

Guardianship of Incapacitated Persons

Court of Common Pleas
of Philadelphia County, Pennsylvania
Orphans' Court Division

Estate of _____, an Incapacitated Person
Account of _____, Guardian
No. _____ of _____

PETITION FOR ADJUDICATION AND STATEMENT
OF PROPOSED DISTRIBUTION IN CONFORMITY WITH
PHILADELPHIA ORPHANS' COURT DIVISION RULES

This form shall be used in all cases involving the audit of an account of the guardian of the estate of an incapacitated person. All information shall be supplied or a re-audit may be required. If space is sufficient, riders may be attached. To be submitted herewith are the applicable "Account Filing Checklist" and the documents required therein.

**FASTEN ATTACHMENTS TO THE BACK OF THIS FORM.
SUBMIT APPEARANCE SLIP AT THE AUDIT.**

Name of Counsel: _____

Attorney I.D. No.: _____

Name of Law Firm: _____

Address: _____

Tel. No.: _____

Fax No.: _____

1. Name(s), address(es) and capacity(ies) of petitioner(s):

who aver:

2. Date of Adjudication of Incapacity: _____

Date of Appointment as Guardian: _____

Judge(s) issuing decree(s): _____

Attach copy(ies) of decree(s).

3. 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 incapacitated person has been adjudged to have regained capacity, state date of decree. If account is filed for any other reason, state address of incapacitated person):

4. Describe any questions requiring adjudication:

5. Written notice of the audit as required by Rule 6.3 and Local Rule 6.3.A. has been or will be given to all parties in interest listed in Item 6 below. In addition, notice of any questions requiring adjudication as discussed in Item 4 above has been or will be given to 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 has 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 together with a statement executed by the petitioner or petitioner's counsel certifying that such notice has been given.
 - C. If any such party in interest is not sui juris (e.g., minors or incapacitated persons), notice of the audit has been or will be given to the appropriate representative on such party's behalf as required by Rule 5.2 and Local 5.2.A.
6. List all parties of whom petitioner has 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); and
 - 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.

<i>Name and Address of Each Party in Interest</i>	<i>Relationship and Comments (If Any)</i>	<i>Interest</i>
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7. Is a schedule of distribution requested? Yes No

Wherefore, your petitioner asks that distribution be awarded to the persons entitled and suggests 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:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
.....
.....
.....
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.....
.....

Submitted By:
(All petitioners must sign. Add additional lines if necessary.)

Name of Petitioner:

Verification of Petitioner

(Verification must be by at least one petitioner. Local Rule 6.9B.)

The undersigned hereby verifies [that (s)he is _____ of the above-named _____ and]* that the facts set forth in the foregoing Petition for Adjudication and 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).

Signature of Petitioner

**Corporate petitioners shall complete bracketed information.*

Certification of Counsel

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication and Statement of Proposed Distribution is a true and accurate reproduction of the form petition authorized by the Court of Common Pleas of Philadelphia County, Orphans' Court Division, and that no changes to the form have been made beyond the responses herein.

Signature of Counsel for Petitioner(s)