IN THE SITKA TRIBE OF ALASKA
SITKA TRIBAL COURT

PETITION FOR PROBATE AND APPOINTMENT FOR A PERSONAL REPRESENTATIVE

Sitka Tribe of Alaska
Sitka Tribal Court
204 Siginaka Way
Sitka, Alaska 99835
(907) 966-9627

In the Matter of the ESTATE of:	)
_____	) Tribal Case No.: _____- PR -_____
Date of Birth: _____	)
	)
	)
Petitioner:	)
_____	)

PETITION TO START PROBATE AND APPOINT A PERSONAL REPRESENTATIVE

1. **Interest.** I have an interest in this estate because:

2. **Person Who Died (Decedent).** The decedent died on (date) _____ at the age of _____. At leave five full days have passed since the death. He or she lived in (city) _____, (state) _____ at the time of death and considered this location to be his or her permanent home.
3. **Jurisdiction.** This is the correct court to file in because the person who died:
   - ☐ was an enrolled Tribal Citizen of Sitka Tribe of Alaska.
   - ☐ was not an enrolled Tribal Citizen, but was married to an enrolled Tribal Citizen
   - ☐ was not an enrolled Tribal Citizen but was married to a Tribal Citizen who had property located in the Tribe's traditional territory; or clan property/artifacts.
   - ☐ All parties consent to Tribal Court jurisdiction.
4. **Will.** To the best of my knowledge after a reasonable search, the person who died:
   - ☐ had a will
   - ☐ did not have a will
5. **Current Personal Representative.**

☐ No court has appointed a personal representative of the estate.

☐ A court appointed a personal representative but later ended that appointment.

☐ There is currently a personal representative of the estate. A court appointed (name) _____ as personal representative who lives at (address)_____.

6. **Right to be Appointed as Personal Representative.** The court should appoint me as personal representative because I am 18 years of age or older and have priority to serve because:

☐ I am nominated as personal representative in their valid will.

☐ I am the surviving spouse.

☐ I am a child of the decedent (age 18 or over).

☐ I am an heir (what is the relationship).

☐ Other: _____

7. **Persons With a Greater or Equal Right to Appointment.** [Priority is determined in the following order: (1) surviving spouse, (2) someone with the right to inherit property from the person who died if no will was made, (3) 45 days after the death of decedent, any creditor.] The following persons have a greater or equal right to appointment:

8. **Bond.** [A bond is a cash payment or pledge of property that guarantees the personal representative will fulfill his or her duties. However, the requirement is commonly waived by all heirs.]

☐ I request the court waive the bond because all of the heirs agree to waive the bond requirement.

☐ I request the court waive the bond requirement because:

☐ I request the court set the bond amount of $_____ because this amount covers the estimated value of the estate's property and income for the next year.

9. **Survivors of the Person Who Died.** The person who died is survived by the persons listed below. [Include all biological or adopted children of the person who died, unless an adoption decree terminated their inheritance rights. Attach extra pages if necessary]

Relationship to Person who Died	**Name [if a minor, provide their age and the name of their legal guardian]**	**Address**
Spouse		
Child 1		
Child 2		
Child 3		
Relative		
Relative		

10. **Assets.** Please list any known assets.

11. **Demand for Notice.** [Any interested person may file a document called a demand for notice that tells the personal representative and the court to send a copy of every document filed with the court to him or her.]

☐ I have not received a demand for notice concerning the person who died and do not know of any demand for notice that may have been filed in Alaska or elsewhere.

☐ I received, or I am aware of a demand for notice concerning the person who died from the following persons: _____

12. **Notice.** Notice of this petition has been given to all persons who filed a demand for notice, all persons with a greater or equal right to appointment as personal representative of this estate, and to any current personal representative whose position has not been terminated.

Verification

I state on oath, or affirm, that I have read this petition and that all of the statements made in it are true and correct to the best of my knowledge and belief.

_____ _____
Date Co-Petitioner's Signature

_____ _____
Date Co-Petitioner's Signature

Subscribed and sworn to, or affirmed, before me in Sitka, Alaska on _____.
Date

(Seal)

_____
Tribal Court Clerk, Notary Public, or other person authorized to administer oaths.
My Commission Expires _____