

Rule 212. Notice of existence of revocable trust.

(a) Publication of Notice.

The Notice which may be published by the trustee of a trust of which a decedent was the settlor, pursuant to *D.C. Code §§ 19-1305.05(d)* and *19-1306.04(a)(3)*, shall be in the following form. The word trustee includes trustees, and where there are more than two trustees, includes the majority of trustees, pursuant to *D.C. Code § 19-1307.03(a)*:

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
PROBATE DIVISION

Trust No....

.....

Name of Deceased Settlor

NOTICE OF EXISTENCE OF REVOCABLE TRUST

..... (name and address of deceased settlor) created a revocable trust on which remained in existence on the date of his/her death on and whose address(es) is/are all the currently acting trustee(s), hereinafter the Trustee. Communications to the Trust should be mailed or directed to the following name and address:

The Trust is subject to claims of the deceased settlor's creditors, costs of administration of the settlor's estate, the expenses of the deceased settlor's funeral and disposal of remains, and statutory allowances to a surviving spouse and children to the extent the deceased settlor's residuary probate estate is inadequate to satisfy those claims, costs, expenses, and allowances.

Claims of the deceased settlor's creditors are barred as against the Trustee and the trust property unless presented to the Trustee at the address provided herein on or before

.....

(6 months after the date of the first publication of this notice.)

An action to contest the validity of this trust must be commenced by the earliest of

(1),

(One year from date of death of deceased settlor)

(2), or

(6 months from the date of first publication of this notice)

(3) ninety days after the Trustee sends the person a copy of the trust instrument and a notice informing the person of the trust's existence, of the Trustee's name and address, and of the time allowed for commencing a proceeding.

The Trustee may proceed to distribute the trust property in accordance with the terms of the trust before the expiration of the time within which an action must be commenced unless the Trustee knows of a pending judicial proceeding contesting the validity of the trust or the Trustee has received notice from a potential contestant who thereafter commences a judicial proceeding within sixty days after notification.

This Notice must be mailed postmarked within 15 days of its first publication to each heir and qualified beneficiary of the trust and any other person who would be an interested person within the meaning of *D.C. Code § 20-101(d)*.

Date of First Publication: Signature of Trustee

.....

.....

Name of newspapers

TRUE TEST COPY

.....

.....

(b) Submission of Notice to Register of Wills.

The Notice which may be published pursuant to *D.C. Code §§ 19-1305.05(d)* and *19-1306.04(a)(3)* as set forth in paragraph (a) of this Rule, shall be submitted, with the original and three copies, to the Register of Wills completed in all respects except as to the date of

first publication. The Register of Wills shall fix the date of first publication and provide copies of the Notice to the designated newspapers or periodicals.

(c) Contemporaneous with the filing of the notice prescribed in paragraph (a) of this Rule, the trustee shall file a Certification of Trust, as prescribed by *D.C. Code § 19-1310.13*.

(d) Within 15 days of the date of first publication of the Notice of Existence of Revocable Trust the trustee shall cause to be mailed, by first class mail, a copy of the Notice to each qualified beneficiary of the trust, heir of the decedent and to all creditors whose identities are known or whose identities are ascertainable by reasonably diligent effort.

(e) Within 90 days of the date of first publication of the Notice the trustee may file with the Register of Wills proofs of publication and a certification specifying the date of mailing of the Notice and the names and addresses of the persons to whom the Notice was mailed. The trustee shall include a statement including the names or description of each qualified beneficiary of the trust, heir of the decedent and all creditors to whom no Notice has been sent. The certification of Notice shall be in the following form:

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
PROBATE DIVISION

Trust No....

.....

Name of Deceased Settlor

VERIFICATION AND CERTIFICATE OF NOTICE OF
EXISTENCE OF REVOCABLE TRUST

I do solemnly declare and affirm that I have mailed or caused to be mailed a copy of the Notice of Existence of Revocable Trust as permitted by *D.C. Code §§ 19-1305.05(d)* and *19-1306.04(a)(3)* on the ... day of, 20 .., to the following persons:

Name	Address	Qualified Beneficiary of the Trust Heir/Creditor
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(Attach list of names and addresses of all qualified beneficiaries of the trust, heirs of the decedent and creditors.)

Statement of Non-mailing

I do further solemnly declare and affirm that no Notice has been sent to the following qualified beneficiaries of the trust, heirs of the deceased settlor and to creditors whose identities or locations are not known or ascertainable by reasonably diligent effort:

I do further solemnly declare and affirm that I have previously filed or file herewith proofs of publication of the Notice of Existence of Revocable Trust as permitted by *D.C. Code §§ 19-1305.05(d)* and *19-1306.04(a)(3)*.

Date:.....

.....

Trustee or Attorney for Trustee