**IN RE: Estate of**

**Case No** **PRDL**

**Deceased Division:**

**, Petitioner**

**VS**

**, Respondent(s)**

**WORKSHEET**

# ESTABLISH LOST OR DESTROYED WILL- Adversarial

[In addition to the requirements for a Petition for Administration.]

|  |  |  |
| --- | --- | --- |
| **Information Required to Establish Lost or Destroyed Will – Probate Rule 5.510** | **YES** | **N/A** |
| Petition to Establish Lost or Destroyed Will contain adversarial case style, Probate Rule 5.025. |  |  |
| Petition identifies the Will and any Codicils to be admitted to Probate. |  |  |
| Is a “**correct copy**” of the Will provided or does the petition restate the terms of the Will?  **\*Correct copy is a word for word copy. A signature is not a requirement for a correct copy.** |  |  |
| Has the testimony of **disinterested witness** been reduced to writing and filed? |  |  |
| 1. Testimony of two disinterested witness is required when terms of Will are restated in petition. 2. Only one disinterested witness is required when a **correct copy** of the Will is provided. (Indicate filing date and document number in notes of any affidavits, oaths or proof of Will) | | |
| Is formal notice to heirs who stand to inherit if it weren’t for the Will filed? |  |  |
| Is proof of service of the notice to heirs & beneficiaries filed? |  |  |
| Has time expired for filing objections to the Petition to Establish Lost Will? |  |  |
| Are there objections to the Petition to Establish Lost Will etc filed? (If yes, indicate the filing date and document number in notes. If no objections, mark N/A) |  |  |
| Notes: | | |

**Order Establishing Will YES N/A**

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| --- | --- | --- |
| Order Admitting Will contain a “correct copy” of the Will or restate the terms of the Will and contain adversarial case style, Probate Rule 5.025. ? |  |  |
| Notes: | | |