

**Petition to Probate Will in Solemn Form**

NOTICE: UNLESS OTHERWISE DIRECTED BY THE COURT, THE FOLLOWING FORMS ARE FOR PROBATE COURT STAFF TO COMPLETE

PROBATE COURT OF \_\_\_\_\_ COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF \_\_\_\_\_ ) ESTATE NO. \_\_\_\_\_  
 )  
 )  
\_\_\_\_\_, ) PETITION TO PROBATE WILL IN  
DECEASED ) SOLEMN FORM

ORDER FOR SERVICE OF NOTICE AND APPOINTMENT OF  
GUARDIAN AD LITEM, IF NECESSARY

The foregoing Petition to Probate Will in Solemn Form having been filed, and it appearing that the following heirs did not acknowledge service, it is Ordered that: (Initial any and all which apply:)

\_\_\_\_\_ Notice must be served personally, together with a copy of the petition and the purported Will, at least ten days before the Will can be probated on the following heirs who reside in Georgia:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ Notice must be served by registered or certified mail, return receipt requested, together with a copy of the petition and the purported Will, upon the following nonresident heirs whose current residence addresses are known: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ Notice must be published once a week for four weeks in the newspaper in which sheriff's advertisements are published in this county, before \_\_\_\_\_, in order to serve by publication the following heirs whose current residence addresses are unknown:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ IT IS ORDERED that \_\_\_\_\_ is appointed guardian ad litem for \_\_\_\_\_ (minor)(unborn heir)(and the unknown heir), and that said guardian ad litem be duly served with a copy of the foregoing Notice, petition, purported Will and notice of this appointment, and that upon said guardian ad litem's acceptance of same, said guardian ad litem shall make answer hereto. This appointment is limited to this proceeding only and it shall cease when a final order is entered on this petition.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Probate Judge

**NOTICE**

PROBATE COURT OF \_\_\_\_\_ COUNTY  
RE: PETITION OF \_\_\_\_\_ TO  
PROBATE IN SOLEMN FORM THE WILL OF \_\_\_\_\_,  
DECEASED, UPON WHICH AN ORDER FOR SERVICE WAS GRANTED BY THIS COURT  
ON \_\_\_\_\_, 20\_\_\_\_\_

(Strike the following paragraph if not applicable:)

TO: \_\_\_\_\_  
(List here all heirs having known addresses in the continental U.S. to be served by certified or registered mail)

This is to notify you to file objection, if there is any, to the above referenced petition, in this Court on or before the thirteenth (13th) day after \_\_\_\_\_, 20\_\_\_\_\_ (the date of the mailing of this Notice to you by certified or registered mail, return receipt requested); provided, however, that if a return receipt for such Notice is actually received by the Court within such 13 days, the deadline for the filing of any objection shall be ten (10) days from the date of receipt shown on such return receipt.

(Strike the following paragraph if not applicable:)

TO: \_\_\_\_\_  
(List here all heirs having known addresses outside the continental U.S. to be served by certified or registered mail)

This is to notify you to file objection, if there is any, to the above referenced petition, in this Court on or before the thirtieth (30th) day after \_\_\_\_\_, 20\_\_\_\_\_ (the date of the mailing of this Notice to you by certified or registered mail, return receipt requested); provided, however, that if a return receipt for such Notice is actually received by the Court within such 30 days, the deadline for the filing of any objection shall be ten (10) days from the date of receipt shown on such return receipt.

(Strike the following paragraph if not applicable:)

This is further to notify \_\_\_\_\_,  
(List here all heirs who reside in Georgia to be served personally)

who are required to be served personally, to file objection, if there is any, to the above referenced petition, in this Court on or before the tenth (10th) day after the date you are personally served.

**BE NOTIFIED FURTHER:** All objections to the petition must be in writing, setting forth the grounds of any such objections. All pleadings/objections must be signed before a notary public or before a probate court clerk, and filing fees must be tendered with your pleadings/objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/telephone number for the required amount of filing fees. If any objections are filed, a hearing will be (held on \_\_\_\_\_ 20\_\_\_\_\_) (scheduled at a later date). If no objections are filed, the petition may be granted without a hearing.

\_\_\_\_\_  
PROBATE JUDGE

By: \_\_\_\_\_  
CLERK OF THE PROBATE COURT

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
TELEPHONE NUMBER

**NOTICE**

PROBATE COURT OF \_\_\_\_\_ COUNTY

RE: PETITION OF \_\_\_\_\_ TO  
PROBATE IN SOLEMN FORM THE WILL OF \_\_\_\_\_,  
DECEASED, UPON WHICH AN ORDER FOR SERVICE WAS GRANTED BY THIS COURT  
ON \_\_\_\_\_, 20\_\_\_\_\_  
(For use if an heir is required to be served by publication:)

TO: \_\_\_\_\_  
(List here known heirs having unknown addresses to be served by publication)

all interested parties and all and singular the heirs of said decedent, and to whom it may concern:

This is to notify you to file objection, if there is any, to the above referenced petition, in this  
Court on or before \_\_\_\_\_, 20\_\_\_\_\_.

**BE NOTIFIED FURTHER:** All objections to the petition must be in writing, setting forth the grounds  
of any such objections. All pleadings/objections must be signed before a notary public or before a  
probate court clerk, and filing fees must be tendered with your pleadings/objections, unless you qualify to  
file as an indigent party. Contact probate court personnel at the following address/telephone number for  
the required amount of filing fees. If any objections are filed, a hearing will be (held on \_\_\_\_\_  
\_\_\_\_\_ 20\_\_\_\_\_) (scheduled at a later date). If no objections are filed, the petition may be  
granted without a hearing.

\_\_\_\_\_  
PROBATE JUDGE

By: \_\_\_\_\_  
CLERK OF THE PROBATE COURT

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
TELEPHONE NUMBER



**CERTIFICATE OF MAILING**

This is to certify that I have this date forwarded by registered or certified mail, return receipt requested, in a stamped, addressed envelope, a copy of the foregoing petition, purported Will and the notice, to heirs who reside out of state at known current residence addresses.

---

DATE

---

PROBATE CLERK/DEPUTY CLERK

IN THE PROBATE COURT OF \_\_\_\_\_ COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF \_\_\_\_\_ ) ESTATE NO. \_\_\_\_\_  
 )  
 )  
\_\_\_\_\_, )  
DECEASED ) PETITION TO PROBATE WILL  
 ) IN SOLEMN FORM

**ANSWER OF GUARDIAN AD LITEM**

I hereby accept the foregoing appointment, acknowledge service and notice of the proceedings as provided by law, and for answer say:

\_\_\_\_\_  
DATE

\_\_\_\_\_  
GUARDIAN AD LITEM

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
TELEPHONE \_\_\_\_\_

PROBATE COURT OF \_\_\_\_\_ COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF \_\_\_\_\_ ) ESTATE NO. \_\_\_\_\_  
 )  
 )  
\_\_\_\_\_, ) PETITION TO PROBATE WILL IN  
DECEASED ) SOLEMN FORM

ORDER

It being shown to the Court in the matter of the alleged Last Will and Testament of the above-named decedent, propounded by \_\_\_\_\_, named as Executor(s), that the said decedent died domiciled in said County; and that due notice of the intention of said propounder(s) to proceed with the proof in solemn form has been served on all of the heirs of said decedent, all in accordance with the laws of this State, and all other requirements of law having been fulfilled, and the said Will having been (self-proved) (proved by one of the witnesses) thereto to be the Last Will and Testament of said decedent as alleged by the propounder(s); and no objection having been filed;

IT IS ORDERED by this Court, that said Will be established as the Last Will and Testament of said decedent; that the same be admitted to record, as proved in solemn form; and that said Executor(s) have leave to qualify as such by taking the required oath, and upon so doing, that Letters Testamentary issue to said Executor(s).

IT IS FURTHER ORDERED that said Executor(s) shall disburse all property according to the terms of the Will and shall maintain all records of income and disbursements until they are discharged.

IT IS FURTHER ORDERED that the clerk/deputy clerk shall serve the Executor(s) with a copy of this Order by first class mail and shall file a certificate of service showing such service.

(initial if applicable)

\_\_\_\_\_ IT IS FURTHER ORDERED that Letters of Testamentary Guardianship and/or Conservatorship shall issue to the individuals so designated in said Will.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Probate Judge

PROBATE COURT OF \_\_\_\_\_ COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF

)  
)  
)  
)

ESTATE NO. \_\_\_\_\_

\_\_\_\_\_,  
DECEASED

PETITION TO PROBATE WILL IN  
SOLEMN FORM

OATH

I do solemnly swear (or affirm) that this writing contains the true Last Will and Testament of \_\_\_\_\_, deceased, so far as I know or believe, and that I will well and truly execute the same in accordance with the laws of Georgia. So help me God.

Sworn to and subscribed before  
me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Executor

\_\_\_\_\_  
CLERK OF PROBATE COURT

\_\_\_\_\_  
Printed Name

Sworn to and subscribed before  
me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Executor

\_\_\_\_\_  
CLERK OF PROBATE COURT

\_\_\_\_\_  
Printed Name

STATE OF GEORGIA

COUNTY OF \_\_\_\_\_

ESTATE NO. \_\_\_\_\_

**LETTERS TESTAMENTARY**  
(Relieved of Filing Returns)

By \_\_\_\_\_, Judge of the Probate Court of said County.

KNOW ALL WHOM IT MAY CONCERN:

That on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at a regular term of the Probate Court, the Last Will and Testament dated \_\_\_\_\_, \_\_\_\_\_, of \_\_\_\_\_ deceased, at the time of his or her death a resident of said County, was legally proven in \_\_\_\_\_ form and was admitted to record by order, and it was further ordered that \_\_\_\_\_ named as Executor(s) in said Will, be allowed to qualify, and that upon so doing, Letters Testamentary be issued to such Executor(s).

NOW, THEREFORE, the said \_\_\_\_\_, having taken the oath of office and complied with all the necessary prerequisites of the law, is/are legally authorized to discharge all the duties and exercise all the powers of Executor(s) under the Will of said deceased, according to the Will and the law.

Given under my hand and official seal, the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Probate Judge

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

(Seal)

\_\_\_\_\_  
PROBATE CLERK/DEPUTY CLERK

STATE OF GEORGIA

COUNTY OF \_\_\_\_\_

ESTATE NO. \_\_\_\_\_

**LETTERS TESTAMENTARY**  
(Not Relieved of Filing Return)

By \_\_\_\_\_, Judge of the Probate Court of said County.

KNOW ALL WHOM IT MAY CONCERN:

That on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at a regular term of the Probate Court, the Last Will and Testament dated \_\_\_\_\_, \_\_\_\_\_, of \_\_\_\_\_, deceased, at the time of his or her death a resident of said County, was legally proven in \_\_\_\_\_ form and was admitted to record by order, and it was further ordered that \_\_\_\_\_, named as Executor(s) in said Will, be allowed to qualify, and that upon so doing, Letters Testamentary be issued to such Executor(s).

NOW, THEREFORE, the said \_\_\_\_\_ having taken the oath of office and complied with all the necessary prerequisites of the law, is/are legally authorized to discharge all the duties and exercise all the powers of Executor(s) under the Will of said deceased, according to the Will and the law; and is/are hereby required to render a true and correct inventory of all the goods, chattels, rights and credits of said deceased, and make a return of them to this Court; and further, to file a proper annual or final return with this Court each year until the Executorship is fully discharged.

Given under my hand and official seal, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Probate Judge

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

\_\_\_\_\_  
PROBATE CLERK/DEPUTY CLERK

(Seal)

**STATE OF GEORGIA**

**COUNTY OF \_\_\_\_\_**

**ESTATE NO. \_\_\_\_\_**

**LETTERS OF TESTAMENTARY GUARDIANSHIP OF MINOR**

From the Judge of the Probate Court of said County.

TO: \_\_\_\_\_, Testamentary Guardian(s)

RE: \_\_\_\_\_, Minor

Pursuant to the Last Will and Testament of \_\_\_\_\_, deceased, you have been appointed Testamentary Guardian of the minor. You have assented to this appointment by taking your oath. In general, your duties as Testamentary Guardian are to protect and maintain the person of the minor and your power over the minor shall be the same as that of a parent over a child, the guardian(s) standing in place of the parent(s). A guardian shall at all times act as a fiduciary in the minor's best interest and exercise reasonable care, diligence, and prudence.

**Special Instructions:**

1. It is your duty to see that the minor is adequately fed, clothed, sheltered, educated, and cared for, and that the minor receives all necessary medical attention.
2. You must keep the Court informed of any change in your name or address.
3. You should inform the Court of any change of location of your minor.
4. You shall, within 60 days of appointment and within 60 days after each anniversary date of appointment, file with this Court and provide to the conservator of the minor, if any, a personal status report concerning the minor.
5. You shall promptly notify the court of any conflict of interest which may arise between you as guardian and the minor pursuant to O.C.G.A. §29-2-23.
6. The guardianship automatically terminates when the minor dies, reaches age 18, is adopted, or is emancipated.
7. You shall act in coordination and cooperation with the minor's conservator, if appointed, or if not, with others who have custody of the minor's property.
8. Please consult your attorney if you have any questions. Your authority to act pursuant to these Letters is subject to applicable statutes and to any special orders entered in this case.

Give under my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Probate Judge

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

\_\_\_\_\_  
PROBATE CLERK/DEPUTY CLERK

(Seal)

STATE OF GEORGIA

COUNTY OF \_\_\_\_\_

ESTATE NO. \_\_\_\_\_

LETTERS OF TESTAMENTARY CONSERVATORSHIP OF MINOR

From the Judge of the Probate Court of said County.

TO: \_\_\_\_\_, Testamentary Conservator(s)

RE: \_\_\_\_\_, Minor

Pursuant to the Last Will and Testament of the below-named decedent, you have been appointed Testamentary Conservator of the minor's property. You have assented to this appointment by taking your oath. In general, your duties as Testamentary Conservator are to protect and maintain the property of the minor and utilize the minor's property solely for the benefit of the minor. Please consult your attorney if you have any questions.

**These Letters of Testamentary Conservatorship empower the above testamentary conservator to hold, for the minor, only property which passed through the estate of**

\_\_\_\_\_, Deceased.

Given under my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Probate Judge

Note: The following must be signed if the judge does not sign the original of this document:

Issued by:

\_\_\_\_\_  
PROBATE CLERK/DEPUTY CLERK

(Seal)