

Petition to Probate Will in Solemn Form and for Letters of Administration with Will Annexed

INSTRUCTIONS

I. Specific Instructions

1. This form is to be used when filing a combined Petition to Probate Will in Solemn Form pursuant to O.C.G.A. §53-5-2 et seq., and for Letters of Administration with the Will Annexed (sometimes called Letters of Administration C.T.A.) pursuant to O.C.G.A. § 53-6-13 et seq.
2. Signatures of heirs and beneficiaries who acknowledge service must be attested by a notary public or the clerk of any probate court of this state. An attorney at law may acknowledge service on behalf of an heir or beneficiary; however, the attorney must certify that he or she currently represents that heir or beneficiary with regard to the pending matter and, in order to comply with O.C.G.A. § 53-11-6, the attorney's signature must be attested as provided above. With respect to a power of attorney, the attorney-in-fact may acknowledge service on behalf of the donor of the power, provided that the power of attorney grants such authority, the signature of the attorney-in-fact is attested, a copy of the power of attorney is attached, and the attorney-in-fact certifies that the copy is a true copy and is still in effect. It is not necessary that all acknowledgements appear on the same page.
3. O.C.G.A. § 53-5-22 (c) provides that service of notice, when made personally or by mail, shall include a copy of the petition and of the Will for which probate is sought. This form also provides for a copy of the purported Will to be served upon the beneficiaries, which, though not required by the statute, is of some practical benefit and simplifies several parts of this form.
4. Paragraph 5 requires a definitive statement that the list in Paragraph 3 includes each and every heir of the decedent, and that there are no heirs of the same or closer degree according to O.C.G.A. § 53-2-1. Provide the date of death for any deceased heirs. NOTE: If you are uncertain how to determine the heirs of a decedent, please refer to the "Heirs Determination Sheet" available from the probate court or at www.gaprobate.org. Examples of such statement would be: (a) "decedent was or was not married at the time of his death and had no children born, adopted, living or deceased, other than listed herein"; (b) "decedent had no other siblings half or whole other than those listed herein"; (c) "the decedent's brother who died previously, had no other children born, adopted, living or deceased, other than listed herein."
5. According to Probate Court Rule 5.6 (A), unless the court specifically assumes the responsibility, it is the responsibility of the moving party to prepare the proper citation and deliver it properly so it can be served according to law. Pages after 7 which are labeled "Court" are to be completed by the moving party, unless otherwise directed by the court.

II. General Instructions

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

4.

Listed below are all of the beneficiaries under said Will who have a present interest, including but not limited to a vested remainder interest but not including trust beneficiaries where there is a trustee who is not the nominated administrator with Will annexed, and whose identity and whereabouts are known or may be determined by reasonable diligence.

Name	Age (or over 18)	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

5.

Required: Make a definitive statement with sufficient factual information to enable the court to conclude that all of the heirs of the decedent are included and that there are no heirs of similar or higher degree according to O.C.G.A. §53-2-1. Provide the names of any deceased heirs and include the date of death for each. (See instructions for further clarification.) Also, state here all pertinent facts which may govern the method of giving notice to any party and which may determine whether or not a guardian ad litem should be appointed for any party. If any heirs listed above are cousins, grandchildren, nephews or nieces of the decedent, please indicate the deceased ancestor through whom they are related to the decedent. If the propounder is not an heir or a beneficiary under the Will, state how the propounder is interested in the administration of the estate. If it is alleged that a nominated executor has failed to qualify, state here the name and address of such nominated executor.

Additional Data: Where full particulars are lacking, state here the reasons for any such omission.

6.

Petitioner(s) further show(s) that the circumstances giving rise to the need for an administrator with the Will annexed are as follows:

(initial all which apply:)

_____ The decedent failed to name an Executor in the Will.

_____ The named Executor is deceased.

_____ The named Executor has renounced or declined his/her right to serve as such.

_____ Other reason a testate estate is unrepresented _____

7.

(The Petitioner(s)) (_____) is/are entitled to
be appointed Administrator C.T.A. by reason of:

(initial (a) or (b) and complete (b) if initialed:)

_____ a. having been unanimously selected by the beneficiaries of the Will who are capable of expressing a choice. If the sole beneficiary is the decedent's surviving spouse, no action for divorce or separate maintenance was pending at the time of death of the testator.

_____ b. appointment of the proposed Administrator(s) C.T.A. named above will best serve the interest of the estate and the proposed Administrator(s) C.T.A. is/are:

_____ (i) A beneficiary or the trustee of any trust that is a beneficiary under the Will.

_____ (ii) An eligible person as defined in O.C.G.A. §53-6-1.

_____ (iii) A creditor of the estate.

_____ (iv) The county administrator.

8.

The proposed Administrator(s) C.T.A. should be allowed to qualify without the necessity of posting bond, since only personal representatives of intestate estates and temporary administrators are normally required to post bond. See O.C.G.A. §53-6-50(a).

9.

(initial if applicable).

_____ As shown in paragraph 3. above, the decedent was survived by (a) minor child(ren), and:

_____ a. (initial if applicable). The Will names a Testamentary Guardian of the minor child(ren) of the decedent. Petitioner shows there is no living parent of said child(ren). The following individual(s) who has/have consented to serve is/are named as Testamentary Guardian in the decedent's Will:

Name Address

_____ b. (initial if applicable). The Will names a Testamentary Conservator of the minor child(ren) of the decedent for property passing under the decedent's Will. The following individual(s) who has/have consented to serve is/are named as Testamentary Conservator(s) in the decedent's Will:

Name

Address

_____ i. (initial as applicable). There is/are now a court-appointed Conservator(s), who is/are identified as follows:

Name

Address

10.

(Initial one:)

_____ To the knowledge of the petitioner, no other proceedings with respect to this estate are pending, or have been completed, in any other probate court in this state.

_____ The probate of another purported Will of the decedent is pending in this state in the _____ County Probate Court. The names and address(es) of the propounder(s) and the names, addresses and ages or majority status of the beneficiaries under the other purported Will are listed on the attachment hereto, which is expressly made a part hereof, as if fully set forth herein.

WHEREFORE, Petitioner(s) pray(s):

1. That due and legal notice of this petition be given as the law requires.
2. That the Will be admitted to probate in solemn form and to record upon proper proof.
3. That Letters of Administration with Will Annexed issue to the proposed Administrator(s) C.T.A. named above.
4. That Letters of Testamentary Guardianship and/or Letters of Testamentary Conservatorship issue, if applicable,
5. That this Court grant such other and further relief as it deems proper under the circumstances.

Signature of first petitioner

Signature of second petitioner, if any

Printed Name

Printed Name

Address

Address

Telephone Number

Telephone Number

Signature of Attorney: _____

Typed/printed name of Attorney: _____

Address: _____

Telephone: _____ State Bar # _____

VERIFICATION

GEORGIA, _____ COUNTY

Personally appeared before me the undersigned petitioner(s) who on oath state(s) that the facts set forth in the foregoing petition are true.

Sworn to and subscribed before
me this ____ day of _____, 20 ____.

First Petitioner

NOTARY/CLERK OF PROBATE COURT
My Commission Expires _____

Printed Name

Sworn to and subscribed before
me this ____ day of _____, 20 ____.

Second Petitioner, if any

NOTARY/CLERK OF PROBATE COURT
My Commission Expires _____

Printed Name

**ACKNOWLEDGMENT OF SERVICE AND ASSENT TO PROBATE WILL IN SOLEMN
FORM BY HEIRS AND BY BENEFICIARIES CAPABLE OF EXPRESSING A CHOICE**

PROBATE COURT OF _____ COUNTY

IN RE: PETITION OF _____ TO PROBATE THE WILL
OF _____, DECEASED, IN SOLEMN
FORM, AND FOR LETTERS OF ADMINISTRATION WITH WILL ANNEXED.

Each of the undersigned beneficiaries hereby acknowledges service of a copy of the petition referred to above and the purported Will, waives all further service and notice, selects the person proposed in said petition to be Administrator with Will Annexed and consents to the petition.

Each of the undersigned heirs of the above-named decedent being 18 years of age or older, and laboring under no legal disability, hereby acknowledges service of a copy of the petition referred to above, purported Will, and notice, waives all further service and notice, and hereby assent to the probate of said Will in Solemn Form without further delay.

SIGNATURE(S) OF HEIRS/BENEFICIARIES

Sworn to and subscribed before
me this ____ day of _____, 20____.

NOTARY/CLERK OF PROBATE COURT
My Commission Expires _____

Printed Name

Sworn to and subscribed before
me this ____ day of _____, 20____.

NOTARY/CLERK OF PROBATE COURT
My Commission Expires _____

Printed Name

Sworn to and subscribed before
me this ____ day of _____, 20____.

NOTARY/CLERK OF PROBATE COURT
My Commission Expires _____

Printed Name

Sworn to and subscribed before
me this ____ day of _____, 20____.

NOTARY/CLERK OF PROBATE COURT
My Commission Expires _____

Printed Name

**TESTAMENTARY GUARDIAN AND/OR TESTAMENTARY CONSERVATOR
CONSENT TO SERVE**

GEORGIA, _____ COUNTY

IN RE: PETITION OF _____ TO PROBATE
THE WILL OF _____, DECEASED,
IN SOLEMN FORM

I/We, the undersigned, being 18 years of age or older, laboring under no legal disability and being named as Testamentary Guardian(s) and/or Testamentary Conservator(s), hereby consent to serve. I understand that once appointed, I will have the same rights, powers, and duties as set forth in O.C.G.A. §29-2-4 and §29-3-5.

SIGNATURE

Sworn to and subscribed before
me this ____ day of _____, 20____.

NOTARY/CLERK OF PROBATE COURT
My Commission Expires _____

Printed Name

Sworn to and subscribed before
me this ____ day of _____, 20____.

NOTARY/CLERK OF PROBATE COURT
My Commission Expires _____

Printed Name

Sworn to and subscribed before
me this ____ day of _____, 20____.

NOTARY/CLERK OF PROBATE COURT
My Commission Expires _____

Printed Name

Sworn to and subscribed before
me this ____ day of _____, 20____.

NOTARY/CLERK OF PROBATE COURT
My Commission Expires _____

Printed Name

**Petition to Probate Will in Solemn Form and for Letters of Administration with Will
Annexed**

NOTICE:

THE FOLLOWING FORMS ARE TO BE COMPLETED BY THE PETITIONER (MOVING PARTY) UNLESS OTHERWISE DIRECTED BY THE COURT. SEE PROBATE COURT RULE 5.6 (A).

IN THE PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF	)	ESTATE NO. _____
)	
	)	PETITION TO PROBATE WILL IN
_____ ,	)	SOLEMN FORM AND FOR
DECEASED	)	LETTERS OF ADMINISTRATION
	)	WITH WILL ANNEXED

**ORDER FOR SERVICE OF NOTICE AND FOR APPOINTMENT OF
GUARDIAN AD LITEM, IF NECESSARY**

The foregoing Petition to Probate Will in Solemn Form and for Letters of Administration with Will Annexed having been filed, and all the heirs not having acknowledged service and/or the beneficiaries capable of expressing a choice not having made a unanimous selection and/or it being alleged that a nominated executor has failed to qualify, it is ordered that notice shall issue and be served upon the ((heirs) (beneficiaries) who have not acknowledged service of the petition) (upon any executor nominated in the Will who has failed to qualify), as follows:

(Initial any and all which apply:)

_____ Notice must be served personally, together with a copy of the petition and purported Will, at least ten days before the deadline for filing objections upon the following interested parties who reside in Georgia: _____

_____ Notice must be served by registered or certified mail, return receipt requested, together with a copy of the petition and purported Will, upon the following nonresident interested parties whose current residence addresses are known: _____

_____ Notice must be published once a week for four weeks in the newspaper in which sheriff's advertisements are published in this county, before _____, in order to serve by publication the following interested parties whose current residence addresses are unknown:

_____ IT IS ORDERED that _____ is appointed guardian ad litem for _____ (minor)(unborn heir)(and the unknown heir), and that said guardian ad litem be duly served with a copy of the foregoing Notice, petition, purported Will and notice of this appointment, and that upon said guardian ad litem's acceptance of the same, said guardian ad litem shall make answer hereto. This appointment is limited to this proceeding only and it shall cease when a final order is entered on this petition.

SO ORDERED this _____ day of _____, 20_____.

Probate Judge

NOTICE

PROBATE COURT OF _____ COUNTY

RE: PETITION OF _____ TO PROBATE IN SOLEMN FORM
THE WILL OF _____, DECEASED,
AND FOR LETTERS OF ADMINISTRATION WITH WILL ANNEXED, UPON WHICH AN
ORDER FOR SERVICE WAS GRANTED BY THIS COURT ON _____,

(Strike the following paragraph if not applicable:)

TO: (List here all interested parties having known addresses in the continental U.S. to be served by certified or registered mail) _____

This is to notify you to file objection, if there is any, to the above referenced petition, in this Court on or before the thirteenth (13th) day after _____, 20____ (the date of the mailing of this Notice to you by certified or registered mail, return receipt requested); provided, however, that if a return receipt for such Notice is actually received by the Court within such 13 days, the deadline for the filing of any objection shall be ten (10) days from the date of receipt shown on such return receipt.

(Strike the following paragraph if not applicable:)

TO: (List here all interested parties having known addresses outside the continental U.S. to be served by certified or registered mail) _____

This is to notify you to file objection, if there is any, to the above referenced petition, in this Court on or before the thirtieth (30th) day after _____, 20____ (the date of the mailing of this Notice to you by certified or registered mail, return receipt requested); provided, however, that if a return receipt for such Notice is actually received by the Court within such 30 days, the deadline for the filing of any objection shall be ten (10) days from the date of receipt shown on such return receipt.

(Strike the following paragraph if not applicable:)

TO: (List here all interested parties who reside in Georgia to be served personally) _____

_____ who are required to be served personally, to file objection, if there is any, to the above referenced petition, in this Court on or before the tenth (10th) day after the date you are personally served.

BE NOTIFIED FURTHER: All objections to the petition must be in writing, setting forth the grounds of any such objections. All pleadings must be signed before a notary public or probate court clerk, and filing fees must be tendered with your pleadings, unless you qualify to file as an indigent party. Contact probate court personnel at the below address/phone number for the required amount of filing fees. If any objections are filed, a hearing will be (held on _____) (scheduled at a later date). If no objections are filed, the petition may be granted without a hearing.

PROBATE JUDGE
By: _____
CLERK OF THE PROBATE COURT

ADDRESS

TELEPHONE NUMBER

NOTICE

PROBATE COURT OF _____ COUNTY

RE: PETITION OF _____ TO PROBATE
IN SOLEMN FORM THE WILL OF _____,
DECEASED, AND FOR LETTERS OF ADMINISTRATION WITH WILL ANNEXED,
UPON WHICH AN ORDER FOR SERVICE WAS GRANTED BY THIS COURT
ON _____.

(For use if an interested party is required to be served by publication:)

TO: (List here all known interested parties having unknown addresses to be served by publication)

All interested parties and all and singular the heirs of said decedent, the beneficiaries under the purported Will, and to whom it may concern: This is to notify you to file objection, if there is any, to the above referenced petition, in this Court on or before _____, 20____.

BE NOTIFIED FURTHER: All objections to the petition must be in writing, setting forth the grounds of any such objections. All pleadings must be signed before a notary public or probate court clerk, and filing fees must be tendered with your pleadings, unless you qualify to file as an indigent party. Contact probate court personnel at the below address/phone number for the required amount of filing fees. If any objections are filed, a hearing will be (held on _____) (scheduled at a later date). If no objections are filed, the petition may be granted without a hearing.

PROBATE JUDGE

By: _____

CLERK OF THE PROBATE COURT

ADDRESS

TELEPHONE NUMBER

CERTIFICATE OF MAILING

This is to certify that I have this date forwarded by registered or certified mail, return receipt requested, in a stamped, addressed envelope, a copy of the foregoing petition, purported Will and the notice to all of the interested parties who reside out of state.

DATE

PROBATE CLERK/DEPUTY CLERK

IN THE PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF	)	ESTATE NO. _____
)	
	)	PETITION TO PROBATE WILL IN
_____ ,	)	SOLEMN FORM AND FOR
DECEASED	)	LETTERS OF ADMINISTRATION
	)	WITH WILL ANNEXED

RETURN OF SHERIFF

I have this day served _____
personally with a copy of the foregoing petition, purported Will and notice.

Date

Deputy Sheriff, _____ County

IN THE PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF _____, DECEASED)))))))	ESTATE NO. _____ PETITION TO PROBATE WILL IN SOLEMN FORM AND FOR LETTERS OF ADMINISTRATION WITH WILL ANNEXED
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ANSWER OF GUARDIAN AD LITEM

I hereby accept the foregoing appointment; acknowledge service and notice of the proceedings as provided by law, and for answer say:

Date

Guardian ad Litem
Address _____

Telephone _____

PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF _____, DECEASED)))))	ESTATE NO. _____ PETITION TO PROBATE WILL IN SOLEMN FORM AND FOR LETTERS OF ADMINISTRATION WITH WILL ANNEXED
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ORDER

The Petition of _____
to probate the Will of the above decedent in Solemn Form, and requesting that Letters of Administration with the Will Annexed be issued as set forth in the petition, having been duly filed;

And it appearing that the decedent died domiciled in this County, that notice was issued and duly served according to law, or was duly waived, and that notice of the petitioner's intention to proceed with the proof in Solemn Form has been duly served upon all of the heirs;

And said Will having been (self-proved)(proved by one of the witnesses thereto) to be the Last Will and Testament of said decedent, and it also appearing that _____ is/are lawfully qualified for said Administration, and all other requirements of law having been fulfilled; and no objection being offered thereto,

IT IS HEREBY ORDERED that said Will be established as the true Last Will and Testament of said decedent, that the same be admitted to record as proved in Solemn Form, and that Letters of Administration with the Will Annexed issue to the person(s) found above in this Order to be qualified for such office, upon his/her/their taking and subscribing the Oath as provided by law.

IT IS FURTHER ORDERED that said Administrator(s) with Will Annexed shall disburse all property according to the terms of the Will and shall maintain all records of income and disbursements until they are discharged.

IT IS FURTHER ORDERED that the clerk/deputy clerk shall serve the Administrator(s) with Will Annexed with a copy of this Order by first class mail and shall file a certificate of service showing such service.
(initial if applicable)

_____ IT IS FURTHER ORDERED that Letters of Testamentary Guardianship and/or Conservatorship shall issue to the individuals so designated in said Will.

SO ORDERED this _____ day of _____, 20____.

Probate Judge

CERTIFICATE OF MAILING OR HAND DELIVERY OF ORDER

I hereby certify that a copy of the Final Order was:

_____ mailed to the following individuals at the address set forth below or

_____ handed to _____

On the ____ day of _____, 20 ____,

By _____ Clerk, Probate Court

Name

Address Street City County State Zip Code

Name

Address Street City County State Zip Code

IN THE PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF _____, DECEASED)))))))	ESTATE NO. _____ PETITION TO PROBATE WILL IN SOLEMN FORM AND FOR LETTERS OF ADMINISTRATION WITH WILL ANNEXED
--	---------------------------------	---

OATH

I do solemnly swear (or affirm) that this writing contains the true Last Will and Testament of _____, deceased, so far as I know or believe, and that I will well and truly execute the same in accordance with the laws of Georgia. So help me God.

Sworn to and subscribed before
me this ____ day of _____, 20____.

Administrator C.T.A.

CLERK OF PROBATE COURT

Printed Name

Sworn to and subscribed before
me this ____ day of _____, 20____.

Administrator C.T.A.

CLERK OF PROBATE COURT

Printed Name

STATE OF GEORGIA

COUNTY OF _____

ESTATE NO. _____

LETTERS OF ADMINISTRATION WITH WILL ANNEXED
(Relieved of Filing Returns)

By _____, Judge of the Probate Court of said County.

KNOW ALL WHOM IT MAY CONCERN:

That on the _____ day of _____, 20____, at a regular term of the Probate Court, the Last Will and Testament dated _____, _____ of _____ deceased, at the time of his or her death a resident of said County, was legally proven in Solemn form and was admitted to record by order, and it was (further) ordered that _____ be allowed to qualify as Administrator with the Will Annexed, and that upon doing so, Letters of Administration with the Will Annexed be issued to said individual(s).

NOW, THEREFORE, the said _____, having taken the oath of office and complied with all the necessary prerequisites of the law, is/are legally authorized to discharge all the duties and exercise all the powers of Executor(s) under the Will of said deceased and of Administrator(s) with the Will Annexed according to the Will and the law.

Given under my hand and official seal, the _____ day of _____, 20_____.

Probate Judge

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

PROBATE CLERK/DEPUTY CLERK (Seal)

STATE OF GEORGIA

COUNTY OF _____

ESTATE NO. _____

LETTERS OF ADMINISTRATION WITH WILL ANNEXED

(Relieved of Filing Returns and/or Certain Powers Granted at Time of Appointment)

By _____, Judge of the Probate Court of said County.

KNOW ALL WHOM IT MAY CONCERN:

That on the _____ day of _____, 20____, at a regular term of the Probate Court, the Last Will and Testament dated _____, _____ of _____ deceased,

at the time of his or her death a resident of said County, was legally proven in Solemn form and was admitted to record by order, and it was (further) ordered that _____ be allowed to qualify as Administrator with the Will Annexed, and that upon doing so, Letters of Administration with the Will Annexed be issued to said individual(s).

NOW, THEREFORE, the said _____, having taken the oath of office and complied with all the necessary prerequisites of the law, is/are legally authorized to discharge all the duties and exercise all the powers of Executor(s) under the Will of said deceased and of Administrator(s) with the Will Annexed according to the Will and the law.

IT IS FURTHER ORDERED that the undersigned judge does hereby

(Initial all which apply:)

_____ a. waive the bond of the Administrator(s) and granted to the Administrator(s) the power to serve without filing an inventory, and without filing any annual or other returns or reports to any court; but the fiduciary shall furnish to the income beneficiaries, at least annually, a statement of receipts and disbursements.

_____ b. grant to the Administrator(s) all of the powers contained in O.C.G.A. §53-12-232 not included in (a) above.

Given under my hand and official seal, the _____ day of _____, 20_____.

Probate Judge

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

PROBATE CLERK/DEPUTY CLERK

(Seal)

STATE OF GEORGIA

COUNTY OF _____

ESTATE NO. _____

LETTERS OF ADMINISTRATION WITH WILL ANNEXED
(Not Relieved of Filing Returns)

By _____, Judge of the Probate Court of said County.

KNOW ALL WHOM IT MAY CONCERN:

That on the _____ day of _____, 20____, at a regular term of the Probate Court, the last Will and Testament dated _____ of _____ deceased, at the time of his or her death a resident of said County, was legally proven in Solemn form and was admitted to record by order, and it was (further) ordered that _____ be allowed to qualify as Administrator with the Will Annexed, and that upon doing so, Letters of Administration with the Will Annexed be issued to said individual(s).

NOW, THEREFORE, the said _____, having taken the oath of office and complied with all the necessary prerequisites of the law, is/are legally authorized to discharge all the duties and exercise all the powers of Executor(s) under the Will of said deceased and of Administrator(s) with the Will Annexed according to the Will and the law and is/are hereby required to render a true and correct inventory of all the goods, chattels, rights and credits of said deceased, and make a return of them to this Court; and further, to file a proper annual or final return with this Court each year until the Administration with Will Annexed is fully discharged.

Given under my hand and official seal, the _____ day of _____, 20_____.

Probate Judge

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

PROBATE CLERK/DEPUTY CLERK (Seal)

STATE OF GEORGIA

COUNTY OF _____

ESTATE NO. _____

LETTERS OF TESTAMENTARY GUARDIANSHIP OF MINOR

From the Judge of the Probate Court of said County.

TO: _____, Testamentary Guardian(s)

RE: _____, Minor

Pursuant to the Last Will and Testament of _____, deceased, you have been appointed Testamentary Guardian of the minor. You have assented to this appointment by taking your oath. In general, your duties as Testamentary Guardian are to protect and maintain the person of the minor and your power over the minor shall be the same as that of a parent over a child, the guardian(s) standing in place of the parent(s). A guardian shall at all times act as a fiduciary in the minor's best interest and exercise reasonable care, diligence, and prudence.

Special Instructions:

1. It is your duty to see that the minor is adequately fed, clothed, sheltered, educated, and cared for, and that the minor receives all necessary medical attention.
2. You must keep the Court informed of any change in your name or address.
3. You should inform the Court of any change of location of your minor.
4. You shall, within 60 days of appointment and within 60 days after each anniversary date of appointment, file with this Court and provide to the conservator of the minor, if any, a personal status report concerning the minor.
5. You shall promptly notify the court of any conflict of interest which may arise between you as guardian and the minor pursuant to O.C.G.A. §29-2-23.
6. The guardianship automatically terminates when the minor dies, reaches age 18, is adopted, or is emancipated.
7. You shall act in coordination and cooperation with the minor's conservator, if appointed, or if not, with others who have custody of the minor's property.
8. Please consult your attorney if you have any questions. Your authority to act pursuant to these Letters is subject to applicable statutes and to any special orders entered in this case.

Give under my hand and official seal, this _____ day of _____, 20_____.

Probate Judge

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

PROBATE CLERK/DEPUTY CLERK

(Seal)

STATE OF GEORGIA

COUNTY OF _____

ESTATE NO. _____

LETTERS OF TESTAMENTARY CONSERVATORSHIP OF MINOR

From the Judge of the Probate Court of said County.

TO: _____, Testamentary Conservator(s)

RE: _____, Minor

Pursuant to the Last Will and Testament of the below-named decedent, you have been appointed Testamentary Conservator of the minor's property. You have assented to this appointment by taking your oath. In general, your duties as Testamentary Conservator are to protect and maintain the property of the minor and utilize the minor's property solely for the benefit of the minor. Please consult your attorney if you have any questions.

These Letters of Testamentary Conservatorship empower the above testamentary conservator to hold, for the minor, only property which passed through the estate of _____, Deceased.

Given under my hand and official seal, this _____ day of _____, 20_____.

Probate Judge

Note: The following must be signed if the judge does not sign the original of this document:

Issued by:

PROBATE CLERK/DEPUTY CLERK

(Seal)