

Rule 429. Requests for extension of unsupervised personal representative's appointment.

(a) Written requests for extensions of the automatic termination of the appointment of an unsupervised personal representative, which occurs on the date which is three years after that unsupervised personal representative's appointment ("the termination date") pursuant to *D.C. Code § 20-1301(c)*, shall be in substantially the following format, and the order granting such extensions will normally be in the form shown below. The request, when filed, shall be accompanied by a proposed order showing a list of the name and current address of each interested person. No notice to or consent of interested persons shall be required for action on the request.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
PROBATE DIVISION

Estate of: Administration No.

.....
Deceased.

REQUEST FOR EXTENSION OF
PERSONAL REPRESENTATIVE'S APPOINTMENT

(I) (we),, the personal representative(s) of the estate of, deceased, hereby represent(s) to the Court as follows:

(a) No Certificate of Completion has been filed herein;

(b) Said unsupervised personal representative(s) (was) (were) so appointed by the Court on and said appointment, as most recently extended (if at all), will expire on unless (further) extended by the Court; and

(c) The administration of said decedent's estate will not have been completed by such termination date because

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Accordingly, the personal representative(s) request(s) that (his) (her) (its) (their) appointment be extended for an additional twelve months, beginning on the expiration date as shown in paragraph (b) above.

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.....
Personal Representative(s)

Dated:

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
PROBATE DIVISION

Estate of: Administration No.

.....
Deceased.

ORDER EXTENDING APPOINTMENT OF PERSONAL REPRESENTATIVE(S)

Upon consideration of the written request filed herein by, personal representative(s) of the estate of, deceased, for an extension of the appointment of the personal representative(s), it is by the Court this day of, 20..,

ORDERED, that the appointment of as the unsupervised personal representative(s) of the estate of, deceased, be and hereby is

() extended, and the estate shall remain open, for a period of twelve months from [former date of termination], unless otherwise terminated hereafter.

or

() extended, for a period of twelve months from the date of this order unless otherwise terminated hereafter, nunc pro tunc from [former date of termination], and the estate shall be deemed to have remained open continuously from that date.

.....

JUDGE

Copies to:

[insert list of names and addresses of all interested persons]

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.....

(b) Written requests for extensions should be filed on or before the termination date (as most recently extended), but written requests for extensions filed thereafter may be granted by the Court.

(c) The Court shall enclose, with each interested person's copy of a signed order extending the appointment of a personal representative, a copy of a notice in substantially the following form.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
PROBATE DIVISION

NOTICE OF EXTENSION OF APPOINTMENT OF PERSONAL REPRESENTATIVE(S)

The appointment of the personal representative(s) of the estate of a decedent is automatically terminated by operation of law on the date which is three years after that personal representative's appointment, unless the appointment is extended upon the request of the personal representative(s). As shown on the enclosed copy of this Court's Order, the appointment of the personal representative(s) of the estate in which you are interested has now been extended.

If at any time you have any questions about something being done during the administration of the estate, you should ask the personal representative(s) or the attorney for the estate. If you do not receive a satisfactory answer, you may consult your own attorney, or you may file a petition for appropriate relief with the Court.

COMMENT:

If the request is filed after the expiration of the personal representative's powers, the Court may apply greater scrutiny to the request.