<CLIENT NAME>

<CLIENT ADDRESS 1>

<CLIENT ADDRESS 2>

<CLIENT PHONE NO.>

Petitioner

IN THE DISTRICT COURT OF THE < > JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF < >

MAGISTRATE DIVISION

 )

IN RE: ESTATE OF ) Case No.

 )

<DECEASED> ) PETITION FOR SUMMARY

 ) ADMINISTRATION OF ESTATE

 Deceased. )

 ) Fee Category: D

 )

 ) Fee: $130.00

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

The Petitioner, <CLIENT NAME>, states and represents as follows:

1. **Marriage**. Petitioner is the surviving spouse of <DECEASED> (the Deceased). The Deceased and the Petitioner were duly married on <DATE OF MARRIAGE> and remained married until the Deceased’s death.

2. **Death**. The Deceased died on <DATE OF DEATH> in <COUNTY OF DEATH>, <STATE OF DEATH>. A certified copy of the certificate of death is attached to this petition.

3. **Venue and Other Proceedings**. Petitioner has made a reasonably diligent search of Decedent’s papers and effects and available records in all locations where proceedings or claims against the Decedent’s would reasonably be brought and is not aware of any other formal or informal court proceedings with regards to Decedent’s estate or property.

At the time of <D HIS / HER> death, Decedent resided at <TOD ADDRESS> and was domiciled in <COUNTY OF DEATH>, Idaho. Venue in this court is proper in this matter pursuant to Idaho Code § 15-3-201 because, at the time of Decedent’s death, the Decedent was domiciled in this county.

4. **Will**. Petitioner has made a diligent search of Decedent’s residence, papers, and effects and has not located and is unaware of any unrevoked will or codicil Decedent might have executed prior to <D HIS / HER> death. To the best of Petitioner’s knowledge and belief, Decedent died intestate.

[OR]

Attached as Exhibit B is a copy of what is, to the best of Petitioner’s knowledge and belief, Petitioner’s last will and testament and any amendments thereto.

5. **Inventory of Estate**. The Inventory of Property attached as Exhibit C, submitted with this petition, is a full and complete inventory of the property owned by the decedent in the state of Idaho at the time of his death that was subject to probate. Petitioner has listed all encumbrances on the estate property that <he/she> is aware of in Exhibit B / C.

6. **Sole Heir or Devisee**. Petitioner, as Decedent’s surviving spouse and sole heir, is entitled to have all interest in the estate of the decedent distributed to and vested in <him/her>, free and clear of the claims of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.

7. **Interested Persons**. Petitioner has made a reasonably diligent search and, to the best of <his/her> knowledge and belief, “interested persons” as they relate to this matter and who are entitled to notice of a hearing on this petition include the following:

<Table of Interested Parties>

a. <name of minor>, born on <D.O.B.>, is a minor and will be served via the minor’s guardian, <name of guardian>, who is the minor’s <relationship to minor>.

WHEREFORE, the petitioner requests, pursuant to Idaho Code § 15-3-1205, that the Court fix a time and place of hearing, allowing for notice as required by law; and enter a decree as follows:

1. Finding that the decedent and the petitioner were duly married and that the petitioner is the sole heir of the decedent, vested with all interest in the estate of the decedent free of the claims of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.
2. Ordering an immediate distribution of the decedent’s entire estate to the petitioner.
3. Finding that the Decedent’s debtors, those who hold the Decedent’s property, and those who hold or manage the Decedent’s property are authorized, empowered, and required to comply with this order by paying, delivering, or transferring the Decedent’s property to the Petitioner and shall not be accountable to anyone else for the property.

DATED this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, < YEAR>.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ <CLIENT NAME>, Petitioner

STATE OF IDAHO )

: ss.

County of \_\_\_\_\_\_\_\_\_ )

<CLIENT NAME>, being first duly sworn on oath, deposes and says:

That <CLIENT HE/SHE> is the Petitioner in the above matter, has read the foregoing document, knows the contents thereof, and believes the same to be true and correct.

DATED this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, <PET. YEAR>.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ <CLIENT NAME>, Petitioner

STATE OF IDAHO )

: ss.

County of \_\_\_\_\_\_\_\_\_ )

On the \_\_\_\_\_ day of , <YEAR>, before me, the undersigned Notary Public, personally appeared <CLIENT NAME>, who demonstrated to me on the basis of satisfactory evidence that <CLIENT HE/SHE> is the person whose name is subscribed to the foregoing instrument. <CLIENT HE/SHE> acknowledged to me that <CLIENT HE/SHE> executed the same.

IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.

 Notary Public for Idaho

Residing at

Commission Expires: