INSTRUCTIONS FOR FILLING OUT FORM

PURPOSE. This form is to be used After the affairs of the estate has been fully administered (meaning all claims have been disposed of, an inventory and appraisal has been completed and all potential heirs, legatees and devisees have been identified/determined) and the only thing left is a final account, determination of heirs and how the estate will be distributed to heirs.

FORMS INVOLVED. The form is an **Verified Final Account**. You will need to fill in the necessary information with help from the instructions below and then file the forms with the court.

After the affairs of the estate has been fully administered-meaning all claims have been disposed of, an inventory and appraisal has been completed and all potential heirs, legatees and devisees have been identified/determined and the remainder of the estate is ready to be distributed to the heirs of the decedent-the Administrator will need to file a verified final account under oath and must set forth the following information:

1. That all claims against the estate have been paid or list any unpaid claims and that the estate has adequate unexpended and unappropriated funds to fully pay all remaining claims
2. The amount of money received and expended by the Administrator, from whom received and to whom paid and attaching vouchers for each payment
3. That there is nothing further to be done in the administration of the estate except that is shown in the final account
4. The remaining assets of the estate, including unexpended and unappropriated money, at the time of the filing of the final account
5. The proposed determination of heirs and their ages, addresses and relationship to the decedent of each distribution and the proposed distributive share and value each heir, devisee or legatee is to receive
6. That the Administrator petition the Court to set a day and hour for conducting a hearing to approve the final account, to determine the heirs, devisees and legatees of the decedent and the distributive share each is to receive

After filing the Final Account the Court will enter an order setting a date and hour to hear objections to the approval of the Administrator's final account on file with the Court, to the proposed determination of heirs, devisees and legatees or to the distributive share each distributee is to receive as set out in the final account.

The Administrator will be required to post the order setting a date and hour to hear to objections to the final account in three conspicuous places on the reservation for at least 20 days before the hearing and to send a copy of the order by certified mail to the Business Manager of the Tribe and to each heir, devisee and legatee of the decedent at their last known addresses as known to the Administrator. The Administrator is further required to file an affidavit with the Court indicating compliance with the notice requirements. The Administrator can use the **Affidavit of Compliance with Notice Requirements** form.

Any heir, devisee or legatee or the Business Manager of the Tribe is required to file an objection to Final Accounting at any time before the hearing and appear at the hearing in order to object to the final account and/or the proposed determination of heirs, devisees and legatees or the proposed distributive share to each heir, devisee or legatee is to receive specifying the reasons for the objection. An heir who objects to the final account can use the **Objection to Final Account** form.

The Court will hold a hearing on the final accounting and determination of heirs and any objections. The Administrator will have to prove each allegation in the Final Account. Any heir, devisee or legatee or the Business Manager of the Tribe will have to prove their objection with reasonable certainty and can do this witnesses and documentary evidence. After the hearing the Court can then enter an order approving the final account in whole or part, directing the Administrator to pay any unpaid allowed claims not yet paid claims, charges or allowances against the estate and determining the heirs, devisees and legatees of the decedent and the share each is to receive from the remaining estate and order that the Administrator distribute the estate according to the Order. However, all claims, final expenses of burial and last illness and cost of administering the estate are paid first and if there is any estate property left it is distributed to the heirs, devisees and legatees of the decedent. If there is nothing left after paying the claims and expenses then the will not receive anything.

When filing the document, the Administrator is required to attach vouchers/bills/receipts for any estate money used to make any estate payments to the Periodic Accounting.

INSTRUCTIONS FOR FILLING OUT THE FORM. To fill out this form follow these instructions. The numbers to each instruction below is the number on the blank line on the form where the information for that number needs to be inserted on the form. You can print this page in its entirety or you can scroll down to the form. There will be a blank screen between these instructions and the form and between the form so keep scrolling or just copy this page in its entirety.

Instructions for filling out the Verified Final Account form:
(1) on this line insert the name of the deceased person whose estate you are seeking to probate.
(2) on this line insert your name.
(3) list remaining assets of the estate including cash and real and personal property.
(4) on this line insert the day.
(5) on this line insert the month.
(6) on this line insert the year.
(7) on this line insert your name by signing.

ROSEBUD SIOUX TRIBAL COURT)
ROSEBUD INDIAN RESERVATION)SS IN CIVIL COURT
ROSEBUD, SOUTH DAKOTA)

IN RE THE ESTATE OF: (1)____________________________________ _____________________________________, Decedent.	DOCKET__________________ VERIFIED FINAL ACCOUNT

Comes now (2)______________________, Administrator of decedent's estate and files his or her Periodic Accounting as follows:

1. That all claims against the estate have been paid.

RECEIPTS OF THE ESTATE

2. The following is money received by the estate to date:

Date	**Payer**	**Description**	**Amount Received**

DISBURSEMENTS FROM THE ESTATE

3. The following is money spent by the estate to date including all claims paid (**the Tribal Probate requires that proper vouchers for payments be attached to this Accounting**):

Date	**Who was Paid**	**Description**	**Amount Paid**

4. That there is nothing further to be done in the administration of the estate except for that is shown in this final account.

5. The estate has the following remaining assets, including unexpended and unappropriated money, at the time of the filing of the final account to distributed to the decedent's heirs:
(3)____

____

____

____

____

____

____

____

____

____

____

____

____

____

____.

6. The Administrator makes the following proposed determination of heirs with their ages, addresses and relationship to the decedent of each and the proposed distributive share and value each heir, devisee or legatee is to receive:

Name	**Age**	**Address**	**Relationship to Decedent**	**Share of Estate**	**Value of Share**

WHEREFORE, the Administrator prays the Court to set a day and hour for conducting a hearing to approve the final account, to determine the heirs, devisees and legatees of the decedent and the distributive share each is to receive.

Dated this (4)____ day of (5)_________, (6)_______.

(7)________________________
Administrator

VERIFICATION

Rosebud Indian Reservation)
)SS
Rosebud, South Dakota)

(2)_____________________, being first duly sworn on oath, state and depose that he or she is the Administrator of the above-named estate, that I have duly executed said Final Account after reading the same and know the content thereof to be true to their own knowledge, except those matters stated to be on information and belief, which matters I believe to be true.

Dated this (4)____ day of (5)_________, (6)_______.

(7)________________________________
Administrator of the Decedent's Estate

Subscribed and sworn to before me this ____ day of ___________, _______.

____
Notary Public
My commission expires:
(SEAL)