



## PUEBLO OF LAGUNA COURT

P.O. Box 194 Laguna, New Mexico 87026

Tel. (505) 552-1900

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### PETITION TO PROBATE ESTATE COVER SHEET

IT IS IMPORTANT THAT PETITION IS FILLED OUT ACCURATELY OR TO THE BEST OF YOUR KNOWLEDGE. UNAVAILABLE INFORMATION WILL ONLY DELAY THE COURT PROCESS.

#### **PETITIONER:**

**Name:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_ **Social No:** \_\_\_\_\_

**Tribal Affiliation:** \_\_\_\_\_ **Enrollment No:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Physical Address:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**Phone No:** \_\_\_\_\_

#### **PLEASE DOUBLE CHECK YOUR DOCUMENTS:**

- **Attach a copy of the Decedents Death Certificate**
- **If the Decedent has a WILL please attach a copy**
- **Filing Fee of \$6.00 in a Money Order or Cashier's Check. Thank You.**
- **If you should have any questions or need assistance with the Petition, please refer to our Approved Attorney list for help. Thank you.**

**IN THE PUEBLO COURT  
PUEBLO OF LAGUNA**

**IN THE MATTER OF THE ESTATE OF:**

\_\_\_\_\_,  
**Deceased/Decedent.**

\_\_\_\_\_,  
**Petitioner.**

**CASE NO.** \_\_\_\_\_

**PETITION TO PROBATE ESTATE  
AND APPLICATION FOR  
APPOINTMENT OF PERSONAL  
REPRESENTATIVE**

I, \_\_\_\_\_, (Petitioner), hereby state the following:

1. I am related to the Decedent as follows: \_\_\_\_\_
2. The Decedent died on this date: \_\_\_\_\_, and this location: \_\_\_\_\_
3. I have attached a Death Certificate issued by the State of \_\_\_\_\_ to this Petition.
4. The following is the physical residence address of the Decedent at the time of death:  
\_\_\_\_\_.
5. The Decedent is an enrolled member of the following Tribe/Pueblo: \_\_\_\_\_,  
and has the following enrollment number: \_\_\_\_\_

**Indicate with an "X" which of the below applies:**

\_\_\_ I am not aware of any person being appointed as the Personal Representative, Executor or Administrator of the Estate of the Decedent in this or any other Court or jurisdiction;

**OR**

\_\_\_ The following person, \_\_\_\_\_ has been appointed Personal Representative, Executor, or Administrator of the Estate of the Decedent by the following Court: \_\_\_\_\_, case no. \_\_\_\_\_.

6. Did the Decedent have an interest in a traditional family home in Laguna? Yes/No. If yes state the location, including which Village it is in: \_\_\_\_\_

**Indicate with an "X" which of the below applies:**

\_\_\_ I am not aware of any Family Meeting with Village Officials to review or determine how the property of the Decedent, including a land assignment, should be distributed;

**OR**

\_\_\_ The following Village Official's Name: \_\_\_\_\_,

Name: \_\_\_\_\_ Name: \_\_\_\_\_

have determined or are considering how the property of the Decedent should be distributed.

Please describe or attach written description.

Date of Meeting: \_\_\_\_\_

Action taken: \_\_\_\_\_

\_\_\_\_\_

7. The following property has already been distributed through custom and tradition or for other reasons (describe each piece of property and who received it):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Is any of the Decedent's property located outside of the Pueblo of Laguna? If so, please identify the property and where it is located:

Property description	Location
_____	_____
_____	_____
_____	_____

9. Did the Decedent leave a written will? Please mark with an X which applies:  
\_\_\_ Yes \_\_\_ No. If there is a written will, please attach a copy of the will to this Petition. The Court will determine at hearing whether it is a valid will.

10. If the Decedent did not leave a will the Pueblo of Laguna Code, POLC § 7-7-4, instructs the Court to use the following heirship designations to distribute the Decedent's property as follows:

- To the surviving spouse, if the deceased was married, in its entirety
- If the deceased left no surviving spouse, the children of the deceased, share and share alike.

- If the deceased left no surviving spouse or children, then to the father and mother of the deceased, or the survivor of them.
- If the deceased left no surviving spouse, nor surviving children, nor surviving parents, the brothers and sisters of the decedent, share and share alike.
- In the event the deceased left no heirs, the assets of the deceased shall escheat (be transferred) to the Pueblo of Laguna.

These proceedings are governed by the Pueblo of Laguna Code (POLC) §§ 7-7-1 through § 7-7-5. These laws can be reviewed online at the Pueblo of Laguna website at <http://lagunapueblo-nsn.gov>

11. Was the Decedent ever married? If no, skip to Paragraph 14. If yes, please answer the following:

- Did the Decedent have a spouse that was alive at the time the Decedent died? If so, please write the spouse's name: \_\_\_\_\_
- Did the Decedent have a spouse that predeceased him or her? If so, please write the spouse's name: \_\_\_\_\_.
- Was the Decedent divorced? If so, please write the deceased's prior spouse's name: \_\_\_\_\_.

12. Please list the names of relatives who predeceased the Decedent (died prior to the Decedent's death). Include children, parents, and brothers and sisters

Name	Relationship	Year of death.
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

13. The Personal Representative of the Estate of the Decedent has the obligation to identify all property and debts of the Decedent, make a proposed distribution of property of the Decedent, submit a written report to the Court, and distribute the property as ordered by the Court. Please write down the name of the person you are proposing to have named the Personal Representative of the Estate, including yourself if that is your intention:  
Name: \_\_\_\_\_.

14. On the next page is a form for providing the names and contact information of surviving relatives of the Decedent. This should include surviving spouse, children, parents, and brothers and sisters. Please complete as accurately as possible, the purpose of the email address is due to out-of-town relatives who may need to appear Via ZOOM.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Age (if a Minor) \_\_\_\_\_  
Email Address: \_\_\_\_\_ Relation to decedent \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Age (if a Minor) \_\_\_\_\_  
Email Address: \_\_\_\_\_ Relation to decedent \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Age (if a Minor) \_\_\_\_\_  
Email Address: \_\_\_\_\_ Relation to decedent \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Age (if a Minor) \_\_\_\_\_  
Email Address: \_\_\_\_\_ Relation to decedent \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Age (if a Minor) \_\_\_\_\_  
Email Address: \_\_\_\_\_ Relation to decedent \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Age (if a Minor) \_\_\_\_\_  
Email Address: \_\_\_\_\_ Relation to decedent \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Age (if a Minor) \_\_\_\_\_  
Email Address: \_\_\_\_\_ Relation to decedent \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Age (if a Minor) \_\_\_\_\_  
Email Address: \_\_\_\_\_ Relation to decedent \_\_\_\_\_

I swear that the information contained in this Petition is true and accurate to the best of my knowledge and belief.

Respectfully Submitted,

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Address:

\_\_\_\_\_  
Phone: