

## **INSTRUCTIONS FOR FILLING OUT FORM**

**PURPOSE.** The Tribal probate code requires the Administrator to immediately send by certified mail copies of the Order to Probate the Estate and any will admitted to probate 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. The Administrator is required to prove to the Court that the Administrator sent by certified mail the Order to Probate and any will admitted to probate by filing an affidavit of such mailing within 30 days of the date the Order to Probate the Estate is entered.

**FORM INVOLVED.** The form is an **Affidavit of Mailing of the Notice of Probate**. You will need to fill in the necessary information with help from the instructions below and then file the forms with the court.

**YOU MUST SEND A COPY OF THE ORDER TO PROBATE AND A COPY OF ANY WILL ADMITTED TO PROBATE BY SENDING BY CERTIFIED MAIL TO THE BUSINESS MANAGER OF THE ROSEBUD SIOUX TRIBE AND TO EACH HEIR, DEVISEE AND LEGATEE AT THEIR LAST KNOWN ADDRESS THAT IS KNOWN TO THE ADMINISTRATOR.**

The Administrator will want to keep receipts from the Postal Service for proof the Administrator did in fact mail the Order to Probate the Estate and any will admitted to probate 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.

**FILE THE AFFIDAVIT OF MAILING OF NOTICE OF PROBATE WITH THE CLERK OF COURT AND MAIL COPIES OF THE ORDER TO PROBATE AND A COPY OF ANY WILL ADMITTED TO PROBATE TO THE BUSINESS MANAGER OF THE ROSEBUD SIOUX TRIBE AND TO EACH HEIR, DEVISEE AND LEGATEE BY CERTIFIED MAIL WITHIN 30 DAYS THE ORDER OF PROBATE WAS FILED.**

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 day.
- (4) on this line insert the month.
- (5) on this line insert the year.
- (6) on this line insert your name by signing.

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

IN CIVIL COURT

<p>IN RE THE ESTATE OF:  (1) _____ _____,  Decedent.</p>	<p>DOCKET _____  AFFIDAVIT OF MAILING OF NOTICE OF PROBATE</p>
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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 sending by certified mail copies of the Order to Probate the Estate and any will admitted to probate 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 within 30 days of the Order to Probate was entered.

Dated this (3) \_\_\_\_ day of (4) \_\_\_\_\_, (5) \_\_\_\_\_.

(6) \_\_\_\_\_  
Petitioner

Sworn and subscribed to before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My commission expires:  
(SEAL)