

RULE 5.6 NOTICE TO BENEFICIARIES AND INTESTATE HEIRS

(a) Requirement of Notice. 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 set forth in Rule 5.7.

- (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 the Probate, Estate and Fiduciary Code;
- (4) the appointed guardian of the estate, parent or legal custodian of any beneficiary who is a minor child under the age of eighteen (18) years;
- (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 whose interest exceeds \$25,000 or which will not be paid in full;
- (7) the Attorney General on behalf of any governmental beneficiary;
- (8) the trustee of any trust which is a beneficiary; and
- (9) such other persons and in such manner as may be required by any local rule of court.

(b) Definition of Beneficiary. "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) Manner of Notice. Notice shall be given by personal service or by first-class, prepaid mail to each person and entity entitled to notice under subdivision (a) (1)—(9) whose address is known or reasonably available to the personal representative.

(d) Certification of Notice. Within ten (10) days after giving the notice required by subdivision (a) of this Rule, the personal representative or the personal representative's counsel shall file with the Register or Clerk a certification in the form set forth in Rule 5.7(b) that notice has been given as required by this Rule. No fee shall be charged by the Register or Clerk for filing the certification required by this subdivision.

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

Official Note: The 1998 amendment to subdivision (e) is not intended to limit the inherit power of the Court to impose sanctions upon a delinquent personal representative or counsel.

(f) Effect of notice. This Rule shall not alter, diminish or confer existing rights.

(g) Copies of Rule. The Register shall deliver a copy of Rules 5.6 and 5.7 to each personal representative and counsel at the time letters are granted.

Official Note: It is not the intention of the Rule to require notice beyond the degree of consanguinity entitling a person to inherit under Chapter 21 of the Probate, Estates and Fiduciaries Code.

Rule 5.7 Form of notice and certification of notice to beneficiaries and intestate heirs.

Rule 5.7 (a) Form of Notice to Beneficiaries and Intestate Heirs.

{For Decedents dying on or after January 1, 1999}

IMPORTANT NOTICE

NOTICE OF ESTATE ADMINISTRATION

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, COUNTY OF CHESTER, PENNSYLVANIA

In re Estate of _____, deceased. File Number _____
TO: _____

(Name and Address)

Please take notice of the death of decedent and the grant of letters to the personal representative(s) named below.

The Decedent _____, died on the _____
day of _____, _____ at _____ County, Pennsylvania

The Decedent died testate (with a Will); or _____

The Decedent died intestate (without a Will). _____

The personal representative of the Decedent is _____

(Name, Address and Telephone number)

If the Decedent died testate, the will has been filed with the Office of the Register of Wills of _____ County

(Address and Telephone number)

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 _____ County

(Address and Telephone number)

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

Date: _____

Signature: _____

Name: _____

Address: _____

Telephone: _____

Capacity: _____ Personal Representative

_____ Counsel for Personal Representative