

AFTER PROBATE CHECKLIST

What Should I Do After My Probate Appointment?

- ▶ **Immediately** after the grant of letters (issued at the conclusion of your probate appointment), you should:
 - ✓ Advertise an ***Estate Notice*** in a generally circulated newspaper of your choice (such as the Delaware County Daily Times or the Philadelphia Inquirer)
 - ✓ Advertise another ***Estate Notice*** in the Delaware County Legal Journal. The Delaware County Legal Journal can be reached at <https://delcobar.org/?pg=legaljournalnotices>.
 - ✓ Complete the [Notice of Estate Administration Pursuant to Pa. O.C. Rule 10.5](#) (available under the *Forms* section of our website or can be filed online at <https://delcopa.seamlessdocs.com/ng/fa/eFileStatusCertifications>) and send a copy to all potential beneficiaries and intestate heirs.
- ▶ **Within Three (3) Months** after the grant of letters (issued at the conclusion of your probate appointment), you should:
 - ✓ File the completed [Certification of Notice under Pa. O.C. Rule 10.5](#) with Register of Wills Office (can be filed in person and online (<https://delcopa.seamlessdocs.com/ng/fa/eFileStatusCertifications>))

What is an Estate Notice?

An *Estate Notice* is a legal notice in which the personal representative publicly requests that all persons having claims against the estate of the decedent to make known the same to them or their attorney, and that all persons indebted to the decedent to make payment to them without delay. For more information, see [20 Pa. C.S. § 3162](#).

What Are the Additional Filings Requirements Following the Decedent's Date of Death?

- ▶ **Within Three (3) Months** after the decedent's date of death, you may:
 - ✓ Optional: the personal representative may ***pre-pay any inheritance tax*** due within three (3) months to receive a 5% discount. Payment should be done by check and payable to "Register of Wills, Agent."
- ▶ **Within Nine (9) Months** after the decedent's date of death, you should:
 - ✓ File two copies total (one original and one copy) of the [REV 1500 Inheritance Tax Return Resident Decedent](#) with the Register of Wills office (available on our website under *Inheritance Tax*)
 - ✓ File a completed [Inventory Form](#) with Register of Wills (available under the *Forms* section of our website)
 - ✓ If not already paid, ***pay any inheritance tax*** due (check/money order should be payable to "Register of Wills, Agent")
- ▶ **Within Two (2) Years** after the decedent's date of death, you should:
 - ✓ File a completed Pa. O.C. Rule 10.6 Status Report with the Register of Wills in person or online (available under the *Forms* section of our website)
 - ✓ If administration of the estate is not completed within two years from the date of death, an additional Status Report must be filed each year until the estate administration is complete

Questions? Contact us!

Vincent A. Rongione, Esquire
Register of Wills & Orphans' Court
Delaware County Government Center
201 W. Front Street
Media, PA 19063
610-891-4400
regofwills@co.delaware.pa.us
www.delcopa.gov/row
facebook.com/delcoregister



CERTIFICATION OF NOTICE UNDER Pa. O.C. Rule 10.5

REGISTER OF WILLS

Name of Decedent: _____

Date of Death: _____ File Number.: _____

Date Letters Granted: _____

To the Register:

I certify that Notice of Estate Administration required by Pa. O.C. Rule 10.5 of the Orphans' Court Rules was served on or mailed to the following beneficiaries of the above-captioned estate on _____, _____

Name:

Address:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(If more space is needed, attach separate sheet.)

Notice has now been given to all persons entitled thereto under Pa. O.C. Rule 10.5 except:

Date _____

Capacity: ☐ Personal Representative ☐ Counsel

Corporate Fiduciary (if applicable)

Name of Corporate Fiduciary

Name of Person

Name of Representative and Title

Address

Address

Telephone

Telephone

Email

Email

Signature of Officer/Representative *Form*

Signature of Person

IMPORTANT NOTICE

NOTICE OF ESTATE ADMINISTRATION PURSUANT TO Pa. O.C. Rule 10.5

**THIS NOTICE DOES NOT MEAN THAT YOU WILL RECEIVE ANY
MONEY OR PROPERTY FROM THIS ESTATE OR OTHERWISE**

Whether you will receive any money or property will be determined wholly or partly by the decedent's will. If the decedent died without a will, whether you will receive any money or property will be determined by the intestacy laws of Pennsylvania.

BEFORE THE REGISTER OF WILLS.

IN RE: ESTATE OF _____, Deceased

File Number _____

TO: _____ (Beneficiary)
_____ (Address)

Please take notice of the death of the Decedent and the grant of Letters to the personal representative(s) named below. The Decedent died on _____, a resident of

The Decedent died: _____ ☐ testate (with a Will) or ☐ intestate (without a Will).

You may have a beneficial interest in the estate as follows:

(If additional space is needed, use separate sheet)

The name(s), address(es), and telephone number(s) of all personal representatives appointed are:

NAME	ADDRESS	TELEPHONE
_____	_____	_____
_____	_____	_____

If the Decedent died testate, the Will has been filed with the Office of the Register of Wills of

If the Decedent died intestate, a Petition for the Grant of Letters of Administration was filed with the Office of the Register of Wills of

The Register's address is _____
and telephone number is _____

A copy of the Will or Petition may be obtained by contacting the Register of Wills and paying the charges for duplication.

Date _____

Capacity: ☐ Personal Representative ☐ Counsel

Corporate Fiduciary (if applicable)

Name of Corporate Fiduciary

Name of Representative and Title

Address

Telephone

Email

Signature of Officer/Representative

Name of Person

Address

Telephone

Email

Signature of Person

Rule 10.5. Notice to Beneficiaries and Intestate Heirs

(a) Within three (3) months after the grant of letters, the personal representative to whom original letters have been granted or the personal representative's counsel shall send a written notice of estate administration in the form approved by the Supreme Court to:

(1) every person, corporation, association, entity or other party named in decedent's will as an outright beneficiary whether individually or as a class member;

(2) the decedent's spouse and children, whether or not they are named in, or have an interest under, the will;

(3) where there is an intestacy in whole or in part, to every person entitled to inherit as an intestate heir under Chapter 21 of Title 20;

(4) the appointed guardian of the estate, parent or legal custodian of any beneficiary who is a minor;

(5) the appointed guardian of the estate or, in the absence of such appointment, the institution or person with custody of any beneficiary who is an adjudicated incapacitated person;

(6) the Attorney General on behalf of any charitable beneficiary (i) which is a residuary beneficiary, including as a beneficiary of a residuary testamentary trust; (ii) whose legacy exceeds \$25,000; or (iii) whose interest in a legacy will not be paid in full;

(7) the Attorney General on behalf of any governmental beneficiary;

(8) the trustee fiduciary of any estate or trust which is a beneficiary or, if the personal representative is a fiduciary of such estate or trust, then the beneficiaries of such estate or trust; and

(9) such other persons and in such manner as may be required by local rule.

(b) A "beneficiary" shall be deemed to include any person who may have an interest by virtue of the Pennsylvania anti-lapse statute, 20 Pa.C.S. § 2514.

(c) Notice shall be given by personal service or by first-class, prepaid mail to each person and entity entitled to notice under subparagraph (a)(1) - (9) whose address is known or reasonably available to the personal representative.

(d) Within ten (10) days after giving the notice required by paragraph (a) of this Rule, the personal representative or the personal representative's counsel shall file with the Register a certification that notice has been given as required by this Rule.

(e) Upon the failure of the personal representative or the personal representative's counsel to file the certification on a timely basis, the Register shall, after ten (10) days subsequent to providing written notice to the delinquent personal representative and his counsel, notify the court of such delinquency.

(f) This Rule shall not alter or diminish existing rights or confer new rights.

(g) The Register shall deliver a copy of Rule 10.5 and the forms of notice and certification approved by the Supreme Court to each personal representative not represented by counsel at the time letters are granted.

Note: Rule 10.5 is substantively identical to former Rule 5.6, except that subparagraph (d) of this Rule no longer prohibits the Register from charging a fee for filing this certification. The form of notice and certification of notice required by Rule 10.5 is set forth in the Appendix. Subparagraph (e) of this Rule is not intended to limit the inherent power of the court to impose sanctions upon a delinquent personal representative or counsel.

Explanatory Comment: It is not the intention of this Rule to require notice beyond the degree of consanguinity entitling a person to inherit under Chapter 21 of Title 20.

THE COURTS

Title 231-RULES OF CIVIL PROCEDURE

PART II. ORPHANS' COURT RULES

[231 PA. CODE PART II]

Order Amending Rule 10.5 of the Pennsylvania Rules of Orphans' Court Procedure; No. 901 Supreme Court Rules Docket

[52 Pa.B. 684]

[Saturday, January 29, 2022]

Order

Per Curiam

And Now, this 12th day of January 2022, upon the recommendation of the Orphans' Court Procedural Rules Committee; the proposal having been published for public comment at 51 Pa.B. 1651 (March 27, 2021):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 10.5 of the Pennsylvania Rules of Orphans' Court Procedure is amended in the attached form.

This Order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective on April 1, 2022.

Additions to the rules are shown in bold and are underlined.

Deletions from the rules are shown in bold and brackets.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART II. ORPHANS' COURT RULES

CHAPTER X. REGISTER OF WILLS

Rule 10.5. Notice to Beneficiaries and Intestate Heirs.

(a) Within three [(3)] months after [the} grant of letters or whenever there is a change in personal representative. [the] a personal representative [to whom original letters have been

granted] or the personal representative's counsel shall send a written notice of estate administration in the form approved by the Supreme Court to:

* * * * *

(e) Upon the failure of the personal representative or the personal representative's counsel to file the certification on a timely basis, the Register shall, after ten **((10))** days subsequent to providing written notice to **[the delinquent]** each personal representative and **[his]** their counsel, notify the court of such delinquency.

* * * * *

Note: Rule 10.5 is **[substantively identical to]** derived from former Rule 5.6[.]. Subdivision (a) applies to an initial grant of letters and to all changes in personal representative, including a grant of letters to a successor personal representative or due to the death or resignation of a personal representative when there are other personal representatives who continue to serve. [except that subparagraph] Subdivision (d) of this Rule **[no longer]** does not prohibit[s] the Register from charging a fee for filing this certification. The form of notice and certification of notice required by Rule 10.5 is set forth in the Appendix. **[Subparagraph] Subdivision** (e) of this Rule is not intended to limit the inherent power of the court to impose sanctions upon a delinquent personal representative or counsel.

Explanatory Comment: It is not the intention of this Rule to require notice beyond the degree of consanguinity entitling a person to inherit under Chapter 21 of Title 20.

ORPHANS' COURT PROCEDURAL RULES COMMITTEE ADOPTION REPORT

Amendment of Pa.R.O.C.P. 10.5

On January 12, 2022, the Supreme Court amended Pennsylvania Rule of Orphans' Court Procedure 10.5 governing the notice given by the personal representative to beneficiaries and intestate heirs. The Orphans' Court Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process as it relates to Pa.R.O.C.P. 10.5. An Adoption Report should not be confused with Comments to the rules. *See* Pa.R.J.A. 103, Comment. The statements contained herein are those of the Committee, not the Court.

The Committee received correspondence regarding the requirement in Rule 10.5 that "the personal representative to whom *original* letters have been granted" send written notice of estate administration to a list of beneficiaries and intestate heirs set forth in the rule. (Emphasis added.) The correspondent questioned if "original" was intended to denote "initial" letters, since all letters issued by a register of wills are original letters. The correspondent further inquired whether a successor personal representative is required to provide notice of estate administration if the initial personal representative failed to do so or provide notice of the change in personal representatives to the interested persons.

The Committee agreed that estate beneficiaries and intestate heirs should receive notice of estate administration from a successor personal representative. Requiring successor personal representatives to notify interested persons of the change in representative ensures the recipients are aware of the change and know from whom they should expect future information. Thereafter, the Committee proposed amending Rule 10.5(a) to eliminate the word "original" with respect to the granting of letters to clarify that any personal representative granted letters must send the notice of estate administration. The Committee also proposed amending the Note to Rule 10.5 to clarify that

the notice requirement applies to all personal representatives, including successor personal representatives. **See** 51 Pa.B. 1651 (March 27, 2021).

Based on a comment received in response to the publication, the Committee made changes to the proposal. First, the Committee revised proposed Rule 10.5(a) to eliminate the phrase "to whom original letters have been granted" relative to the personal representative-the phrase is superfluous insofar as a personal representative will always be someone to whom letters have been granted. The Committee further revised proposed Rule 10.5(a) to require notice to interested parties "whenever there is a change in personal representative," regardless of whether revised letters have been issued. This may occur in some judicial districts upon the death or resignation of a co-executor. The Committee also made corresponding changes to the Note.

Finally, Rule 10.5(e) was amended to clarify that the Register shall provide notice of failure to file timely the certification to each personal representative and their counsel, rather than simply "the delinquent" personal representative. The amendment more accurately describes the procedure when there is more than one personal representative.

These amendments become effective April 1, 2022.

[Pa.B. Doc. No. 22-160. Filed for public inspection January 28, 2022, 9:00 a.m.]

No part of the information on this site may be reproduced for profit or sold for profit.

This material has been drawn directly from the official *Pennsylvania Bulletin* full text database. Due to the limitations of HTML or differences in display capabilities of different browsers, this version may differ slightly from the official printed version.

Pa. O.C. Rule 10.6 STATUS REPORT

REGISTER OF WILLS OF

Name of Decedent: _____

Date of Death: _____ File Number: _____

Pursuant to Pa. O.C. Rule 10.6, I report the following with respect to completion of the administration of the above-captioned estate:

1. State whether administration of the estate is complete: ☐ Yes ☐ No

2. If the answer is No, state when the personal representative reasonably believes that the administration will be complete:

3. If the answer to No. 1 is YES, state the following:

a. Did the personal representative file a final account with the Court? ☐ Yes ☐ No

b. The separate Orphans' Court No. (if any) for the personal representative's account is:

c. Did the personal representative state an account informally to the parties in interest? ☐ Yes ☐ No

d. Copies of receipts, releases, joinders, and approvals of formal or informal accounts may be filed with the Clerk of the Orphans' Court or may be attached to this report.

Date _____

Capacity: ☐ Personal Representative ☐ Counsel

Corporate Fiduciary (if applicable)

Name of Corporate Fiduciary

Name of Person

Name of Representative and Title

Address

Address

Telephone

Telephone

Email

Email

Signature of Person

Signature of Officer/Representative

Purdon's Pennsylvania Statutes and Consolidated Statutes
Title 20 Pa.C.S.A. Decedents, Estates and Fiduciaries (Refs & Annos)
Chapter 7. Orphans' Court Divisions (Refs & Annos)
Subchapter G. Procedure
Orphans' Court Rules
Chapter X. Register of Wills (Refs & Annos)

Pa.O.C.Rules, Rule 10.6

Formerly cited as PA ST ORPHANS CT Rule 6.12

Rule 10.6. Status Report by Personal Representative

Currentness

(a) **Report of Uncompleted Administration.** If administration of an estate has not been completed within two years of the decedent's death, the personal representative or counsel shall file at such time, and annually thereafter until the administration is completed, a report with the Register showing the date by which the personal representative or his, her, or its counsel reasonably believes administration will be completed.

(b) **Report of Completed Administration.** Upon completion of the administration of an estate, the personal representative or his, her or its counsel shall file with the Register a report showing:

- (1) completion of administration of the estate;
- (2) whether a formal Account was filed with the Orphans' Court;
- (3) whether a complete Account was informally stated to all parties in interest;
- (4) whether final distribution has been completed; and
- (5) whether approvals of the Account, receipts, joinders and releases have been filed with the clerk.

(c) **Form of Status Report.** The report required by this Rule shall be in the form approved by the Supreme Court.

(d) **Copy of Rule.** Upon the grant of letters, the Register shall give a copy of Rule 10.6 to each personal representative not represented by counsel.

(e) **Failure to File a Status Report.** After at least ten (10) days subsequent to providing written notice to a delinquent personal representative and counsel, the Register shall inform the court of the failure to file the report required by this Rule with a request that the court conduct a hearing to determine what sanctions, if any, should be imposed.

Rule 10.6. Status Report by Personal Representative, PA ST ORPHANS CT Rule 10.6

Note: Rule 10.6 is based upon former Rule 6.12, except that this Rule no longer includes former subparagraph (d) that prohibited the Register from charging a fee for filing the status report. The form of status report required by Rule 10.6 is set forth in the Appendix.

Credits

Adopted Dec. 1, 2015, effective Sept. 1, 2016.

Pa.O.C. Rule 10.6, 20 Pa.C.S.A. foll. Ch. 7, PA ST ORPHANS CT-Rule 10.6

Current with amendments received through November 15, 2020.

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.