

Re: Commission to Administer Oath

INSTRUCTIONS

I. Specific Instructions

1. This form is to be used when the judge of the probate court who appoints an administrator, executor or guardian desires to grant a commission to any judge or clerk of any court of record of any other state to administer the fiduciary's oath or affirmation. The form may be altered to grant the commission only to a specific judge or court if the appointing judge prefers. A commission from the county of appointment is not required in order for the fiduciary to be authorized to take the oath or affirmation before any judge or clerk of any probate court of this state. O.C.G.A. §29-4-12(a), §53-6-16(b), §53-6-24(b).
2. If the oath or affirmation is made by an executor or administrator with will annexed, a certified copy of the probated will must be examined by the fiduciary at the time the oath or affirmation is taken. The oath or affirmation itself or the attestation of the attesting official should recite that this was done.
3. The attestation by the official who administers the oath or affirmation should contain the date, printed name and court of the official, and the official's signature.
4. The appropriate oath or affirmation to be taken should be provided by the judge granting the commission.
5. The attached form consists of 1 page.

II. General Instructions

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

COMMISSION TO ADMINISTER OATH

GEORGIA, _____ COUNTY

To: Any Judge or Clerk of Any Court of Record of the State of _____:

_____ has been appointed by this Court as _____ of _____, (deceased) (minor) (incapacitated adult), and has requested to take the required oath or affirmation in your state. Pursuant to O.C.G.A. §29-4-25, §53-6-16(b), or §53-6-24(b), I hereby commission you to administer the attached oath or affirmation to said fiduciary. Please return the completed oath and attestation to this Court, together with your statement of costs, if any.

This _____ day of _____, 20 _____.

Judge of the Probate Court of
_____ County, Georgia