

INSTRUCTIONS FOR FILLING OUT FORM

PURPOSE. Once a hearing is ordered by the Court, the Tribal probate code requires the Administrator to post the order setting a date and hour to hear to objections to final account in three conspicuous places on the reservation (three suggested posting sites would be the Tribal Court House in Rosebud, the RST Tribal building in Rosebud and the Post Office where the decedent resided before his or her death) 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 as known to the Administrator at least 20 days before the hearing. The Administrator is further required to file an affidavit with the Court on or before the hearing date indicating compliance with the notice requirements.

FORM INVOLVED. The form is an **Affidavit of Posting and Mailing of Order Setting Hearing Date for Objections to the 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 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 MUST SEND A COPY OF THE ORDER SETTING HEARING DATE FOR OBJECTIONS TO THE VERIFIED FINAL ACCOUNT BY CERTIFIED MAIL TO THE TRIBES BUSINESS MANAGER AND TO EACH HEIR, DEVISEE AND LEGATEE TO EACH HEIR, DEVISEE AND LEGATEE AT THEIR LAST KNOWN ADDRESS THAT IS KNOWN TO THE ADMINISTRATOR AND BY POSTING THE ORDER IN THREE CONSPICUOUS PLACES ON THE RESERVATION AND FILE AN AFFIDAVIT WITH THE COURT THAT YOU COMPLIED WITH THE NOTICE REQUIREMENT AT LEAST 20 DAYS BEFORE THE HEARING.

The Administrator will want to keep receipts from the Postal Service for proof the Administrator did in fact mail the Order to the Business Manager of the Rosebud Sioux Tribe and to each heirs, devisee and legatee of the decedent at their last known address that is known to the Administrator.

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 forms. There will be a blank screen between these instructions and the forms and between the forms so keep scrolling or just copy this page in its entirety.

Instructions for filling out the affidavit:

- (1) on this line insert the name of the decedent.
- (2) on this line insert your name.
- (3) on this line insert the location of the three conspicuous places on the reservation where you posted the Order Setting Hearing Date for Objections to the Verified Final Account.
- (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.

Have a notary public notarize your signature and file with the Court.

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

IN CIVIL COURT

IN RE THE ESTATE OF: (1) _____ _____, Decedent.	DOCKET _____ AFFIDAVIT OF POSTING AND MAILING ORDER SETTING HEARING DATE FOR OBJECTIONS TO VERIFIED FINAL ACCOUNT
--	---

Comes now (2) _____, Administrator of the above-named decedent's estate, being first duly sworn and upon oath, deposes that the content of this affidavit to be true as follows:

1. That I did comply with the notice requirements by posting the Order Setting Hearing Date for Objections to the Verified Final Account in three conspicuous places on the reservation at least 20 days before said hearing by posting the at the following locations on the reservation:

(3) _____
_____.

2. That I did comply with the notice requirements by sending by certified mail copies of the Order Setting Hearing Date for Objections to the Verified Final Account to to each heirs, devisee and legatee of the decedent at their last known address that is known to the Administrator at least 20 days before said hearing.

Dated this (4) ___ day of (5) _____, (6) _____.

(7) _____
Administrator of the Decedent's Estate

Sworn and subscribed to before me this ___ day of _____, _____.

Notary Public
My commission expires:
(SEAL)