

**INSTRUCTIONS**  
**Petition for Probate and Appointment of Administrator**

*At any time after the death of an enrolled member or a person domiciled on the Gila River Indian Community Reservation, the administrator of the person's estate may probate the person's estate. An Administrator of the Estate is a person named to serve as Administrator in the decedent's last will and testament; or if not named, the surviving spouse (or a person the surviving spouse designates), or the next of kin in the following order: child or children, father or mother, brothers or sisters, grandchildren, nephews or nieces. Probate proceedings are initiated by filing a Petition for Probate. See GRIC Code § 10.401 et seq.*

Please read the following instructions carefully.

1. Fill out the top portion of the Petition for Probate and Appointment of Administrator, identifying the decedent and the date of death. Then choose the portion of the Petition applicable to the estate ("**If there is a Will**" or "**If there is no Will**"), and fill it out completely. List all heirs of the Estate, including age, address, and relationship to the decedent and list a general description of the Estate.
2. Sign the Petition before a notary public or the Clerk of the Court.
3. Attach copies of the following: (a) the original Will, or copy of a document alleged to be the decedent's will; (b) a statement of whether probate proceedings are pending in any other jurisdiction and the name and address of the administrator appointed in the other jurisdiction; (c) a certified copy of the decedent's death certificate; and (d) if there is no Will, a description of the efforts made to obtain the original will, or the facts relating to the absence of a will.
4. There is a \$25.00 fee. Please pay the fee at the Court's cashier window. Payment can be made by cash, cashier's check, money order, or Visa/Mastercard. Personal checks are not accepted.
5. The Clerk of the Court will schedule a hearing within 30 days of the filing of the Petition when a judge will review the Petition and determine its sufficiency; and if sufficient, will schedule a Probate Hearing.
6. If you have any further questions, please ask the Clerk. If the Clerk cannot answer your questions, they will direct you to a lawyer in the local area. You may also email your questions to [Court.Questions@gric.nsn.us](mailto:Court.Questions@gric.nsn.us).
7. Address & phone numbers to the Gila River Indian Community Courts:

Sacaton Court  
721 W. Seed Farm Rd., PO Box 368  
Sacaton, Arizona 85247  
Phone: (520) 562-9860  
Fax: (520) 562-9867

Westend Judicial Center  
Rt. 2, Box 808  
Laveen, Arizona 85339  
Phone: (520) 562-9862  
Fax: (520) 562-9869

**IN THE COURT OF THE  
GILA RIVER INDIAN COMMUNITY  
IN THE STATE OF ARIZONA**

*In the matter of the Estate of:*

No. \_\_\_\_\_

\_\_\_\_\_

[ ] *an Adult* / [ ] *a Minor*

*Date of Death:* \_\_\_\_\_

**Petition for Probate and  
Appointment of  
Administrator**  
(GRIC Code § 10.401)

**TO THE HONORABLE JUDGE OF THE COMMUNITY COURT OF  
THE GILA RIVER INDIAN COMMUNITY:**

I, the undersigned petitioner, \_\_\_\_\_, respectfully petition this Court, that \_\_\_\_\_ (*decedent*), of \_\_\_\_\_ (*tribe*), tribal ID no. \_\_\_\_\_ died on \_\_\_\_/\_\_\_\_/\_\_\_\_.

**If there is a Will** (GRIC Code, Title 10, § 10.401(B)(2)):

The undersigned petitioner certifies Exhibit A to be a true copy of the Last Will and Testament of \_\_\_\_\_, (*decedent*), admitted to the GRIC Court.

The Last Will and Testament of \_\_\_\_\_, (*decedent*), having been duly admitted to record in the GRIC Court.

The undersigned petitioner further certifies that \_\_\_\_\_ (*Administrator of the Estate named in the Will*), is duly authorized to undertake administration of the estate of the testator in accordance with the provisions of the Will.

The following are named as beneficiaries under the will:

Name and Address

Relationship to Decedent

**If there is no Will** (GRIC Code, Title 10, § 10.402(A)):

The undersigned petitioner is the surviving \_\_\_\_\_ (*relation*), and petitions to act as administrator on behalf of the deceased to (*reasons*): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Therefore, petitioner is entitled to letters of administration of the estate of \_\_\_\_\_, deceased.

Decedent left surviving the following persons who are the surviving spouse, children, heirs and devisees of decedent:

<u>Name and Address</u>	<u>Age (if minor)</u>	<u>Heir or Devisee</u>	<u>Relationship to Decedent</u>
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The following is a general description of the decedent's estate subject to probate in the Community Court and a general description of those portions of the decedent's estate, if any, that are not subject to probate in the Community Court (including, but not limited to, any applicable interests):

Venue for this proceeding is in this jurisdiction because decedent [was domiciled on the Reservation and/or was an enrolled member of the Community] at the time of death.

[No Administrator for decedent's Estate has been appointed in this jurisdiction or elsewhere./ \_\_\_\_\_ was appointed Administrator of decedent's Estate in \_\_\_\_\_.]

Petitioner believes that the Will, dated \_\_\_\_\_, \_\_\_\_\_, was validly executed and is decedent's last Will and, after the exercise of reasonable diligence, Petitioner is unaware of any instrument revoking the Will.

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Petitioner: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

**Verification:** Title 10, §10.401(10).

I, \_\_\_\_\_, being first duly sworn, upon oath deposes says:

That I am the petitioner in the above-entitled action and that I have read the above and foregoing petition and that I know the contents thereof, and that the same is true of my own personal knowledge as I believe them to be true.

\_\_\_\_\_  
Petitioner Signature

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

MY COMMISSION EXPIRES: \_\_\_\_\_

\_\_\_\_\_  
Notary Public / Clerk of the Court

**Please Attach:**

- The original or a true and correct copy of any Will found or document alleged to be the last will and testament of the decedent. Title 10, § 10.401(B)(1).
- Names and addresses of decedent's known surviving family. Title 10, § 10.401(4).
- Names and addresses of beneficiaries under the will. Title 10, § 10.401(5)
- General description of decedent's estate subject to probate. Title 10, § 10.401(6).
- Statement whether probate proceedings are pending in any other jurisdiction; and the name and address of the Administrator of the Estate appointed in the jurisdiction. Title 10, § 10.401(7).
- Certified copy of the decedent's death certificate. Title 10, § 10.401(B)(1).
- If there is no Will, a description of the efforts made to obtain the original Will and any facts relating to its absence. Title 10, § 10.401(B)(2).