

Rule 15. Proceedings in contested estate cases.

(a) Commencement of action.

An action to contest the validity of a will in accordance with D.C. Code § 18-513, or to contest a petition for the appointment of an administrator or executor or to remove an administrator or executor who has been appointed, or to institute a plenary proceeding in accordance with D.C. Code § 18-512 or to construe a will prior to approval of the personal representative's final account, may be commenced by any party in interest by filing a verified complaint with the Register of Wills. Except as hereinafter provided the procedure in such actions shall be governed by the Superior Court Rules of Civil Procedure.

(b) Summons.

The Register of Wills shall issue a summons upon the request of the plaintiff in the action. The form of the summons shall be as prescribed by the Register of Wills. In an action brought in accordance with this Rule, the summons shall be directed to each heir at law and next of kin of the deceased, to the proponents of the will and to all legatees and devisees named in wills of the decedent filed in the Office of the Register of Wills.

(c) Substituted personal service; publication.

If any party summoned is a nonresident of the District of Columbia, or is a resident of the District of Columbia as to whom the summons has been returned "not to be found", or is an unknown heir at law and next of kin of the decedent, service may be made upon said party by publication once a week for 3 successive weeks in accordance with D.C. Code §§ 13-339 and 340. Substituted personal service may be made on a nonresident party out of the District of Columbia in accordance with *D.C. Code § 13-337*.

(d) Certificate of completion of process; assignment; pretrial.

After all parties have been served with process in accordance with this Rule and a certificate to that effect has been filed in the Office of the Register of Wills on a form prescribed by the Register of Wills, the case may be specially assigned for trial by the Chief Judge or his designee. If not so specially assigned the case shall be placed on the civil calendar for trial. Superior Court Civil Rule 16 relating to pretrial shall be applicable to actions covered by this Rule.