

FILING INFORMAL INTESTATE APPLICATION

HENNEPIN COUNTY

ATTORNEY WILL:

Make sure the **applicant is an HEIR**. The only person(s) that can be appointed in the informal probate process under MN Statutes is an heir. (Note: If the only interest of the applicant is as a nominee then you **MUST** proceed with a formal probate.) MN Stat 524.3-203 (e)

Check for Demands for Notice

Completing the Intestate Application

- Identify each heir using the word “heir” on the interested party list.
- At the cousin level you must identify “maternal” or “paternal” heir
- Only one parent survives include information on the predeceased parent, full name and date of death.
- Include any predeceased persons at the level you are finding heirs if there is a right of representation. I.e. predeceased sibling. Indicate whether there were any surviving issue.

The initial e-filing envelope for an intestate application should contain the following items:

- Intestate Application
- Death Certificate
- Acceptance and Oath (s)
- Nomination(s) and Renunciations (s) from all those with equal priority for appointment
Each nomination/renunciation has to be filed as a separate document.
- Certificate of Representation

DO NOT E-FILE ANY PROPOSED NOTICE, ORDER OR LETTERS

REGISTRAR WILL:

Registrar will email you to set a date and time for a telephone conference on the intestate application.

Registrar will prepare the Order Appointing the Personal Representative determining **heirs and shares** and the Letters of General Administration.

(Note: There is no need for a separate Registrar’s Determination of Heirs for real estate transfers in Hennepin County intestate cases since this is a part of every initial order of intestacy.)

ATTORNEY WILL:

- Upon approval of the application the attorney will prepare the Notice of Informal Probate and e-file it into MNCIS as a separate document using the e-filing code “**other document**”.

- Publish the notice in a legal newspaper.
- Mail notice to all interested parties and e-file an Affidavit of Mailing
- Monitor the case for issuance letters. **REGISTRAR are not responsible to contact ATTORNEY WHEN LETTERS ISSUE.**
- E-file the **Affidavit of Publication** upon receipt from the publisher.
- Order certified copy of any document using the e-filing code “**Copy Request**”