

Rule 11. Notice of petition for probate.

In the absence of consent or waivers of notice, notice of the filing of a petition for probate shall, in accordance with *D.C. Code § 18-501 through 503*, be directed to the heirs at law and next of kin of the decedent in the following manner:

(a) Notice by citation.

(1) When any heir at law and next of kin is a resident of the District of Columbia, the Register of Wills, on request of the petitioner or the petitioner's attorney shall issue a citation directed to such heir at law and next of kin in accordance with *D.C. Code § 18-501(b)*.

(2) When any heir at law and next of kin is a nonresident of the District of Columbia or is a resident of the District of Columbia as to whom citation has been returned "not to be found", notice may be given to such person in accordance with *D.C. Code § 18-502(a)* or in accordance with section (b) of this Rule.

(b) Notice by publication.

When it is alleged in the petition for probate or other affidavit that any heir at law and next of kin is unknown, is a non-resident of the District of Columbia, or is a resident of the District of Columbia as to whom citation has been returned "not to be found", notice may be effected with respect to such person, on written request of petitioner or the petitioner's attorney, by publication in accordance with *D.C. Code § 18-502(b), 503(a)*.

(c) Mailing and proof.

No order granting probate shall be entered unless petitioner or the petitioner's attorney shall have filed an affidavit showing:

(1) That at least 20 days before the expiration of the period stated in the publication affidavit mailed, postpaid, a copy of said notice directed to each person named therein, at such person's last known address; or that if said mailing was less than 20 days before the expiration of the period stated in the publication, the person named therein was notified that any objections to the granting of said order shall be filed within 20 days from the date of said mailing; or that affiant has been unable to ascertain the address of any person named therein after diligent effort, and

(2) That, if unknown heirs at law and next of kin are mentioned in said notice, the affiant has not learned of the existence of any heirs at law and next of kin who were unknown at the time of such publication.