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LOCAL ORPHANS' COURT RULES

RULE NOC-2.3 - DEFINITIONS

"Clerk" is used in these rules to refer to both the Clerk of the Orphans' Court Division and the Register of Wills. Pennsylvania law provides that in counties of the fifth class, both offices are to be held by the same person.

PLEADINGS AND PRACTICE

RULE NOC-3.1 - NOTICE TO DEFEND

The Notice to Defend shall conform to Pa. R.C.P. No. 1018.1 and Rule NCV-1018.1.

RULE NOC-3.6 - CONFORMITY TO RULES OF CIVIL PROCEDURE

Where no specific Northumberland County Orphans' Court Rule applies, practice in the Northumberland County Orphans' Division shall conform to the practice in the Civil Division as set forth by the Northumberland County Rules of Civil Procedure.

RULE NOC-3.8 - PRO SE FILINGS

All pro se complaints, petitions and motions must be filed and docketed in the Office of the Clerk of the Orphans' Court. Complaints, petitions and motions sent to any other office shall be returned with a copy of this rule attached thereto.

The Clerk of the Orphans' Court shall forward a copy of all documents filed by individuals, themselves, to their attorney of record, if any.

All pro se filings must be clocked in by the Clerk of the Orphans' Court. Filings which are not in compliance with the law, rules of court or the appropriate fee schedule shall be duly noted and forwarded immediately to the Office of the Court Administrator. The Court Administrator, after consulting with the Court, shall notify the individual of the deficiency of his pleading.

Notice to an individual who has filed a deficient pleading shall be as follows:

NOTICE. YOU HAVE FILED A DOCUMENT WITH THE COURT OF COMMON PLEAS OF NORTHUMBERLAND COUNTY WHICH IS NOT IN COMPLIANCE WITH THE LAW, RULE OF COURT, OR FEE SCHEDULE. YOU ARE ADVISED THAT YOUR FAILURE TO COMPLY MAY RESULT IN PREJUDICE TO YOUR RIGHTS OR CLAIM. YOU SHOULD CONSULT A LAWYER IMMEDIATELY. IF YOU CANNOT AFFORD A LAWYER, THE COURT MAY APPOINT ONE ON YOUR BEHALF. IF YOU BELIEVE YOU QUALIFY, CONTACT THE FOLLOWING OFFICE:

COURT ADMINISTRATOR
NORTHUMBERLAND COUNTY COURTHOUSE
SUNBURY, PENNSYLVANIA 17801
TELEPHONE (717) 988-4167

RULE NOC-3.8 Cont'd:

IF YOU DESIRE TO REPRESENT YOURSELF OR DO NOT QUALIFY FOR FREE COUNSEL, YOU ARE INSTRUCTED THAT YOU MUST BRING YOUR FILING INTO COMPLIANCE WITH THE LAW, RULE OF COURT OR FEE SCHEDULE YOU HAVE VIOLATED OR YOUR RIGHTS OR CLAIM MAY BE PREJUDICED.

NOTICE

RULE NOC-5.2 - NOTICE TO PERSON UNDER INCAPACITY WHERE NO GUARDIAN/TRUSTEE

If there is no guardian or trustee, notice to a person under an incapacity shall be given in accordance with a special order of court.

ACCOUNTS AND DISTRIBUTION

RULE NOC-6.1 - FORM OF ACCOUNT

A. In addition to the requisites of the form of the account of Pa. O.C. Rule 6.1, the account shall contain, at the end of the disbursement section, a subsection under the heading "ATTORNEY'S AND FIDUCIARY'S FEES, COMMISSIONS AND EXPENSES" which shall indicate separately the total amount of all disbursements which have been made for the purpose of paying attorney's fees and expenses and the total amount of all disbursements which have been made for the purpose of paying the fiduciary's fees or commissions and which have been made for the purpose of paying the fiduciary's expenses. This subsection shall be substantially in the form prescribed by Rule NOC-17.1.

B. Ledgers and Printouts. Accountant's copies of ledgers and printouts may be used to state an account, if they are legible. If these contain abbreviations, code numbers or symbols, such abbreviations, code numbers and symbols shall be explained.

RULE NOC-6.3 - NOTICE OF FILING AN ACCOUNT AND STATEMENT OF PROPOSED DISTRIBUTION

A. Written notice of the filing of an account and, unless an audit has been requested, of the filing of a statement of proposed distribution shall be given by the accountant no more than ten (10) days after the date of filing of the account to all those required to be given notice by Pa. O.C. Rule 6.3. A copy of the statement of proposed distribution shall be attached to the notice. A copy of the account and a verified inventory of all real and personal property of the deceased shall be attached to the notice given to all residuary legatees and all claimants and distributees who are not being paid in full.

B. Immediately upon the filing of the account and statement of proposed distribution, the Clerk shall give notice of the filing by publication in the Northumberland County Legal Journal and in one (1) newspaper of general circulation within the county, one (1) week, for two (2) successive weeks immediately prior to the date of confirmation.

RULE NOC-6.3 Cont'd:

C. Forms. The written notice of the filing of the account and statement of proposed distribution shall be substantially in the form prescribed by Rule NOC-17.2. The written notice of the filing of the account and request for the appointment of an auditor shall be substantially in the form prescribed by Rule NOC-17.3.

D. An affidavit which sets forth the names and addresses of those who were given written notice and the method of service of the notice shall be filed by the accountant prior to confirmation.

E. If notice is required to be given the Attorney General pursuant to Pa. O.C. Rule 5.5, proof of service of said notice and a copy of any response of the Attorney General shall be filed by the accountant prior to confirmation.

RULE NOC-6.9 - STATEMENT OF PROPOSED DISTRIBUTION

A. Every fiduciary filing an account in which a distribution has been or is to be made, shall file with the Clerk a statement of proposed distribution substantially in the form prescribed by Rule NOC-17.4. When real estate is to be distributed, the description of said real estate shall be by metes and bounds when such a description is available.

B. When the fiduciary who files the account does not file a statement of proposed distribution, he or she shall request the appointment of an auditor. This request shall be by motion and shall be filed at the same time the account is filed. The Court shall appoint an auditor to resolve issues of law and fact and to propose a distribution of the assets of the estate.

C. Notice of the filing of the statement of proposed distribution or the request for appointment of an auditor shall be given as prescribed by Rule NOC-6.3.

RULE NOC-6.10 - OBJECTIONS TO ACCOUNTS OR STATEMENTS OF PROPOSED DISTRIBUTION

A. All objections shall be in writing, numbered consecutively, signed by the objector or his attorney, and each objection shall:

- (1) be specific as to description and amount;
- (2) raise but one (1) issue of law and fact, but if there are several objections to items included in or omitting from the account or schedule of distribution relating to the same issue, all such objections shall be included in the same objections; and
- (3) set forth briefly the reason or reasons in support thereof.

B. All objections must be filed with the Clerk prior to the close of business of the Northumberland County Courthouse on the Friday before the date fixed for confirmation of the account. A copy of the objections shall be

RULE NOC-6.10 Cont'd:

served by the objector without delay on the accountant's attorney and on each person listed on the affidavit of notice filed pursuant to Rule NOC-6.3D.

C. The accountant or any other party in interest may address a motion to the Court requesting the appointment of an auditor to resolve issues raised by any objections. Any such notice shall be filed within ten (10) days after notice of the filing of the objections. If the appointment of an auditor is not requested, the Clerk shall transmit a copy of the objections to the Court Administrator so that a preliminary conference may be scheduled before the Court.

D. Any person who objects to the appointment of an auditor shall file a motion within ten (10) days of notice of the filing of the motion requesting the appointment of an auditor, setting forth therein the reasons for the objection. The Clerk shall transmit to the Court Administrator the copy of the objections so that a conference may be scheduled before the Court. After the conference, the Court may overrule the objection and appoint an auditor or sustain the objection and set the matter for argument or decide the matter on the merits based upon the representations of the parties at the conference.

RULE NOC-6.11 - CONFIRMATION OF ACCOUNTS

A. All accounts and statements of proposed distribution which are filed by the tenth (10th) day of the month, provided that proper notice has been given and no objections filed, shall be confirmed by the Court on the fourth (4th) Monday of the following month, unless that day is a holiday, in which event confirmation shall be made the next day.

B. Prior to the date of confirmation, a proposed decree of distribution shall be filed by accountant. The proposed decree shall contain spaces for signature by all members of the Court.

RULE NOC-7.1 - EXCEPTIONS TO ORDERS OR DECREES

No exceptions shall be filed to orders or decrees entered in proceedings unless the right to except thereto is expressly conferred by Act of Assembly, by rule of court, or by special order, and all decrees other than those to which exceptions are so allowed to be taken shall be final.

NOTE: See Rule NOC-15.1 for exceptions to the decree nisi terminating parental rights in an adoption.

RULE NOC-7.2 - EXCEPTIONS - (FORM)

An original and one (1) copy of exceptions permitted by these rules shall be filed with the Clerk in writing, numbered consecutively, and signed by exceptant or his attorney, and each exception shall:

- (1) be specific as to description and amount;

RULE NOC-7.2 Cont'd:

- (2) raise but one (1) issue of law or fact, but if there are several exceptions relating to the same issue, all such exceptions shall be included in the same exception; and
- (3) set forth briefly the reason or reasons in support thereof. The Clerk shall immediately forward the copy of the exception to the Court Administrator.

RULE NOC-7.3 - EXCEPTIONS - NOTICE AND TIME

A. Except as otherwise provided in these rules, all exceptions shall be filed within ten (10) days of the date of the filing of the order, decree, adjudication or other matter, unless said period is extended by the Court for cause shown.

B. The party filing the exceptions shall without delay serve each party interested or his/their attorney.

AUDITORS AND MASTERS

RULE NOC-8.1 - NOTICE OF AUDITOR'S AND MASTER'S HEARING

If not otherwise ordered by the Court, auditors and masters shall give at least twenty (20) days notice of hearings held by them to all parties interested or their attorneys of record in the matter provided by Pa. O.C. Rule 5.1. Notice of succeeding hearings given by the auditor or master at a hearing of which proper notice has been given shall constitute sufficient notice of each of such succeeding hearings.

RULE NOC-8.3 - FORM OF AUDITOR'S OR MASTER'S REPORT

In addition to the requirement of Pa. O.C. Rules 8.3 and 8.4, an auditor's or master's report shall contain a proposed decree which can be signed by the Court in the event no exceptions are filed to the report.

RULE NOC-8.6 - NOTICE OF FILING AUDITOR'S OR MASTER'S REPORT

At the time of filing the report an auditor or master shall give notice of the filing of his report to all parties in interest and shall state that in the absence of exceptions his report will be confirmed ten (10) days after the date on which the auditor or master shall have filed his report.

RULE NOC-8.7 - CONFIRMATION OF REPORT

A. If no exceptions are taken to an auditor's or master's report within ten (10) days of the date of its filing, the Court may enter a decree confirming the auditor's report and adopting the master's report.

B. When exceptions are filed to the report of an auditor, the Court shall hear the exceptions and either (1) by decree, confirm the auditor's report or adopt the auditor's report, or (2) if the auditor or master has made

RULE NOC-8.7 Cont'd:

an error of law or abused his or her discretion, modify the auditor's or master's report and enter an appropriate decree.

REGISTER OF WILLS

RULE NOC-10.1 - APPROVED FORMS

The forms used before the Clerk in his or her capacity as the Register of Wills shall be those approved by the Pennsylvania Supreme Court pursuant to Pa. O.C. Rule 10.1.

RULE NOC-10.2 - APPEALS FROM REGISTER OF WILLS

Appeals taken from the judicial acts or proceedings of the Clerk in his or her capacity as the Register of Wills shall be addressed to the Court of Common Pleas, Orphans' Court Division of Northumberland County. The original and one (1) copy shall be filed with the Clerk and the Clerk shall immediately forward the copy to the Court Administrator. The appeal shall state specifically the grounds upon which it is based, the necessary jurisdictional facts and the names of all interested parties.

SPECIAL PETITIONS

RULE NOC-12.1 - FAMILY EXEMPTION

A. If the exemption is claimed, a petition and order of court will be required only when an appraisal of personal property or real estate is necessary.

B. An appraisal is necessary in the following cases:

- (1) When personal property is claimed and its value is not agreed upon by all parties in interest. The Court shall order an appraisal in a special order of court in each case.
- (2) When real property is claimed and the value is not agreed upon by all parties in interest. In such a case the Court shall appoint two (2) appraisers and proceed in the manner set forth in Section 3123(a) of the Probate, Estates and Fiduciaries Act, 20 Pa. C.S. Section 101 et seq.

C. Unless otherwise directed by the Court, no appraisal shall be necessary if the family exemption is claimed:

- (1) in money;
- (2) from personal property and the gross value of the decedent's estate does not exceed the amount of the family exemption; or
- (3) in real or personal property the value of which is agreed upon by all parties in interest.

RULE NOC-12.1 Cont'd:

D. Notice

- (1) When no petition and order of court are required, only the decedent's personal representatives need be given notice of the claim for family exemption. No other notice shall be required.
- (2) When a petition and order of court are required, notice of the filing of the petition and of the date fixed by the Court for confirmation and allowance shall be given by petitioner:
 - (a) by actual notice to the personal representative, if any, and to all persons, other than creditors, adversely affected by allowance of exemption who do not join in the prayer of the petition; and,
 - (b) by advertisement once a week for two (2) successive weeks in the Northumberland County Legal Journal and in a newspaper of general circulation.
- (3) When it is necessary for the Court to appoint appraisers, the notice of the claim for a family exemption shall be given after the appraisal has been made and filed.

RULE NOC-12.2 - ALLOWANCE TO SURVIVING SPOUSE OF INTESTATE

The manner of appraising property claimed, of filing and confirming the appraisal and of advertising or giving notice thereof shall be as set forth in Rule NOC-12.1.

RULE NOC-12.3 - FORM OF PETITION REQUESTING AN EXTENSION OF TIME FOR FILING OF SURVIVING SPOUSE'S ELECTION

A petition for an extension of time for the surviving spouse to file an election to take against the Will shall set forth all averments required to be set forth in a petition to revoke or vacate an election under Pa. O.C. Rule 12.3(a).

RULE NOC-12.5 - APPEARANCE OF MINOR AT TIME OF APPOINTMENT OF A GUARDIAN

The appearance in court of a minor over the age of fourteen (14) years shall be required in all cases involving appointment of a guardian of his or her person or estate.

RULE NOC-12.9 - PUBLIC SALE OF REAL PROPERTY

A. In addition to the requisites of Pa. O.C. Rule 12.9, a petition for the public sale of real property shall set forth, in separate paragraphs the following:

- (1) When it is required that a personal representative petition the Court to sell real estate property at public sale,

RULE NOC-12.9 Cont'd:

- (a) the name, residence at time of death and date of death of the decedent and whether he died testate or intestate;
 - (b) the date of the grant of letters;
 - (c) that the personal representative is not otherwise authorized by statute to sell the property or is not authorized or is denied the power to do so by the Will, or that the sale has the effect of a judicial sale stating the reasons therefore;
 - (d) whether an inventory and appraisal has been filed, the total value of the property shown therein, and the value at which the real property to be sold was shown therein;
 - (e) if the personal representative entered bond with the Clerk, the name of the surety and the amount of such bond;
 - (f) the names and relationships of all parties in interest, whether any of them are minors, incompetents or estates of deceased, and if so, the names of their fiduciaries, if any, and a brief description of their interest in the property;
 - (g) the improvements on the property, by whom it is occupied, if anyone, its rental value and its current tax assessment; and,
 - (h) sufficient facts to enable the Court to determine that the sale is desirable for the proper administration and distribution of the estate.
- (2) When it is required that a trustee petition the Court to sell real property at public sale,
- (a) how title was acquired, if by Will or Deed by stating the date and place of probate of the Will or recording of the Deed, or, if this information is found in the trust instrument, by referring thereto;
 - (b) a recital of the relevant provisions of the Will, Deed or trust instrument pertaining to the real property to be sold;
 - (c) a recital of the history of the trust;
 - (d) the names and relationships of all parties in interest, whether any of them are minors, incompetents or estates of deceased; and if so, the names of their fiduciaries, if any, and a brief description of the parties' interests in the property;
 - (e) the improvements on the property, by whom it is occupied, if anyone, its rental value and its current tax assessment;

RULE NOC-12.9 Cont'd:

- (f) that the trustee is not otherwise authorized by statute to sell the property or is denied the power by the trust instrument, or that it is advisable that the sale have the effect of a judicial sale stating the reasons therefore; and
 - (g) sufficient facts to enable the Court to determine that the proposed sale is in the best interest of the trust.
- (3) When it is required that a guardian of a minor petition the Court to sell real property of the minor at a public sale,
- (a) the age of the minor;
 - (b) the names of the next of kin;
 - (c) that notice of the filing of the petition has been given to the next of kin or when there are no known next of kin, that public notice in accordance with Rule NOC-12.1D(2)(b) has been given and proofs thereof are attached to the petition as exhibits;
 - (d) how title was acquired and, if appropriate, the date and place of the probating of the Will or recording of the Deed;
 - (e) a recital or any relevant provisions of the Will, Deed or trust instrument relating to the real property;
 - (f) the nature and extent of the interest of the minor, and of other persons in the real property;
 - (g) the improvements on the property, by whom it is occupied, its current tax assessments; and
 - (h) sufficient facts to enable the Court to determine that the proposed sale will be in the best interest of the minor.

B. Exhibits

The following exhibits shall be attached to a petition filed by a personal representative, trustee or guardian, to sell real property at public sale:

- (1) A copy of the Will, Deed, trust instrument or decree through which the fiduciary was appointed;
- (2) Any consents or joinders of parties in interest and the names of parties who do not consent or join and proof that they have been given notice of the filing of the petition;
- (3) An appraisal; and

RULE NOC-12.9 Cont'd:

- (4) Consent of any mortgagee whose lien will not be discharged by the sale.

C. Notice

- (1) After the allowance of a petition for public sale, public notice of the time and place of the proposed sale shall be given by advertisement once a week for three (3) successive weeks in the Northumberland County Legal Journal and in a newspaper of general circulation. Notice to all parties in interest of the allowance of said petition shall be given by personal service or certified mail at least ten (10) days prior to the scheduled date of sale.
- (2) A return filed for the purpose of approval of confirmation by the Court of the public sale of real property shall be in the form of an affidavit, which shall set forth:
 - (a) the type of notice given to all parties;
 - (b) the price obtained; and
 - (c) the name and address of the purchaser and that he was the highest bidder.

D. In the decree approving or confirming the sale, the Court will fix the amount of bond or additional security which the personal representative, trustee or guardian shall be required to post, or will excuse the fiduciary from entering additional security.

DISTRIBUTION - SPECIAL SITUATIONS

RULE NOC-13.3 - REPORT BY FIDUCIARY

A report filed pursuant to Pa. O.C. Rule 13.3 shall be in the form of an affidavit and shall be filed at the same time that the account and statement of proposed distribution are filed.

INCOMPETENTS' ESTATES

RULE NOC-14.1 - NOTICE OF MATTERS INVOLVING ADJUDICATION OF INCAPACITY OR APPOINTMENT OR REMOVAL OF A GUARDIAN FOR AN INCAPACITATED PERSON

A. Notice in matters involving adjudication of incapacity or appointment or removal of a guardian for an incapacitated person is required on all persons who are sui juris and are heirs of the alleged or adjudicated incapacitated person, as defined by the intestacy laws of Pennsylvania. Such notice is required even if the person does not reside within the Commonwealth of Pennsylvania.

RULE NOC-14.1 Cont'd:

B. Notice required in matters involving adjudication of incapacity or appointment or removal of a guardian for an incapacitated person, other than notice upon the alleged or adjudicated incapacitated person, shall be by personal service, by service in such manner as the Court directs and/or as directed by statute in that particular case, or may be made by first class mail, postage prepaid, to the known or last known address. In the latter case, a certificate of service shall be prepared and filed verifying that the address used is the proper known or last known address, and attaching a postal certificate of mailing.

C. Notice and Service. The petition shall include a notice and citation, substantially in the form prescribed by Rule NOC-14.5. Petitioner shall be responsible for obtaining a completed notice and citation from the Clerk of the Orphans' Court, and petitioner shall be responsible for proper service of the petition, notice and citation. In all cases, service of the petition, notice and citation shall be made upon the alleged or adjudicated incapacitated person by personal service by the Sheriff or by any other competent adult, and the person making such service shall read to the alleged or adjudicated incapacitated person the petition, notice and citation, and then for a second time the notice and citation. The person making service shall explain the contents to the extent possible.

D. Return of Service. Petitioner is responsible for filing a return of service conforming to Pa. R.C.P. No. 405, which also confirms that the contents of the notice and citation and of the petition were read and, to the extent possible, explained, to the respondent as set forth in paragraph C, above.

RULE NOC-14.2 - STATUS REPORT OF GUARDIAN OF THE PERSON

A. The periodic status reports required of a guardian of the person of an incapacitated person shall be in substantially the form prescribed by Rule NOC-14.9.

B. Notice of filing shall be made to such persons and in such manner as the Court shall direct.

RULE NOC-14.3 - PETITIONS ANCILLARY TO PROCEEDINGS INVOLVING ADJUDICATION OF INCAPACITY AND/OR APPOINTMENT OR REMOVAL OF GUARDIAN

Any petition or application ancillary to a proceeding involving adjudication of incapacity and/or appointment or removal of a guardian which is not specifically addressed in these rules, such as applications for discovery, for special hearing arrangements, for Court directed mental or physical examination, for determination of persons to be notified of hearing, and the like, shall be presented by separate application filed and forwarded to the Court Administrator with both a proposed citation returnable and a proposed order awarding the relief requested. Relief may, in the discretion of the Court, be ordered summarily.

RULE NOC-14.4 - INCAPACITATED PERSONS AND THEIR ESTATES

A. Petition. A petition for adjudication of incapacity and/or for appointment of a guardian of the estate of the person shall be substantially in the form prescribed by Rule NOC-14.6 and shall contain all the items of information referred to therein. Language used in the petition should be easily understood. It is recommended that an affidavit of a physician or clinical psychologist be attached which contains a description of the physical and mental condition, any functional limitations and whether or not the respondent would be harmed by attendance at the proceeding to determine incapacity.

B. Status report on legal representation. At least seven (7) days prior to the date established for hearing on the petition, petitioner shall file in duplicate a status report on legal representation in substantially the form prescribed by Rule NOC-14.7 each of which should have attached, under the proper caption, the appropriate order in substantially the form prescribed by Rule NOC-14.8.

C. Proposed findings of fact. Petitioner shall provide to the Court, at or before hearing, proposed findings of fact in a form suitable for adoption by the Court at hearing. Such findings shall include, inter alia, in separately numbered statements, at least the facts petitioner intends to establish which are required in order for the Court to grant the relief requested.

D. Periodic report of the guardian of the person. Within one (1) year of the date of appointment and annually thereafter, or with such great frequency as the Court may direct, every guardian of the person of an incapacitated person shall file a periodic report of the guardian of the person in substantially the form prescribed by Rule NOC-14.9. Notice and service of the said report shall be in such manner as the Court shall direct.

E. Periodic report of the guardian of the estate. Within one (1) year of the date of appointment and annually thereafter, or with such great frequency as the Court may direct, every guardian of the estate of an incapacitated person shall file a periodic report of the guardian of the estate in substantially the form prescribed by Rule NOC-14.10. Notice and service of the said report shall be in such manner as the Court shall direct.

RULE NOC-14.5 - NOTICE AND CITATION FORM

The notice and citation referred to in Rule NOC-14.1C shall be substantially in the following form:

In the matter of : IN THE COURT OF COMMON PLEAS
(Respondent), : OF NORTHUMBERLAND COUNTY, PA.
an alleged incapacitated person :
: ORPHANS' COURT DIVISION
:
: O.C. NO.

NOTICE AND CITATION

A PETITION HAS BEEN FILED WITH THE COURT OF NORTHUMBERLAND COUNTY THAT SAYS YOU HAVE A LIMITATION OF YOUR ABILITY TO MAKE OR COMMUNICATE DECISIONS, AND THAT IT IS SERIOUS ENOUGH TO REQUIRE THAT A GUARDIAN BE APPOINTED TO MAKE OR COMMUNICATE CERTAIN DECISIONS FOR YOU. IF A GUARDIAN IS APPOINTED, YOU MAY LOSE THE RIGHT TO MAKE DECISIONS ABOUT WHAT HAPPENS TO YOU OR YOUR PROPERTY; FOR EXAMPLE, A GUARDIAN MAY BE GIVEN THE RIGHT TO DECIDE WHERE YOU WILL LIVE, WHAT MEDICAL CARE YOU WILL GET, AND/OR HOW YOUR MONEY WILL BE SPENT.

A JUDGE WILL HOLD A HEARING ON THIS PETITION, WHICH IS SCHEDULED FOR _____ AT _____ O'CLOCK, ____ M. THE PLACE OF THE HEARING IS COURTROOM, No. _____ IN THE NORTHUMBERLAND COUNTY COURT-HOUSE, AT 201 MARKET STREET, SUNBURY, PENNSYLVANIA.

YOU SHOULD TAKE THIS PAPER TO A LAWYER AT ONCE, YOU ARE HEREBY DIRECTED TO APPEAR AT THIS HEARING. IF YOU DO NOT HAVE A LAWYER, YOU SHOULD CALL THE COURT ADMINISTRATOR AT 988-4167 OR SUSQUEHANNA LEGAL SERVICES AT 286-5687. IF YOU DO NOT HAVE A LAWYER OR ARE UNABLE TO OBTAIN A LAWYER ON YOUR BEHALF, YOU HAVE THE RIGHT TO ASK THE COURT TO APPOINT A LAWYER FOR YOU. IF YOU CANNOT AFFORD A LAWYER, YOU HAVE A RIGHT TO ASK THE COURT TO PROVIDE A LAWYER WHO WILL NOT COST YOU ANY MONEY.

CLERK OF THE ORPHANS' COURT

RULE NOC-14.6 - PETITION TO ADJUDICATE INCAPACITY FORM

The petition to adjudicate incapacity and/or the appointment of a guardian referred to in Rule NOC-14.4A shall be in substantially the following form:

In the matter of : IN THE COURT OF COMMON PLEAS
(Respondent), : OF NORTHUMBERLAND COUNTY, PA.
an alleged incapacitated person :
: ORPHANS' COURT DIVISION
:
: O.C. NO.

PETITION TO ADJUDICATE INCAPACITY PURSUANT TO 20 P.S. 5511
AND
FOR THE APPOINTMENT OF A GUARDIAN OF THE PERSON AND/OR OF THE ESTATE

TO: THE HONORABLE JUDGES OF THE NORTHUMBERLAND COUNTY COURT

The petition of (name of petitioner) respectfully states:

1. Name and current address of petitioner.
2. Petitioner's relationship to and interest in the alleged incapacitated person's welfare.
3. Name, age, residence and post office address of the alleged incapacitated person.
4. Name and address of person or institution providing residential services to the alleged incapacitated person.
5. Names and addresses of spouse, parents and all persons who are sui juris and would be entitled to share in the estate of the alleged incapacitated person if that person died intestate.
6. Names and addresses of medical, social, residential, and other service providers.
7. State whether respondent has or has not been a member of the United States Armed Services and whether he is or is not receiving any benefits from the United States Veterans Administration.
8. State whether any court has ever assumed jurisdiction in any proceeding to determine the competency or capacity of the respondent, and whether any guardian of the person and/or estate has ever been appointed.
9. The name and address of respondent's attorney, if known, or the attorney known to represent the respondent on other legal matters.

RULE NOC-14.6 Cont'd:

10. The reason why guardianship is sought.
11. A description of the functional limitations and physical and mental conditions of the alleged incapacitated person.
12. Allegations of fact regarding the services being utilized to meet essential requirements for the alleged incapacitated person's physical health and safety, to manage the person's financial resources or to develop or regain the person's abilities.
13. Allegations of fact regarding the type of assistance required by the person and as to why no less restrictive alternative would be appropriate.
14. Allegations of fact regarding the probability that the extent of the person's incapacities may significantly lessen or change.
15. For each type of guardian being requested, the name and address of the person or entity whom petitioner asks to be appointed guardian.
16. An averment that the proposed guardian has no interest adverse to the alleged incapacitated person.
17. Qualifications of proposed guardian.
18. The specific areas of incapacity over which it is requested that the guardian be assigned powers.
19. If guardian of the estate is being sought, the petition shall also include the gross value of the estate and the net income from all sources to the extent known.

WHEREFORE, petitioner prays this Honorable Court to grant the following relief:

A.

B.

etc.

By:

RULE NOC-14.7 - STATUS REPORT ON LEGAL REPRESENTATION FORM

The status report on legal representation referred to in Rule NOC-14.4B shall be substantially in the following form:

IN THE COURT OF COMMON PLEAS OF NORTHUMBERLAND COUNTY, PA.
ORPHANS' COURT DIVISION

In Re: _____ :
: O.C. No.
: _____ :
An alleged incapacitated person :

Date petition filed _____ .
Date of service on alleged incapacitated person _____ .
Date of scheduled hearing _____ .

STATUS OF ALLEGED INCAPACITATED PERSON'S LEGAL REPRESENTATION

Counsel for the incapacitated person (is) (is believed to be)

NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

_____ Petitioner does not believe that the alleged incapacitated person is represented by counsel.

_____ Petitioner (does) (does not) believe it would be appropriate for the alleged incapacitated person to be represented by counsel because:

BY: _____
Petitioner/Counsel for Petitioner

Dated: _____

Address: _____

Telephone: _____

RULE NOC-14.8 - PROPOSED ORDER DEALING WITH APPOINTMENT OF A GUARDIAN

The proposed orders referred to in Rule NOC-14.4B shall be substantially in the following form:

(Caption)

ORDER

Upon consideration of the attached status report, it is not deemed appropriate to appoint counsel, therefore, the hearing on the Petition for Appointment of a Guardian in the above-captioned matter shall be held as previously scheduled.

BY THE COURT:

Dated: _____

Judge

(Caption)

ORDER

Upon consideration of the attached status report, a hearing on the possible appointment of counsel for the alleged incapacitated person shall be held on the _____ day of _____, 19____, in Courtroom No. ___ at _____ o'clock ____ .M. A certified copy of this Order shall be served on the alleged incapacitated person and all other persons who were to receive service of the Petition for Appointment of Guardian.

BY THE COURT:

Dated: _____

Judge

RULE NOC-14.8 Cont'd:

(Caption)

ORDER

Upon consideration of the attached status report, _____ is hereby appointed counsel for the alleged incapacitated person. A certified copy of this Order shall be served on the alleged incapacitated person and all other persons who were to receive service of the Petition for Appointment of Guardian.

BY THE COURT:

Dated: _____

Judge

RULE NOC-14.9 - PERIODIC REPORT OF GUARDIAN OF INCAPACITATED PERSON FORM

The periodic report of guardian of the person of an incapacitated person referred to in Rule NOC-14.2A and Rule NOC-14.4D shall be substantially in the following form:

In the matter of _____ : IN THE COURT OF COMMON PLEAS
(Respondent), : OF NORTHUMBERLAND COUNTY, PA.
an alleged incapacitated person :
: ORPHANS' COURT DIVISION
:
: O.C. NO.

PERIODIC REPORT OF GUARDIAN OF THE PERSON OF AN INCAPACITATED PERSON

In the matter of _____, a legally incapacitated person.

1. I, _____, am the guardian of the above-named adult and my annual report is as follows:
2. Present age of the adult: _____ D.O.B.: _____
3. Living arrangements:
 - a. Current address of the adult: _____

RULE NOC-14.9 Cont'd:

b. The adult's current residence is:

_____ own home/apartment _____ guardian's home/apartment
_____ nursing home _____ hospital or medical facility
_____ foster/boarding home _____ relative's home _____ relationship
_____ other: _____

c. The adult has been in the present residence since

_____.

If moved within past year, state change(s) and reason(s) for change:

d. I rate the adult's living arrangements as:

_____ Exc. _____ Avg. _____ Below Avg. (Explain)

e. I believe the adult is _____ content with the living situation.

I believe the adult is _____ unhappy with the living situation.

f. _____ I recommend a more suitable living arrangement for the adult as follows: _____

4. Physical Health:

a. The adult's current physical condition is:

_____ Exc. _____ Good _____ Fair _____ Poor

b. The adult's major physical health problems are as follows: _____

RULE NOC-14.9 Cont'd:

c. During the past year, the adult's physical condition has:

___ remained about the same.

___ improved. (Explain) _____

___ worsened. (Explain) _____

d. During the past year, the adult received the following medical treatment (include check-ups and dental work):

Date	Ailment	Treatment	Dr.'s Name
------	---------	-----------	------------

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

5. Mental Health:

a. The adult's condition is: ___ Exc. ___ Good ___ Poor

b. The adult's major mental health problems are as follows:

c. During the past year, the adult's mental condition has

___ remained about the same.

___ improved. (Explain) _____

___ worsened. (Explain) _____

d. During the past year, treatment or evaluation by a psychiatrist, psychologist, or social worker ___ was ___ was not provided. Such mental health services are briefly described as follows:

6. Social Activities/Services:

a. The adult's current social condition is:

___ Exc. ___ Good ___ Fair ___ Poor

RULE NOC-14.9 Cont'd:

b. During the past year, the adult's social condition has:

_____ remained about the same.

_____ improved. (Explain) _____

_____ worsened. (Explain) _____

c. During the past year, the adult has participated in the following activities:

_____ recreational _____

_____ educational _____

_____ social _____

_____ occupational _____

_____ no activities available.

_____ refused to participate in any activities.

_____ was unable to participate in any activities.

7. List of visits:

a. During the past year, I visited the adult as follows:

b. The average amount of time I spent on each visit was:

c. The last time I visited with the adult was on (date)

8. Activities:

During the past year, I performed the following activities on behalf of the adult: _____

9. I believe the adult has the following unmet needs: _____

RULE NOC-14.9 Cont'd:

10. The guardianship _____ should _____ should not be continued without modification because: _____
11. I _____ do _____ do not have possession or control of the adult's estate. If yes, my accounting is attached.
12. I represent that the interested parties, addresses and their representatives as defined in 20 P.S. Section 3503 are identical to those appearing on the initial petition, except as to the following: _____
13. I certify that I have served a copy of this periodic report on all those parties in interest listed in the original petition, as may be amended in paragraph of this report.

I attest that the above information is true and correct, to the best of my information, knowledge, and belief, and I present this information subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Date

Petitioner's Signature

Petitioner's Name (type or print)

Address

City, State, Zip Tele. Number

(Caption)

NOTICE

Enclosed herewith you will find a Periodic Account of Fiduciary in reference to the above-captioned matter. If you should have any questions in reference to this account, please contact the guardian. If you have any objections to the account, you are respectfully asked to prepare your objections, in writing, make reference to the incapacitated person and court docket number, and, within 30 days of receiving this notice, mail or deliver the objections to the following:

RULE NOC-14.9 Cont'd:

1. Orphans' Court Clerk
Northumberland County Courthouse
201 Market Street
Sunbury, PA 17801
2. Chambers of Judge _____
(Name of Judge who appointed the fiduciary)
3. _____ (fill in name and address of
the fiduciary making the periodic account)

Not filing your objections within 30 days does not preclude you from filing them at some future time including the time when the formal account or first and partial account is filed. If, however, you do have valid objections, it would be very helpful to address them now rather than at some future time.

Guardian/Attorney for Guardian

RULE NOC-14.10 - PERIODIC ACCOUNT OF GUARDIAN OF THE ESTATE FORM

The periodic account of the estate of an incapacitated person referred to in Rule NOC-14.4E shall be substantially in the following form:

In the matter of	:	IN THE COURT OF COMMON PLEAS
(Respondent),	:	OF NORTHUMBERLAND COUNTY, PA.
an alleged incapacitated person :	:	ORPHANS' COURT DIVISION
	:	
	:	O.C. No.

PERIODIC ACCOUNT OF GUARDIAN OF THE ESTATE OF AN INCAPACITATED PERSON

Estate of _____

1. I, _____, represent that I am the
_____ of the estate and submit the
following as my account, which covers the period from _____ (Date)
to _____ (Date).

RULE NOC-14.10 Cont'd:

_____	\$ _____
_____	\$ _____
_____	\$ _____
Total balance on hand	

- =====
5. I represent that the interested parties, addresses and their representatives as defined in 20 P.S. Section 3503 are identical to those appearing on the initial petition, except as to the following: _____

 6. Needs of the incapacitated person for which the guardian of the estate has provided since the last report are as follows:

 7. I represent that the foregoing account contains a correct statement of all receipts and disbursements which have come to my knowledge.
 8. I, therefore, request that the foregoing be allowed as my _____ annual account.
 9. I certify that I have served a copy of this periodic account to all those persons in interest listed in the original petition, as may be amended in paragraph 5 of this account.

I attest that this account and petition has been examined by me and that its contents are true and correct to the best of my information, knowledge, and belief, and I present this information subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Date

Petitioner's Signature

Petitioner's Name (type or print)

Address

City, State, Zip Tele. Number

RULE NOC-14.10 Cont'd:

(Caption)

NOTICE

Enclosed herewith you will find a Periodic Account of Fiduciary in reference to the above-captioned matter. If you should have any questions in reference to this account, please contact the guardian. If you have any objections to the account, you are respectfully asked to prepare your objections, in writing, make reference to the incapacitated person and court docket number, and, within 30 days of receiving this notice, mail or deliver the objections to the following:

1. Orphans' Court Clerk
Northumberland County Courthouse
201 Market Street
Sunbury, PA 17801
2. Chambers of Judge _____
(Name of Judge who appointed the fiduciary)
3. _____ (fill in name and address of
the fiduciary making the periodic account).

Not filing your objections within the 30 days does not preclude you from filing them at some future time including the time when the formal account or first and partial account is filed. If, however, you do have valid objections, it would be very helpful to address them now rather than at some future time.

Guardian/Attorney for Guardian

ADOPTIONS

RULE NOC-15.1 - TERMINATION OF PARENTAL RIGHTS, EXCEPTIONS

When the Court finds that parental rights are to be terminated under Pa. O.C. Rules 15.2, 15.3 and 15.4, the Court shall make an adjudication in the form required by Pa. R.C.P. 1517(a). Within ten (10) days after notice of the filing of the adjudication, exceptions to said adjudication may be filed by any party and shall be in the form set forth in Pa. R.C.P. 227.1 dealing with post-trial relief. If no exceptions are filed within ten (10) days after notice of the filing of the adjudication, the decree nisi shall be entered by the Clerk, upon praecipe, as the final decree.

RULE NOC-15.5 - REQUEST FOR INVESTIGATION

If no report of intention to adopt is required, in the absence of a special order of court, there shall be no investigation of the petition for adoption. If an investigation of the adoption petition is necessary, the Court shall order the investigating agency to conclude its investigation and file its report not later than ninety (90) days after the filing of the notice of intention to adopt.

RULE NOC-15.6 - HEARING ON PETITION FOR ADOPTION

Unless otherwise ordered by the Court, the hearing on the petition for adoption shall be private.

RULE NOC-15.8 - PROPOSED DECREE

At the conclusion of the hearing for adoption, the petitioners shall submit to the hearing judge a proposed decree substantially in the form set forth in Rule NOC-17.5.

FORMS

RULE NOC-17.1 - FORM OF STATEMENT OF ATTORNEY'S AND FIDUCIARY'S FEES, COMMISSIONS AND EXPENSES

The form of the statement of attorney's and fiduciary's fees, commissions and expenses required by Rule NOC-6.1A shall be substantially in the following form:

ATTORNEY'S AND FIDUCIARY'S FEES,
COMMISSIONS AND EXPENSES

Total Attorney's Fees _____

Total Attorney's Expenses _____

Total _____

Total Fiduciary's Fees and
Commissions _____

Total Fiduciary's Expenses _____

Total _____

RULE NOC-17.2 - NOTICE OF FILING OF THE ACCOUNT AND STATEMENT OF PROPOSED DISTRIBUTION

The notice of filing of the account and statement of proposed distribution required by Rule NOC-6.3C shall be substantially in the following form:

RULE NOC-17.2 Cont'd:

IN RE: : IN THE COURT OF COMMON PLEAS
ESTATE OF : OF NORTHUMBERLAND COUNTY, PA.
: :
: ORPHANS' COURT DIVISION
: :
_____, :
Deceased : NO. OC-

TO: (Name(s) and Address(es) of Person(s) to be Notified).

NOTICE

You are hereby notified that the accountant has filed an account and statement of proposed distribution and a verified inventory of all real and personal estate of the deceased in the Office of the Clerk of the Orphans' Court of Northumberland County, Northumberland County Courthouse, Market Street, Sunbury, Pennsylvania 17801. A copy (copies) of the statement of proposed distribution (account and inventory) is/are attached.

If you object to any portion of the account or statement of proposed distribution you must file objections with the Clerk of Orphans' Court by _____ (the Friday before the account and statement of proposed distribution will be confirmed by the Court). You are hereby warned that if no objections are filed, the account and statement of proposed distribution will be confirmed and distribution will be made in accordance with the schedule of distribution. If you have any questions concerning this notice you should contact your attorney or the accountant's attorney.

(Accountant or His Counsel)

(Address)

(Telephone Number)

RULE NOC-17.3 - NOTICE OF FILING OF THE ACCOUNT AND A REQUEST FOR APPOINTMENT OF AUDITOR

The notice of filing of the account and a request for the appointment of an auditor required by Rule NOC-6.3C shall be substantially in the following form:

RULE NOC-17.3 Cont'd:

IN RE: : IN THE COURT OF COMMON PLEAS
ESTATE OF : OF NORTHUMBERLAND COUNTY, PA.
: :
: ORPHANS' COURT DIVISION
: :
_____, :
Deceased : NO. OC-

TO: (Name(s) and Address(es) of Person(s) to be Notified).

NOTICE

You are hereby notified that the accountant has filed in the Office of the Clerk of Orphans' Court of Northumberland County, Northumberland County Courthouse, Market Street, Sunbury, Pennsylvania 17801, an account and a request for the Court to appoint an auditor. The auditor will decide any issues of law or fact raised by interested parties and determine the distribution to be made of the assets of the estate. You will be notified of the date, time and place of any hearings to be held by the auditor.

(Accountant or His Counsel)

(Address)

(Telephone Number)

RULE NOC-17.4 - STATEMENT OF PROPOSED DISTRIBUTION

The statement of proposed distribution required by Rule NOC-6.9A shall be substantially in the following form:

IN RE: : IN THE COURT OF COMMON PLEAS
ESTATE OF : OF NORTHUMBERLAND COUNTY, PA.
: :
: ORPHANS' COURT DIVISION
: :
_____, :
Deceased : NO. OC-

RULE NOC-17.4 Cont'd:

Statement of Proposed Distribution of the Estate
Of _____

filed by

(Fiduciary)

(Capacity)

1. Date of death:
2. Indicate whether the decedent died testate or intestate and the date of probate of the decedent's Last Will and Testament (if any):
3. Date of appointment of executor or administrator:
4. State names of newspapers and dates on which advertisement of granting of Letters was published:
5. Set forth the name and address of the decedent's spouse:
 - (a) Indicate whether the spouse has elected to take against the Will and if so, the date of the filing of the election:
 - (b) Indicate whether the decedent married after the execution of the Will or Codicils (if any) and which of the said Will or Codicils was executed prior to the marriage:
6. Set forth the names and addresses of the decedent's surviving issue or adopted children and indicate if any of them were born or adopted after the execution of the Will (if any):
7. Set forth in list form the names of all legatees or in the case of an intestacy, the names of the heirs-at-law and the addresses of the legatees and heirs (if not previously disclosed in 4 and 5 above). Also, set forth the relationship of the legatees or heirs to the decedent, the amount or percentage of the interest and the character of the interest. This information may be in summary form but should indicate whether any of the devises and bequests have been revoked, adeemed, lapsed or been assigned, attached or disclaimed:

RULE NOC-17.4 Cont'd:

8. Set forth the names of all parties in interest who are under any legal disability and the names and addresses of their guardians or committees and the circumstances of the disability:
9. Set forth the names and addresses of unpaid creditors from whom the fiduciary has received written notice or of whom the fiduciary has actual notice. Also, set forth which of the amounts claimed are admitted:
10. Indicate whether or not charitable bequests are involved and if so, if notice is required to be given to the Attorney General pursuant to Pa. O.C. Rule 5.5:
11. List any fiduciary capacity which the decedent held and indicate the present status and court docket number (if any):
12. Indicate whether the Pennsylvania Transfer, Inheritance and Estate taxes have been paid in full. If so, in lieu of completing the schedule below, a copy of Notice of Inheritance Tax Appraisement, Allowance or Disallowance of Deductions and Assessments of tax received from the Pennsylvania Department of Revenue may be attached:

(a) State the Pennsylvania Department of Revenue appraisement value of the estate, the amount of the debts and deductions allowed by the Register of Wills, and the value of the taxable estate:

Appraisement Value	_____
Less Debts and Deductions	_____
Taxable Estate	_____

(b) State the tax rate and the total amount of tax paid:

Tax Rate	_____ %
Tax Paid	_____

13. Indicate whether the estate is subject to the Federal Estate Tax and the date of receipt of a Federal Estate Tax closing letter (if it has been received). If the letter has not been received, indicate that to the personal representative's information, knowledge and belief, the Federal Estate Taxes have been paid in full in accordance with the return filed:
14. Where the accountant is requesting that any issue be decided by an auditor or by the Court, set forth any such issues:

RULE NOC-17.4 Cont'd:

15. Indicate whether a reserve is requested and, if so, state the amount and purpose thereof:
16. State whether the account is partial or final and whether any partial accounts had previously been filed:
17. Set forth any other information concerning unusual circumstances not previously mentioned:

The accountants propose to distribute the assets as follows:

<u>Name of</u> <u>Distributee</u>	<u>Asset to be</u> <u>Distributed</u>	<u>Inventory</u> <u>Value</u>	<u>Tax Basis</u> <u>Value</u>
--------------------------------------	--	----------------------------------	----------------------------------

Total Distribution Value: _____

(Accountant)

(Accountant)

IN RE: ESTATE OF _____, Deceased	: : : : : :	IN THE COURT OF COMMON PLEAS OF NORTHUMBERLAND COUNTY, PA. ORPHANS' COURT DIVISION NO. OC-
---	----------------------------	---

AFFIDAVIT OF INDIVIDUAL FIDUCIARY(IES)

_____, the within named fiduciary(ies) verify(ies) that the facts set forth in the foregoing account and statement of proposed distribution, which are within the personal knowledge of the fiduciary(ies), are true, and as to facts based on information of the others, the fiduciary(ies), after diligent inquiry, believe(s) them to be true. I understand that

RULE NOC-17.4 Cont'd:

false statements therein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Signature(s) of Individual
Fiduciary(ies)

Date: _____

IN RE:	:	IN THE COURT OF COMMON PLEAS
ESTATE OF	:	OF NORTHUMBERLAND COUNTY, PA.
	:	
	:	ORPHANS' COURT DIVISION
	:	
_____	:	
Deceased	:	NO. OC-

AFFIDAVIT OF OFFICER OF CORPORATE FIDUCIARY

_____ verifies that he/she is the _____ of the above-named _____, and that the facts set forth in the foregoing account and statement of proposed distribution which are within the personal knowledge of the affiant are true, and as to facts based on the information of others, the affiant, after diligent inquiry, believes them to be true. I understand that false statements therein are subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Signature of Officer of Corporate
Fiduciary

Date: _____

RULE NOC-17.4 Cont'd:

IN RE: : IN THE COURT OF COMMON PLEAS
 ESTATE OF : OF NORTHUMBERLAND COUNTY, PA.
 :
 : ORPHANS' COURT DIVISION
 _____, :
 Deceased : NO. OC-

AFFIDAVIT OF NOTICE

 (Fiduciary) (Capacity)
 of the Estate of _____, verifies that
 written notice by _____
 (State Method of Service of Notice)

was given of the filing of the [Account and Statement of Proposed Distribution/Account and Request for the Appointment of an Auditor] to every unpaid claimant who has given written notice to his claim to the accountant and to every person known to the accountant to have or claim an interest in the estate as creditor, beneficiary, heir or next of kin. Copies of said written notices are attached. I understand that false statements herein are subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

 Fiduciary or Officer of Corporate
 Fiduciary

Date: _____

RULE NOC-17.5 - DECREE IN AN ADOPTION

The decree to be submitted to the Court in an adoption required by Rule NOC-15.8 shall be substantially in the following form:

IN RE: : IN THE COURT OF COMMON PLEAS
 ADOPTION OF : OF NORTHUMBERLAND COUNTY, PA.
 :
 : ORPHANS' COURT DIVISION
 _____, :
 : NO. OC-

RULE NOC-17.5 Cont'd:

DECREE OF ADOPTION

AND NOW, to wit, this _____ day of _____,
19__, upon consideration of the petition of _____,
for adoption of _____, and of the hearing held
thereon, the Court is satisfied and finds that:

- (1) The statements made in the petition are true;
- (2) The needs and welfare of the said _____
will be promoted by the adoption;
- (3) All the requirements of the Adoption Act have been met.

It is, therefore, ORDERED AND DECREED that the adoption of the
said _____ by the said _____
is hereby allowed; that said child shall have all the rights of a
child and heir of said _____ and shall be
subject to the duties of a child to them; and that said child shall
hereinafter be known as _____.

BY THE COURT:

Judge