

IN THE PROBATE COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

IN RE: ESTATE OF \_\_\_\_\_ )  
\_\_\_\_\_, ) ESTATE NO. \_\_\_\_\_  
DECEASED )

**PETITION FOR THE APPOINTMENT OF SUCCESSOR  
EXECUTOR(S) OF A WILL PREVIOUSLY PROBATED**

COMES NOW \_\_\_\_\_ and petitions the Court for the appointment of Successor Executor(s) and for the issuance of successor Letters Testamentary for the Estate of \_\_\_\_\_, deceased, and shows:

1.

The Last Will and Testament of the above-named Decedent was duly probated and admitted to record in (Common)(Solemn) Form by Order of this Court dated \_\_\_\_\_.

2.

Letters Testamentary were issued to \_\_\_\_\_, the named Executor, on \_\_\_\_\_.

3.

The Executor died or resigned on \_\_\_\_\_, prior to completing the administration of the Estate, and it is necessary that a successor executor be granted leave to qualify as such and that Successor Letters Testamentary issue accordingly.

4.

\_\_\_\_\_ was nominated by the Testator to serve as Successor Executor(s) and is/are ready, willing and able to serve in such capacity.

5.

*[Initial one]*

\_\_\_\_\_ (a) Notice to the beneficiaries is unnecessary because the will was admitted to probate in Common Form only.

\_\_\_\_\_ (b) The will was admitted to probate in Solemn Form and below are the names and addresses of every beneficiary under the Will with a current interest in the Estate who should be notified of this Petition and given an opportunity to show cause, if any exists, why the nominated Successor Executor(s) should not be appointed:

NAME

AGE

ADDRESS

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WHEREFORE, the Petitioner prays that notice be given to each beneficiary having a current interest in the Estate who has not acknowledged service and consented to the above for them to show cause, if any, why the nominated Successor Executor(s) should not be appointed and why Successor Letters Testamentary should not issue to him/her/them upon qualification.

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Signature of Petitioner

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Printed Name

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Mailing Address

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Telephone Number

Signature of Attorney \_\_\_\_\_

Printed Name of Attorney \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_ State Bar # \_\_\_\_\_

**VERIFICATION**

**GEORGIA, \_\_\_\_\_ COUNTY**

Personally appeared before me the undersigned Petitioner(s) who, after being duly sworn, state(s) that the facts set forth in the foregoing Petition for the Appointment of Successor Executor(s) of a Will Previously Probated (and the attached Exhibit(s)) are true and correct.

Sworn to and subscribed before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

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

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT

\_\_\_\_\_  
Printed Name of Petitioner

My Commission Expires \_\_\_\_\_

IN THE PROBATE COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

IN RE: ESTATE OF

)  
)  
)  
)

\_\_\_\_\_  
DECEASED

ESTATE NO. \_\_\_\_\_

NOMINATED SUCCESSOR EXECUTOR(S)  
CONSENT TO SERVE

*(To be completed only in the event that the Petitioner  
is not the nominated Successor Executor(s))*

I/We, the undersigned, being 18 years of age or older, laboring under no legal disability and being nominated to serve as Successor Executor(s) in the Last Will and Testament of the above-named Decedent, hereby consent to serve. I/We understand that once appointed, I/We will be legally authorized to discharge all the duties and exercise all the powers of Executor(s) under the Will of the Decedent, according to the Will and the law.

Sworn to and subscribed before  
me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Nominated Successor Executor

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT  
My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Printed Name

Sworn to and subscribed before  
me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Nominated Successor Executor

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT  
My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Printed Name

Sworn to and subscribed before  
me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Nominated Successor Executor

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT  
My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Printed Name

IN THE PROBATE COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

IN RE: ESTATE OF \_\_\_\_\_ )  
 )  
\_\_\_\_\_, ) ESTATE NO. \_\_\_\_\_  
DECEASED )

ACKNOWLEDGMENT OF SERVICE AND  
ASSENT TO THE APPOINTMENT OF  
SUCCESSOR EXECUTOR(S)

RE: Petition of \_\_\_\_\_  
for the appointment of \_\_\_\_\_  
as Successor Executor(s) of the Will of the above-named Decedent.

We, the undersigned beneficiaries under the Will of \_\_\_\_\_,  
deceased, hereby acknowledge service of the Petition for the Appointment of Successor Executor(s), waive  
copies of same, waive issuance of citation and all further service and notice, and hereby assent to the  
appointment of the nominated Successor Executor(s) as Successor Executor(s) without further delay.

SIGNATURE(S) OF BENEFICIARIES

Sworn to and subscribed before me,  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT

\_\_\_\_\_  
Printed Name

Sworn to and subscribed before me,  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT

\_\_\_\_\_  
Printed Name

Sworn to and subscribed before me,  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT

\_\_\_\_\_  
Printed Name

Sworn to and subscribed before me,  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT

\_\_\_\_\_  
Printed Name

**IN THE PROBATE COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
\_\_\_\_\_, ) **ESTATE NO.** \_\_\_\_\_  
**DECEASED** )

**ORDER APPOINTING SUCCESSOR EXECUTOR(S)  
OF A WILL PREVIOUSLY PROBATED**

\_\_\_\_\_ Petitioned for the appointment of  
\_\_\_\_\_ as Successor Executor(s) of the above-referenced estate.

The Court finds as follows:

The Decedent's Will was probated in (Common) (Solemn) Form and Letters Testamentary were issued to \_\_\_\_\_ as Executor.

The Executor qualified, but (died/resigned) prior to completing the administration of the Estate.

There is a need to appoint a Successor Executor to complete the administration.

\_\_\_\_\_ was/were  
nominated by the Decedent in the Will to serve as Successor Executor(s) and has/have consented to serve,  
notice was served on all interested beneficiaries, and no objections to the appointment have been filed.  
Therefore,

IT IS ORDERED that \_\_\_\_\_ has/have leave  
to qualify as Successor Executor(s) by taking the required oath, and upon so doing, Successor Letters  
Testamentary shall issue.

IT IS FURTHER ORDERED that the Letters Testamentary previously issued to  
\_\_\_\_\_ are hereby rescinded.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Judge of the Probate Court

**IN THE PROBATE COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 )  
 \_\_\_\_\_, ) **ESTATE NO.** \_\_\_\_\_  
**DECEASED** )

**SUCCESSOR  
LETTERS TESTAMENTARY**  
*(Relieved of Filing Returns)*

That on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at a regular term of Court, the Last Will and Testament dated \_\_\_\_\_, 20\_\_\_\_\_, of, \_\_\_\_\_, Deceased, who at the time of his or death was a resident of this County or a resident of another State who died owning property in this County, was legally proven in (Common) (Solemn) Form and was admitted to record by order. It was further ordered that \_\_\_\_\_, named as Executor in the Will, be allowed to qualify, and that upon so doing, Letters Testamentary issue.

On \_\_\_\_\_, the Executor died or resigned before the estate could be fully administered.

A Petition for the Appointment of Successor Executor(s) was filed, and on \_\_\_\_\_, an Order was entered appointing \_\_\_\_\_ as Successor Executor(s).

THEREFORE, having taken the oath and complied with all the necessary prerequisites of the law, is/are legally authorized to discharge all the duties and exercise all the powers of Executor(s) under the Will of the Decedent, according to the Will and the law.

Given under my hand and official seal, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge of the Probate Court

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

(SEAL)

\_\_\_\_\_  
Clerk, Probate Court

**IN THE PROBATE COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 )  
 ) **ESTATE NO.** \_\_\_\_\_  
**DECEASED** \_\_\_\_\_ )

**SUCCESSOR  
LETTERS TESTAMENTARY  
(Not Relieved of Filing Returns)**

That on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, at a regular term of Court, the Last Will and Testament dated \_\_\_\_\_, 20 \_\_\_\_\_, of, \_\_\_\_\_, Deceased, who at the time of his or death was a resident of this County or a resident of another State who died owning property in this County, was legally proven in (Common) (Solemn) Form and was admitted to record by order. It was further ordered that \_\_\_\_\_, named as Executor in the Will, be allowed to qualify, and that upon so doing, Letters Testamentary issue.

On \_\_\_\_\_, the Executor died or resigned before the estate could be fully administered.

A Petition for the Appointment of Successor Executor(s) was filed, and on \_\_\_\_\_, an Order was entered appointing \_\_\_\_\_ as Successor Executor(s).

THEREFORE, having taken the oath and complied with all the necessary prerequisites of the law, is/are legally authorized to discharge all the duties and exercise all the powers of Executor(s) under the Will of the Decedent, according to the Will and the law and is/are hereby required to render a true and correct inventory of all property, both real and personal, and any and all debts of the estate, and make a return of them to this Court, and further, to file a proper annual return or final return with this Court each year within sixty (60) days of the anniversary date of appointment until the Executorship is fully discharged.

Given under my hand and official seal, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge of the Probate Court

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

(SEAL)

\_\_\_\_\_  
Clerk, Probate Court