

Section 26 - Forms - Closing Supervised Estates

Following is a checklist of forms and documents required for the closing of various types of supervised estates. Specific requirements are listed under the appropriate headings.

Many of these forms are available on the [court website](#). Filings must be made through the electronic filing system, pursuant to Supreme Court Rule 103 and Local Court Rule 72.3.

26.10 Decedents' Estates With Assets

- (1) Request for Final Court Cost and Estimate (file at least two weeks prior to filing final settlement) (Form 10407)
- (2) Final Settlement (Form 10559 Settlement; Form 10559A Cash Estate Ledger; and Form 10559B Non-Cash Estate Ledger, as applicable)
- (3) Vouchers (receipts supporting each disbursement – required for expenditures over \$75.00). Vouchers shall be electronically filed with the court – do not physically submit vouchers in paper form. Acceptable vouchers include, but are not limited to: copies of the original canceled checks (front and back), along with an attached certified affidavit signed by an officer of the banking institution stating that copies are the exact duplicates of the originals; copies of the original receipts; and check 21's. See Section 22.70 for additional information.
- (4) Petition for Approval of Final Settlement (Form 10573)
- (5) Notice of Filing of Final Settlement and Petition for Distribution and Proof of Mailed Notice (Form 10558) or waiver of notice (Form 10368)
- (6) Order of Distribution
 - Form 10581 testate estate - personal property only
 - Form 10582 testate estate - real property only
 - Form 10583 testate estate - real and personal property
 - Form 10584 intestate estate - personal property
 - Form 10585 intestate estate - real property only
 - Form 10586 intestate estate - real and personal property
- (7) Affidavit of Publication of Notice of Filing Final Settlement and Petition for Approval of Settlement.
- (8) Receipt of Distributee (Form 10575)*
- (9) Order of Discharge (Form 10594)*

*To be filed after the order of distribution has been entered.

Practice Tip: The attorney can expedite the audit of the Final Settlement by obtaining comprehensive waivers/consents from all distributees. The comprehensive waiver/consent should be signed by the distributee, waive all notice requirements, acknowledge receipt of all inventories, settlements, and the proposed order of distribution, and specifically state the distributee's consent to same. See Section 22.150.

References: 472.130, 472.135, Form 10368b

26.20 All Exhausted Estates

NOTE: An estate may not be closed as exhausted if partial distributions have been made.

- (1) Request for Final Court Costs Estimate (filed at least two weeks prior to filing final settlement) (Form 10407)
- (2) Final Settlement (Form 10559 Settlement; Form 10559A Cash Estate Ledger; and Form 10559B Non-Cash Estate Ledger, as applicable)
- (3) Vouchers (receipts supporting each disbursement – required for expenditures over \$75.00). Vouchers shall be electronically filed with the court – do not physically submit vouchers in paper form. Acceptable vouchers include, but are not limited to: copies of the original canceled checks (front and back), along with an attached certified affidavit signed by an officer of the banking institution stating that copies are the exact duplicates of the originals; copies of the original receipts; and check 21's. See Section 22.70 for additional information.
- (4) Petition for Approval of Final Settlement

Mailed notice is required. Publication is not required; however, mailed notice must be given to all creditors who have filed claims that remain unresolved. The attorney must file proof of such mailing to such creditors. Discharge is entered on the settlement by the Court.

26.30 Personal Representative Resigned/Removed - Successor Appointed

- (1) Request for Final Court Costs Estimate (filed at least two weeks prior to filing final settlement) (Form 10407)
- (2) Final settlement (Form 10559 Settlement; Form 10559A Cash Estate Ledger; and Form 10559B Non-Cash Estate Ledger, as applicable)

- (3) Vouchers (receipts supporting each disbursement – required for expenditures over \$75.00). Vouchers shall be electronically filed with the court – do not physically submit vouchers in paper form. Acceptable vouchers include, but are not limited to: copies of the original canceled checks (front and back), along with an attached certified affidavit signed by an officer of the banking institution stating that copies are the exact duplicates of the originals; copies of the original receipts; and check 21's. See Section 22.70 for additional information.
- (4) Acceptance or waiver of notice by successor (Form 10330)
- (5) Order of Distribution to Successor (Form 10593)
- (6) Receipt of Successor (Form 10575)**
- (7) Order of Discharge (adapt Form 10333)**

**To be filed after the Order of Distribution has been entered.

NOTE: Letters to the successor must issue prior to approval of settlement and order of distribution. The Court will not audit the final settlement of a removed/resigned personal representative until the successor personal representative has had an opportunity to object to the settlement or unless all interested persons have waived objections or the right to file objections.

The Court will notify the successor personal representative, in writing, of the right to file objections and the time in which to do so. If no objections are filed by the successor or all objections are waived, the Court will audit the settlement. If objections are filed, the objections must be resolved before the settlement can be audited.

26.40 Personal Representative - Deceased

- (1) Request for Final Court Costs Estimate (filed at least two weeks prior to filing final settlement) (Form 10407)
- (2) Final Settlement (Form 10559 Settlement; Form 10559A Cash Estate Ledger; and Form 10559B Non-Cash Estate Ledger, as applicable)
- (3) Vouchers (receipts supporting each disbursement – required for expenditures over \$75.00). Vouchers shall be electronically filed with the court – do not physically submit vouchers in paper form. Acceptable vouchers include, but are not limited to: copies of the original canceled checks (front and back), along with an attached certified affidavit signed by an officer of the banking institution stating that copies are the exact duplicates of the originals; copies of the original receipts; and check 21's. See Section 22.70 for additional information.

- (4) Acceptance or waiver of notice by successor (adapt Form 10330)
- (5) Order of Distribution to Successor (Form 10574)
- (6) Receipt of Successor (Form 10575)*
- (7) Order of Discharge (adapt Form 10594)*

*To be filed after the Order of Distribution has been entered

Practice Tip: A personal representative should be appointed for the deceased personal representative's estate to prepare and file the aforesaid documents, including the final settlement, to account for the deceased personal representative's administration of the estate.

Reference: § 473.603

26.50 Subsequently Discovered Assets (After Estate Closed)

- (1) Application for Letters D.B.N. (adapt Form 10030 or 10070)
- (2) Supplemental Inventory (Form 10260)
- (3) Request for Final Court Costs Estimate (file at least two weeks prior to filing final settlement) (Form 10407)
- (4) Final Settlement (Form 10559 Settlement; Form 10559A Cash Estate Ledger; and Form 10559B Non-Cash Estate Ledger, as applicable)
- (5) Order of Distribution
 - Form 10581 testate estate - personal property
 - Form 10582 testate estate - real property only
 - Form 10583 testate estate - real and personal property only
 - Form 10584 intestate estate - personal property only
 - Form 10585 intestate estate - real property only
 - Form 10586 intestate estate - real and personal property

- (6) Receipt of Distributee (Form 10575)
- (7) Order of Discharge (Form 10594) See Section 24.

References: § 473.147

[END OF SECTION]