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Name, Address and Telephone Number of Person Without Attorney:

In Pro Per

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA

In the Matter of the Estate of
Decedent.
Case No.:
JUDGMENT SETTling FIRST AND FINAL ACCOUNT AND REPORT OF (EXECUTOR/ ADMINISTRATOR/ ADMINISTRATOR- WITH-WILL ANNEXED), ALLOWING STATUTORY FEES TO PERSONAL REPRESENTATIVE AND FOR FINAL DISTRIBUTION
[or]
JUDGMENT OF FINAL DISTRIBUTION ON WAIVER OF ACCOUNTING, ALLOWING STATUTORY FEES TO PERSONAL REPRESENTATIVE AND FOR FINAL DISTRIBUTION
Date:
Time: 9:00 a.m.
Dept.

[name of personal representative] as
[executor/administrator/administrator-with-will-annexed] of the Estate of
[name of decedent], deceased, having filed [his/her] [title of petition as stated in caption], and the report and petition coming on this date regularly for hearing, in Department ___ of the above court, the Court finds:

1. Due notice of the hearing on the petition for final distribution of the estate has been regularly given for the period and in the manner prescribed by law.

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1 2. All allegations of the petition are true.

2 3. *[name of decedent]* _____ died on *[date]* _____ in
3 the City of _____, County of _____, State of California, and
4 was a resident of that county at the time of *[his/her]* _____ death.

5 4. Petitioner qualified as *[executor/administrator/administrator-with-will-annexed]* _____
6 _____ of the estate and *[Letters Testamentary/Letters of Administration/Letters of Administration-with-*
7 *will-annexed]* _____ were issued to petitioner on *[date Letters were issued]* _____
8 _____. At all times since then petitioner have been acting as the duly qualified
9 *[executor/administrator/administrator-with-will-annexed]* _____ of the
10 decedent's estate, with authority to administer the estate without court supervision under the
11 Independent Administration of Estates Act.

12 5. More than four months have elapsed since the issuance of Letters. Notice of
13 administration has been given to creditors as required by law. The time for filing and
14 presenting creditor's claims has expired, and the estate is now in a condition to be closed.

15 6. *[No claims have been filed with the court or presented to the personal representative/ All claims*
16 *filed and served on the estate have been allowed by the personal representative, approved by this court, and*
17 *paid./ All claims filed and served on the estate were either allowed by the personal representative, approved by*
18 *this court and paid, or rejected by the personal representative or this court; written notice of rejection of each*
19 *rejected claim has been given in conformity with law; more than three months have elapsed since service of the*
20 *notice of rejection and more than two months have elapsed since the last rejected claim became due.]*

21 7. All debts of decedent and of the estate and all expenses of administration, except
22 closing expenses and statutory commissions of the personal representative have been paid.

23 8. All personal property taxes due and payable by this estate have been paid */or/* No
24 personal property taxes are due and payable by this estate.

25 9. A federal estate tax return, Form 706, has not been filed because the estate is not
26 sufficient to require such a return. No California estate taxes are due and payable by this
27 estate.

28 10. All California and federal income taxes due and payable by the estate will be paid

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1 by the personal representative from decedent's estate prior to distribution /or/ No California
2 or federal income taxes are due and payable by the estate.
3

4 11. [Name(s)], the person(s) entitled to distribution of all of the estate, have waived an
5 account by the personal representative.

6 12. The estimated expenses of closing the estate, including the reserve for any liability
7 that may hereafter be determined to be due from this estate, are \$_____, and
8 the personal representative should be authorized to withhold that sum from distribution.

9 13. The estate consists of the decedent's [separate/one-half interest in the community property of
10 decedent and his/her surviving spouse/quasi-community] property [or describe interests, if mixed].

11 14. Distribution should be ordered as specified below.

12 IT IS ORDERED and adjudged that:

13 1. The [executor/administrator/etc.] has in [his/her] possession belonging to the estate, after
14 deducting credits to which [he/she] is entitled, a balance at the appraised value of \$_____
15 _____, of which \$_____ is in cash. The first and final account, petition and
16 report of the [executor/administrator/etc.] is settled, allowed, and approved as filed. /or/ The
17 administration of the estate is brought to a close without the requirement of an account The
18 [executor/administrator/etc.] has in [his/her] possession belonging to the estate a balance at the
19 appraised value of \$_____, of which \$_____ is in cash.

20 2. All acts and transactions of the [executor/administrator/etc.] relating to the matters set
21 forth in the account, report and petition are confirmed and approved. /or/ All acts and
22 transactions of the [executor/administrator/etc.] relating to the matters set forth in the waiver of
23 account and petition are confirmed and approved.

24 3. The [executor/administrator/etc.] is authorized to retain \$_____ from distribution
25 at this time to defray closing expenses and as a reserve for additional liabilities. Any
26 unexpended portion of such reserve shall be distributed to the distributees as set forth in this
27 document without further order of this court.

28 4. The [executor/administrator/etc.] is authorized and directed to pay to [himself/herself] \$_

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_____ as statutory compensation for services rendered in administering this estate.

5. Notice of administration has been given as required by law.

6. No California and federal estate taxes are due and payable by the estate.

7. *[Use if no will]* The decedent died intestate, leaving the persons whose names, ages, relationship to the decedent and addresses are set forth below as the only heirs at law:

<u>Name</u>	<u>Age</u>	<u>Relationshi</u>	<u>Address</u>
		p	

7. *[Use if decedent left a will]* By the terms of the decedent's will, the property in the hands of the *[executor/administrator/etc.]* should be distributed to the following beneficiaries of the estate:

<u>Name</u>	<u>Age</u>	<u>Relationshi</u>	<u>Address</u>
		p	

8. The property is to be distributed to each *[heir/beneficiary]* as follows:

<u>Name</u>	<u>Description of Share of Estate</u>
<i>[describe each asset individually and completely, including legal descriptions for real property, account numbers, etc.]</i>	

9. Any other property of decedent or the estate not now known or discovered that may belong to the estate or in which the decedent or the estate may have any interest shall be

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1 distributed as follows: *[specify names and percentages]*

2
3 Dated: _____.

Judge of the Superior Court

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