

INDIANA COUNTY ORPHANS' COURT RULES

RULE 1

JUDGES - LOCAL RULES

Rule 1.2.1. Local Rules

a. These rules shall be known as the Indiana County Orphans' Court Rules and may be cited as ICOCR. These rules are promulgated under the authority of Pennsylvania Orphans' Court Rule 1.2.

b. These rules, in conjunction with the Pennsylvania Orphans' Court Rules and all relevant Acts of Assembly, shall regulate the practice and procedure of the Orphans' Court Division of the Court of Common Pleas of Indiana County, Pennsylvania.

RULE 2

CONSTRUCTION AND APPLICATION OF RULES

Rule 2.2.1. Waiver of Time Limitations

The Court, upon its own motion or upon motion of any party, may extend any limitation of time imposed by these rules.

Rule 2.3.1. Definitions.

Terms defined in the Pennsylvania Orphans' Court Rules shall have the same meanings when used in these rules. When used in these rules, unless the context clearly indicates otherwise, the following words shall have the meanings set forth below.

a. "Exception" shall mean a disagreement with any order, decree, confirmation or other adjudication of the Court, or of any auditor, master or other official appointed by the Court.

b. "Objection" shall mean a disagreement with any act or omission of a fiduciary, to include, without limitation, disagreements concerning the family exemption, the surviving spouse's allowance, inventories and accounts.

c. "Party in interest" shall mean any person whose interests are affected materially by the disposition of the action. Depending upon the circumstances, and without limitation, "party in interest" may include intestate heirs, testamentary or trust beneficiaries, creditors, claimants and lienholders.

d. "PEF Code" shall mean the Probate, Estates and Fiduciaries Code, 20 Pa.C.S. §101, *et seq.*

The Court may disregard any misnomer of an exception or objection, and such misnomer shall not be grounds for dismissal.

RULE 3

PLEADING AND PRACTICE

Rule 3.1.1. Conformity to Local Procedure in Civil Actions.

Except where inconsistent with these rules, the Local Rules of the Court of Common Pleas of Indiana County shall apply in Orphans' Court cases. No pleading in Orphans' Court shall require the Notice to Defend described in Pennsylvania Rule of Civil Procedure 1018.1.

Rule 3.2.1. Pleadings.

The pleadings in matters before this Court shall be limited to a petition, an answer, a new matter, a reply to new matter, preliminary objections and an answer to preliminary objections.

Rule 3.2.2. Failure to Respond.

a. *Failure to Answer.* If the respondent fails to file a responsive pleading to a petition by the return date fixed by the citation or order, or if no such date is fixed, within twenty (20) days after service, such failure shall act as an admission of all material averments of fact in the petition. In such case, and upon proof that the petition and citation or order were served upon the respondent not less than twenty (20) days prior to the return date, the Court, in its discretion, may grant the prayer for relief of the petition, or grant such other relief as may be appropriate, upon motion of the petitioner only. This rule shall not apply to petitions seeking the appointment of a guardian for an alleged incapacitated person, for termination of parental rights, or for adoption.

b. *Failure to Reply to New Matter.* If the petitioner fails to file a reply to a new matter within twenty (20) days following service, the material averments of fact set forth in the new matter shall be deemed to be admitted, and the case shall be at issue.

Rule 3.4.1. Form of Petitions and Motions

a. Every petition and motion filed with the Court shall cite the statute, rule of court, or other authority relied upon to justify the relief requested, shall state the grounds for such relief with particularity, and shall state the names and addresses of all known parties in interest.

b. A proposed order shall accompany every petition or motion, and also every pleading filed in opposition to a petition or motion.

c. The Court may direct that a citation be issued, may direct a written response to be filed upon notice, or may schedule a hearing or conference, as the facts and issues in the case may require.

Rule 3.4.2. Exhibits.

a. ~~Petitions shall include as attached exhibits the originals or true and correct copies of all wills; codicils; agreements or other written instruments relied upon, or shall state the reason why any such instrument is not so attached.~~

b. An attorney's signature to a pleading shall act as a certification by that attorney that all copies of written instruments attached to such pleading are true and correct copies of the originals, and that all original instruments attached to such pleading are authentic.

Rule 3.4.3. Consents and Joinders

Whenever a party other than a petitioner desires to consent to or join in the prayer for relief of a petition, such consent or joinder shall be in a writing signed by the subject party, attached as an exhibit to the petition, and substantially in the following form:

I have read the contents of the attached petition. I waive all notice or service of the attached petition, or notice of any hearing to be held upon that petition. I authorize the Court to note my general appearance in the subject action, to the same effect as if I had appeared personally or by counsel. I waive all objections to the Court's jurisdiction over my person. I consent to and join in the prayer for relief of the attached petition, and (add specifics of prayer for relief).

Rule 3.5.1. Proof of Service.

a. **Personal Service.** Proof of personal service of a citation or notice shall conform to the provisions of §766 of the PEF Code. The return of service shall set forth the date, time, place and manner of service of true and correct copies of the citation, petition, order or notice so served.

b. **Service by Mail.** Proof of service of a citation by registered or certified mail shall be made by affidavit of the person making service. Such affidavit shall set forth that true and correct copies of the citation, petition, order or notice so served were mailed to the respondent postage prepaid, return receipt requested, and shall specify the date of mailing and the address to which notice was mailed. The signed return receipt card shall be attached to the return of service.

c. **Service by Publication.** Service by publication shall be proven by affidavit of the publisher, accompanied by proofs of the notice published.

Rule 3.6.1. Depositions and Discovery.

Practice concerning depositions, discovery, production of documents and perpetuation of evidence shall be as provided under the Pennsylvania Rules of Civil Procedure, and under Indiana County Local Rules of Civil Procedure L-4007.1 and L-4007.3.

RULE 5

NOTICE

Rule 5.2.1. Method; Person under Incapacity.

Notice to a person who is not sui juris shall be given to his guardian or trustee. In the absence of such guardian or trustee, such notice shall be given to the person, if the person is not sui juris solely by reason of minority but is fourteen or more years of age, and, unless the Court directs otherwise by special order, to one or more of the following:

- a. A custodial parent of an unmarried minor, provided that such parent is sui juris;
- b. The spouse of the person;
- c. An individual with whom the person resides, or by whom the person is maintained;
- d. The official in charge of the institution having custody of the person;
- e. An agent or attorney-in-fact with power to act on behalf of the person under a durable general power of attorney; or
- f. Such other person as the Court may direct by special order.

RULE 6

ACCOUNTS AND DISTRIBUTION

Rule 6.3.1. Notice of Account

a. Every person filing an account for confirmation by the Court shall give notice of the filing of the account, and of the procedure for filing objections to that account, to every unpaid claimant who has given written notice of his claim to the accountant, and to every other person known to the accountant to have or to claim an interest in the estate as a creditor, heir, beneficiary or otherwise.

b. Attached to or enclosed with such notice shall be either a copy of the entire account or a copy of the Statement of Proposed Distribution if such Statement is included with the account, as the accountant may elect.

c. Unless the accountant proposes to refer distribution to an auditor under Rule 6.9.1., the form of notice shall be substantially similar to Form 1, attached.

d. In any case where the accountant proposes to request distribution to be determined by an auditor, the form of notice shall be substantially similar to Form 2, attached.

e. The accountant shall attach to the account a certification, signed by the accountant or by the accountant's attorney, that notice of the filing of the account, and of the dates by which written objections must be filed, has been given to every unpaid claimant who has given written notice of his claim to the accountant, and to every other person known to the accountant to have or to claim an interest in the estate as a creditor, heir, beneficiary or otherwise. Such notice shall also set forth the names and addresses of every person or party to whom such notice has been given.

d. The accountant shall attach to the account proof of publication of advertisement of the grant of letters in a local newspaper of general circulation in the manner required by PEF Code §3162. Such proof of publication shall be by affidavit of the publisher, accompanied by a copy of the notice published.

Rule 6.3.2. Advertising.

The Clerk of Orphans' Court will cause advertisements of the filing and proposed dates of confirmation of all accounts to be published in the manner required by law. Such advertisements will set out the dates of confirmation nisi and absolute, and will state that unless written objections are filed with the Clerk of Orphans' Court of Indiana County on or before the date of confirmation absolute, the account will be confirmed absolutely.

Rule 6.4.1. Time for Filing.

The Clerk shall determine annually the dates for the filing, confirmation nisi, and confirmation absolute of accounts. The date of confirmation nisi shall be the first Monday of each calendar month which is not a legal holiday. The last date of filing accounts for each such date of confirmation nisi shall be the thirtieth (30th) day prior to each date of confirmation nisi. The date of confirmation absolute shall be the tenth (10th) day following the date of confirmation nisi. The Clerk shall post notice of such dates in the Clerk's office, and shall otherwise make such dates available to the Bar and the public.

Rule 6.9.1. Statement of Proposed Distribution

a. Except as provided in Rule 6.9.1.b., each account shall include a Statement of Proposed Distribution, which shall identify each proposed distributee by name, and shall clearly identify the property to be distributed.

b. In the alternative, an accountant may request that the Court appoint an auditor to determine distribution. Such request may be made only when there are issues of fact or law which make determination of the proper distribution uncertain. In making such request, the accountant shall state specifically the issues of fact or law in question. The Court may either appoint an auditor as requested, or may direct the accountant to file an amended account containing a Statement of Proposed Distribution, as the Court elects, and without additional or special motion.

Rule 6.10.1. Objections to Accounts.

a. Objections to an account, including objections to a Statement of Proposed Distribution, must be in writing, numbered consecutively, and signed by the objectant or by the objectant's attorney.

b. Each objection shall specify the item in the account, or the item omitted from the account, to which the objection is being made.

c. Each objection shall concern only one item in the account, or omitted from the account, to which the objection is being made. If there are several objections, or separate issues of law or fact, concerning any one item in the account, or omitted from the account, each such objection shall be included as a sub-paragraph of one numbered objection.

d. Each objection shall set forth briefly the reason or reasons supporting the objection.

e. Objections must be filed no later than the date of confirmation absolute of the account, and shall be filed with the Clerk.

Rule 6.10.2. Notice of Objections.

An objectant shall serve a copy of the objections filed upon counsel for the accountant, or, if the accountant has no counsel of record, with the accountant, without delay.

Rule 6.11.1. Confirmation of Accounts.

a. If no objections are filed by the date of confirmation nisi, determined as provided in Rule 6.4.1., the Court may enter confirmation nisi of each timely filed account, as of the date of confirmation nisi, without audit or hearing.

b. If no objections are filed by the date of confirmation absolute, determined as provided in Rule 6.4.1., the Court may enter confirmation absolute of each timely filed account, as of the date of confirmation absolute, without audit or hearing.

c. The Clerk shall notify the Court of any objections filed. When objections are filed, the Court may refer the objections to an auditor without special motion, or grant such other relief as the Court deems proper.

d. Nothing contained in these Rules shall limit the Court's right to examine accounts filed, to reject accounts, or to order audit or hearing for any account, in the exercise of the Court's discretion.

Rule 6.11.2. Confirmation of Title to Real Property.

a. Whenever an accountant proposes to distribute real property in kind, the accountant shall describe the real property on the accounts's Statement of Proposed Distribution with sufficient particularity to permit the property to be identified. Such description shall specify the municipality in which the property is situate, and may include the full legal description employed in the last deed of record, or a summary of that description, or a reference to the property's Indiana County Uniform Parcel Identifier Number, or a recital of the last deed of record, or a combination of the above.

b. Confirmation absolute of an account shall act as a confirmation of any proposed distribution of real property in kind set forth in that account's Statement of Proposed Distribution. The Clerk, at the request of any party, may certify such distribution of real property in a writing to be recorded in the Office of the Recorder of Deeds of Indiana County. Such certificate of distribution may include a more complete description of the real property than that set out in the Statement of Proposed Distribution.

RULE 8

AUDITORS AND MASTERS

Rule 8.0.1. Appointment.

The Court, on its own motion or on the motion or petition of any accountant or interested party, may appoint an auditor or a master. The Order appointing such auditor or master shall specify what issues the auditor or master is to resolve. Before undertaking his or her duties, the auditor or master shall take an oath before the Clerk to faithfully perform such duties.

Rule 8.1.1. Notice of Hearing.

a. The auditor shall schedule a hearing, and shall give written notice of that hearing, as specified below, to all parties in interest.

- b. The notice shall include the following:
 1. The caption and number of the case;
 2. The name of the auditor or master;
 3. The name of any accountant or other fiduciary;
 4. The place, date and time of the hearing;
 5. A general statement of the matters to be determined by the auditor or master; and
 6. The signature, and the printed name, address and telephone number of the auditor or master.

c. The written notice shall be provided to all parties in interest or to their counsel of record not less than twenty (20) days before the hearing by first class mail, postage pre-paid. If the master or auditor so elects, such notice may also be given by registered or certified mail, return receipt requested, postage pre-paid. If notice to a party in interest cannot be given by mail, notice to such party shall be given by advertisement one time in the *Indiana County Law Journal* and one time in a newspaper of general circulation within Indiana County, both such advertisements to appear not less than twenty (20) days before the hearing.

Rule 8.1.2. Conduct of Hearings

a. All hearings before an auditor or master shall be conducted in accordance with the Pennsylvania Rules of Evidence.

b. The auditor or master may continue or adjourn hearings from time to time for just cause or upon the agreement of all parties present, but such adjournments shall be to a date certain. No additional notice of the continuance or adjournment of a hearing need be given to any party not represented at the hearing.

c. Auditors and masters shall have the authority to issue subpoenas, including subpoenas *duces tecum*, and to administer oaths to witnesses.

d. With leave of court upon motion of the auditor or master, the auditor or master may retain experts to aid in the performance of his or her duties. All parties in interest who do not join in the motion shall receive notice of the filing of the motion.

e. An official court reporter shall take all the testimony and shall prepare a transcript of the same.

Rule 8.3.1. Form of Auditor's Report.

In addition to the matters required by Pennsylvania Orphans' Court Rule 8.3, an auditor's report:

- a. shall state the manner of service of the hearing;
- b. shall include a Statement of Proposed Distribution;
- c. shall state the auditor's proposed fees and expenses and shall propose an allocation of those fees upon the parties; and
- d. shall have attached a proposed decree with confirms the report and states in detail the proposed distribution and allocation of fees and costs.

Rule 8.4.1. Form of Master's Report.

In addition to the matters required by Pennsylvania Orphans' Court Rule 8.4, a master's report:

- a. shall state the manner of service of the hearing;
- b. shall state the auditor's proposed fees and expenses and shall propose an allocation of those fees upon the parties; and
- c. shall have attached a proposed decree with confirms the report and states in detail the proposed distribution and allocation of fees and costs.

Rule 8.5.1. Transcript of Testimony

The report of an auditor or master shall be accompanied by a transcript of testimony and by all documents and other material evidence admitted as part of the record.

Rule 8.6.1. Notice of Filing Report.

a. The auditor or master shall timely file the report with the Clerk, and shall simultaneously give written notice of that filing by first class mail, postage prepaid, to all parties who appeared at the hearing, and to all parties who received notice of the hearing, except those who received notice by publication.

b. A copy of the report, but not of the testimony, documents or other material evidence, shall accompany that notice.

c. The auditor or master will file a proof of service of that notice with the Court, which shall specify the names and addresses of all parties to whom notice was given, and which shall include a copy of the notice given.

d. The notice shall state the date of filing of the report, and shall state that exceptions must be filed within twenty (20) days following the date of filing, or the report may be confirmed in the case of an auditor or its recommendations adopted in the case of a master.

Rule 8.7.1. Confirmation of Report.

a. Unless exceptions to an auditor's report are timely filed, the Court shall confirm the report. The Clerk shall transmit the report to the Court so that it may be confirmed.

b. Unless exceptions to a master's report are timely filed, the Court shall adopt its recommendations. The Clerk shall transmit the report to the Court so that it may be confirmed.

RULE 10

REGISTER OF WILLS

Rule 10.1.1. Advertisement of Grant of Letters.

Whenever the he Register of Wills grants letters for a decedent's estate, the Register shall cause the grant of such letters to be advertised in the *Indiana Law Journal* in the manner required by PEF Code §3162, and shall collect the cost of such advertisement as part of the fees to be paid upon filing the petition for such letters.

Rule 10.2.1 Appeals from Register of Wills

When an appeal is taken from a judicial act of the Register, or from a proceeding before the Register, the records of the matter shall be certified to the Court in accordance with PEF Code § 907 (relating to certification of records to the Court). The appeal shall be in the form of a petition to the Court and shall set forth:

- a. the nature of the proceedings before the Register;
- b. the basis of the appeal, including the facts or circumstances upon which it is based;
- c. the names and the addresses of all parties in interest, including those who have not been parties of record; and

d. a request that a Citation be issued directed to all parties in interest, including those not represented on the record, to show cause why the appeal should not be sustained and the judicial act or proceeding complained of be set aside and reversed.

Rule 10.2.2. Citation

Upon allowance of the petition, a citation shall be issued by the Court, to which an answer must be filed by a return date set forth in the citation, directed to all parties in interest, including those not represented on the record, to show cause why the appeal should not be sustained and the judicial act or proceeding complained of be set aside. The Court may then schedule the matter for hearing. The citation and a copy of the petition shall be served by the party taking the appeal in the manner provided by the PEF Code § 765.

Rule 10.2.3. Disposition-No Answer

If no answer is filed, upon proof of service of the citation and petition, the Court may grant the relief requested.

RULE 12

SPECIAL PETITIONS

Rule 12.1.1. Family Exemption. Additional Contents of Petition

In addition to the matters required by Pennsylvania Orphans' Court Rule 12.1, a petition for the family exemption shall also set forth:

- a. the name, residence, and date of death of the decedent;
- b. the petitioner's name, address, and relationship to the decedent, and whether the petitioner was a member of the same household as the decedent on the date of decedent's death;
- c. if petitioner be the surviving spouse, the date and place of the marriage, and if a common law marriage is asserted, all averments necessary to establish the validity of the marriage;
- d. whether the decedent died testate or intestate;
- e. whether, when and to whom letters were granted, and what letters were granted;
- f. the names, relationship to the decedent, and addresses of those interested in the estate; and
- g. the location and value of the property claimed.

Rule 12.3.1. Elective Share. Extension of Time-Contents of Petition

A petition for extension of time in which the surviving spouse may file an election to take against the will shall be filed with the Clerk within the time limits provided by §2210(b) of the PEF Code, and shall set forth the facts relied upon to justify the extension sought.

Rule 12.5.1. Appearance in Court-Minor Over Fourteen

If a petition is filed seeking the appointment of a guardian for a minor who is fourteen years or more years of age, the minor shall appear at the presentation of the petition and consent to the appointment of the guardian in open Court, unless, for cause shown, the Court shall excuse such appearance.

Rule 12.5.2. Small Estates of Minors

a. A petition for the award of an estate of a minor without the appointment of a guardian or the entry of security shall contain the following:

1. a statement that the net value of the entire real and personal estate of the minor does not exceed the statutory limitations; and

2. the name of a bank or insured savings and loan association with at least one office in Indiana County as the suggested depository.

b. In the absence of satisfactory reasons for doing otherwise, the Court shall direct that any cash be deposited in an interest bearing account in such a depository in the name of the minor or the name of a natural guardian of the minor. In all cases, the account shall be expressly restricted by means of a notation on the records of the depository that no withdrawals may be made from the account until the minor attains the age of majority, except as authorized by a prior order of the Court. Further, written acknowledgment by the depository of the marking of the account to indicate the restriction shall be filed promptly as part of the record.

c. Any authorization by the Court given to a parent or other person or institution maintaining the minor to execute a receipt, deed, mortgage or other instrument affecting real or personal property of the minor within the statutory limit shall be conditioned on the deposit of the proceeds therefrom in an account restricted as in (b) above.

Rule 12.5.3. Allowances from Minor's Estate

A petition for an allowance from a minor's estate shall set forth:

a. the manner of the guardian's appointment and qualification and the dates thereof;

b. the age and residence of the minor, whether his or her parents are living, the name of each person with whom he or she resides, and the name and age of such minor's spouse and children, if any;

c. the value of the minor's estate, real and personal, and his or her annual income;

d. the circumstances of the minor; whether employed or attending school; whether a parent or other person charged with the duty of supporting the minor is living; the financial condition and income of such parent or other person and why such person is not discharging his or her duty of support; and whether there is other adequate provision for the support and education of the minor, and the minor's spouse and children, if any;

e. the date and amount of each previous allowance by the Court; and

f. the financial requirements of the minor and his or her family, in detail, and the circumstance making the allowance necessary.

Rule 12.6.1. Appointment of Trustee. Exhibit Attached to Petition

A copy of the instrument creating the trust shall be attached as an exhibit to the petition.

Rule 13.3.1. Report By Fiduciary

a. If a report is submitted pursuant to Pennsylvania Orphans' Court Rule 13.3, that report may be submitted by petition at any time during the administration of the estate, trust or fund in question, or may be included as part of an account submitted for adjudication. All such reports shall be verified by the fiduciary or counsel.

b. Unknown Distributee. If it appears that the identity or whereabouts of a distributee is unknown or that there are no known heirs of a decedent, the written report shall set forth:

1. the nature of the investigation made to locate the distributee or the heirs of the decedent in complete detail; and

2. in cases of intestacy, a family tree, as complete as possible, supported by such documentary evidence as the fiduciary has been able to obtain.

c. Non-resident Distributee. If the fiduciary requests the Court to withhold distribution to a non-resident distributee, the written report shall set forth:

1. the relationship of the distributee to the decedent and any available information concerning the distributee's present whereabouts;

2. in cases of intestacy, a family tree, as complete as possible, supported by such documentary evidence as the fiduciary has been able to obtain; and

3. the reasons for the request that distribution be withheld and the suggested manner of withholding.

Rule 14.1.1. Service of Notice of Filing of Petition and Hearing. Proof of Service

a. Notice of the petition for appointment of guardian and hearing shall be served by the petitioner upon those persons entitled thereto under PEF Code § 5511(a). Service may be made in person, or by first class mail, postage pre-paid, or by such other form of service as the Court may approve by special order. A copy of the petition shall accompany the notice. Service of the notice shall be given at least ten (10) days in advance of the hearing. The notice shall describe the relief sought in the petition, shall specify the date, time and place of hearing, and shall inform each party to be notified of that party's right to attend and to testify at such hearing:

b. Proof of service of the notice shall be presented to the Court at or before the time of hearing, and shall include a copy of the notice provided.

Rule 14.1.2. Expert Testimony.

The testimony of a physician or other expert witness may be given telephonically or by other means which will permit the witness to be heard in the courtroom, and which will permit examination and cross examination of the witness, unless the Court shall order otherwise for cause shown.

Rule 14.1.3. Emergency Guardian

a. A separate petition for appointment of an emergency guardian shall be filed.

b. After a petition for the appointment of an emergency guardian has been filed, the matter shall proceed on citation and hearing. The provisions of § 5511 of the PEF Code, including those relating to counsel, shall be applicable, except when the Court has found that such provisions are not feasible under the circumstances. If a petitioner believes that one or more provisions of § 5511 of the PEF Code are not feasible under the circumstances, the petitioner shall state the factual basis for such belief in the petition, and the Court, in its discretion, may dispense with compliance in the order awarding the citation. If not all required provisions have been complied with by the time of the hearing upon the petition, the Court, in its discretion at the hearing, may further dispense with compliance, if compliance is shown to have been unfeasible.

c. The citation issued in connection with a petition for appointment of emergency guardian shall be the citation prescribed by Pennsylvania Orphans' Court Rule 14.5.

Rule 14.1.4. Notice of Non-representation.

Counsel for the petitioner shall provide written notice to the Court, not later than seven (7) days prior to the hearing, if counsel has not been retained by or for the alleged incapacitated person. Such notice shall include detailed information about the physical, mental and financial condition of the alleged incapacitated person.

Rule 14.1.5. Order of Appointment Final

An order appointing a guardian for an incapacitated person shall be a final order and not a decree nisi.

Rule 14.1.6. Annual Guardianship Reports

a. The annual reports required by PEF Code § 5521[c] shall be in such form as prescribed by the Pennsylvania Orphans' Court Rules: Form G-02--Annual report of the Guardian of the Estate; Form G-03--Annual Report of the Guardian of the Person.

b. The guardian, as an alternative, may utilize the form prescribed by the Department of Veterans Affairs--Federal Fiduciary's Account, VA Form 21-4706(b), or any amendments or replacements thereof.

c. The Clerk shall provide written notice of the need to file an annual report to each serving guardian appointed on and after the effective date of these rules, and to such guardian's counsel of record, if any. Such notice shall be given by first class mail, postage prepaid, to the last known addresses of such guardian and counsel not less than one month prior to each anniversary of such guardian's appointment. The Clerk shall inform the Court of any such guardians who do not timely file the required annual reports.

RULE 15

ADOPTIONS

Rule 15.1.1. Proposed Orders

Proposed orders will be attached to all petitions filed seeking termination or parental rights or adoption.

Rule 15.1.2. Separate Petitions

~~Whenever~~ Whenever petitions for the adoption of siblings are to be filed, a separate petition shall be filed for each sibling, although hearings on such petitions may be consolidated by the Court, on its own motion or on motion of any party in interest.

Rule 15.1.3. Orders Final

Any order terminating parental rights, and any decree of adoption, shall be a final order and not a decree nisi.

Rule 15.1.4. Information about Legal Counsel

The Office of the Court Administrator of Indiana County shall be designated as the source of information about legal counsel required by 23 Pa.C.S. §2513(b).

FORM 1

ORPHANS' COURT DIVISION
Court of Common Pleas of Indiana County, Pennsylvania
No. 32-XX-XXXX

The First and Final Account of
(Name of Accountant), (Title of Accountant) of
(Name of Decedent), Deceased,
Late of (Name of Municipality), Indiana County, Pennsylvania
Attorneys for the Estate - (Name of Attorney(s))

TO: All persons claiming an interest in the said Estate:

You are hereby notified in accordance with the provisions of Section 3503 of the Pennsylvania Probate, Estates and Fiduciaries Code and of Rule 6.3 of the Pennsylvania Orphans' Court Rules, that the First and Final Account of (Name of Accountant), (Title of Accountant) of the Estate of (Name of Decedent), deceased, has been or will be filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas of Indiana County, Pennsylvania on or before (filing date). If no written objections are filed to that account on or before on (date of confirmation nisi), the account will be confirmed nisi, without audit or hearing, on that date. If no exceptions are filed to the confirmation nisi on or before (date of confirmation absolute), the Account will be confirmed absolutely on that date.

Any person who objects to the transactions shown on the Account must file written objections with the Clerk of Orphans' Court of Indiana County, Indiana County Courthouse, 825 Philadelphia Street, Indiana, PA 15701, on any date on or before the date on which the Account will be confirmed absolutely. If no such objections are filed, the Court will confirm the Account absolutely, and decree that distribution is to be made in accordance with the Account's Statement of Proposed Distribution.

A copy of (Account/Statement of Proposed Distribution) is enclosed.

(Attorney's Name), Esquire
Counsel for (Title of Accountant)

FORM 2

ORPHANS' COURT DIVISION
Court of Common Pleas of Indiana County, Pennsylvania
No. 32-XX-XXXX

The First and Final Account of
(Name of Accountant), (Title of Accountant) of
(Name of Decedent), Deceased,
Late of (Name of Municipality), Indiana County, Pennsylvania
Attorneys for the Estate - (Name of Attorney(s))

TO: All persons claiming an interest in the said Estate:

You are hereby notified in accordance with the provisions of Section 3503 of the Pennsylvania Probate, Estates and Fiduciaries Code and of Rule 6.3 of the Pennsylvania Orphans' Court Rules, that the First and Final Account of (Name of Accountant), (Title of Accountant) of the Estate of (Name of Decedent), deceased, has been or will be filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas of Indiana County, Pennsylvania on or before (filing date). If no written objections are filed to that account on or before on (date of confirmation nisi), the account will be confirmed nisi, without audit or hearing, on that date. If no exceptions are filed to the confirmation nisi on or before (date of confirmation absolute), the Account will be confirmed absolutely on that date.

Any person who objects to the transactions shown on the Account must file written objections with the Clerk of Orphans' Court of Indiana County, Indiana County Courthouse, 825 Philadelphia Street, Indiana, PA 15701, on any date on or before the date on which the Account will be confirmed absolutely. If no such objections are filed, the Court will confirm the Account absolutely.

The (Title of Accountant) has requested that the Court appoint an auditor to determine to whom and in what shares the assets of the estate are to be distributed. Therefore, the Account does not include a Statement of Proposed Distribution. A copy of the Account is enclosed.

(Attorney's Name), Esquire
Counsel for (Title of Accountant)