a Final Decree that the child proposed to be adopted shall have all the rights of a child and heir of Petitioner(s) and Petitioner(s) shall be subject to the duties as parents of such child, and that the child's name shall henceforth be

---

DATE: \_\_\_\_\_

\_\_\_\_\_  
Signature of Adopting Parent<sup>1</sup>

\_\_\_\_\_  
Signature of Adopting Parent

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(If represented, counsel's name, address, and telephone number)

---

<sup>1</sup> When there are two adopting parents, both must sign.

## VERIFICATION TO PETITION FOR ADOPTION OF A FOREIGN BORN CHILD

I/We, \_\_\_\_\_, verify that I/we are the Petitioner(s) named in the foregoing Petition and that the facts set forth therein are true and correct to the best of my/our knowledge, information and belief. I/We further verify that all documents attached to this Petition are true and correct copies of the originals. I/We understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Signature of Adopting Parent

\_\_\_\_\_  
Signature of Adopting Parent

IN THE COURT OF COMMON PLEAS OF  
\_\_\_\_\_ COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

(FAMILY COURT DIVISION in Philadelphia County)

IN RE: ADOPTION OF \_\_\_\_\_  
(initials only)

ADOPTION NO. \_\_\_\_\_

**REPORT OF THE INTERMEDIARY IN THE ADOPTION OF A FOREIGN BORN CHILD**

The report of the agency, \_\_\_\_\_, as  
intermediary, under 23 Pa. C.S. § 2533, states as follows:

1. Intermediary's address \_\_\_\_\_  
\_\_\_\_\_  
Intermediary's telephone no \_\_\_\_\_  
County where office is located: \_\_\_\_\_
2. The facts as to the adoptee child are:
  - a) Name \_\_\_\_\_
  - b) Sex \_\_\_\_\_
  - c) Racial background \_\_\_\_\_
  - d) Age \_\_\_\_\_
  - e) Birth date \_\_\_\_\_
  - f) Birthplace \_\_\_\_\_
  - g) Religious affiliation \_\_\_\_\_
3. Date of the placement of the child with the Petitioner(s), adopting parent(s),  
\_\_\_\_\_
4. If known, the facts as to the birth mother are:
  - a) Name \_\_\_\_\_
  - b) Residence or last known address \_\_\_\_\_  
\_\_\_\_\_
  - c) Racial background \_\_\_\_\_
  - d) Age \_\_\_\_\_
  - e) Marital status as of the time of the birth of the child \_\_\_\_\_
  - f) Marital status during one year prior to birth of the child \_\_\_\_\_
  - g) Religious affiliation \_\_\_\_\_
  - h) Birth mother's parental rights were terminated by decree of \_\_\_\_\_  
\_\_\_\_\_ dated \_\_\_\_\_
5. If known, the facts as to the birth father are:
  - a) Name \_\_\_\_\_
  - b) Residence or last known address \_\_\_\_\_  
\_\_\_\_\_
  - c) Racial background \_\_\_\_\_
  - d) Age \_\_\_\_\_
  - e) Marital status as of the time of the birth of the child \_\_\_\_\_

- f) Marital status during one year prior to birth of the child \_\_\_\_\_
- g) Religious affiliation \_\_\_\_\_
- h) Birth father's parental rights were terminated by decree of \_\_\_\_\_  
\_\_\_\_\_ dated \_\_\_\_\_

- 6. All consents required by 23 Pa. C.S. § 2711 are attached to this Report as exhibits or are not required for the following reasons, provide explanation:
  
  
- 7. a) A true and correct copy of the birth certificate or a registration of the birth by the country of birth is attached to this Report as an exhibit. If no birth certificate or other birth identification issued by the country of birth can be obtained, a statement of the reason and a detailed explanation of the efforts made to obtain the certificate are attached as exhibits to this Report.  
b) Attach copies of any foreign decrees and/or documents concerning this adoption, including any decree terminating the parental rights of birth mother and/or birth father, with an English translation for those decrees and/or documents not in English, certified by a translator to be true and correct translations of the decrees and/or documents.
- 8. Attach a verified list of itemized fees and/or expenses paid or to be paid to or received by the intermediary and/or any other person or persons to the knowledge of the intermediary by reason of the adoption placement.
- 9. A full description and statement of the value of all property owned or possessed by the child, if any, is as follows:
  
  
- 10. No provision of any act regulating the interstate placement of children has been violated with respect to the placement of the child.
- 11. The child's medical history information was obtained and is available, except as follows:

DATE: \_\_\_\_\_

\_\_\_\_\_  
Signature  
(Type name of signor, title, and name of agency)

### VERIFICATION TO REPORT OF INTERMEDIARY

I, \_\_\_\_\_, verify that I am  
\_\_\_\_\_ of \_\_\_\_\_

(Title)

\_\_\_\_\_  
(Name of Agency)

and I am authorized to take this verification on its behalf, and that the facts set forth in the foregoing Report are true and correct to the best of my knowledge, information and belief. I further verify that all documents attached to this Report are true and correct copies of the originals. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Signature

### VERIFICATION OF TRANSLATOR

I, \_\_\_\_\_, verify that I am a licensed translator and that all translations of the foreign documents which are attached to this Petition are true and correct English translations of the originals. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Signature

#### Credits

Adopted January 3, 2011, effective in sixty days (March 4, 2011).

Pa.O.C. Form 15.9, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT Form 15.9  
Current with amendments received through December 1, 2016.

End of Document

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