

Rule 10. Petition for probate and administration.

(a) Contents.

A petition for probate of a will and for letters testamentary or for letters of administration shall be in typewriting, double spaced, and shall be verified by the petitioner. The petitioner shall set forth:

(1) The residence, citizenship and freedom from legal disability of the proposed executor or administrator;

(2) By what right the petitioner makes application; and, if the application is not for the petitioner's appointment, by what right the proposed executor or administrator may be appointed;

(3) The date of death of the decedent;

(4) The decedent's last domicile;

(5) Whether the decedent died testate or intestate;

(6) The name, address and relationship to the decedent of each heir at law and next of kin and whether any of them is under any legal disability, the name and address of the guardian, conservator, committee or custodian of any such person who is under a legal disability, and, if any such heir at law and next of kin is an infant, the date of birth, and the name of the custodian of any who is under 16 years of age;

(7) The character, location and estimated value of the decedent's real and personal estate (including any real estate situation in the District of Columbia and owned jointly by the decedent with another);

(8) The debts of the decedent;

(9) The estimated amount of the cost of the decedent's funeral and related expenses; and

(10) The estimated amount, if any, of District of Columbia inheritance and estate taxes.

(b) Special undertaking.

No special undertaking shall be granted unless prayed for in the petition.

(c) Notice to legatees.

No order granting probate shall be entered, in the absence of consent or waiver of notice, until proof, as provided herein, has been filed with the Court to the effect that there has been mailed postpaid to each legatee and devisee, at the last known address of each legatee and devisee a notice showing the title of the Court, the name of the testator, the amount or nature of the legacy or devise and the name and address of the petitioner or the petitioner's attorney. The proof of service of said notice shall be by affidavit of the petitioner or the petitioner's attorney containing the substance of said notice or attaching a copy thereof. If any legatee or devisee is known by the affiant to be under any legal disability, the notice shall be directed to said person in care of the guardian, conservator, committee or custodian of said person. If any legatee or devisee is unknown or if the address of said person is unknown, the aforesaid affidavit shall recite that fact and the efforts made to ascertain same and the mailing of said notice to said person shall not be required.