

STATE OF MINNESOTA

COUNTY OF _____

_____ JUDICIAL DISTRICT
DISTRICT COURT
PROBATE DIVISION

Court File No. _____

In the Matter of the Trust Created under Article ____ of
the Last Will of _____, Deceased.

ALTERNATIVE FOR INTER VIVOS TRUSTS:
In the Matter of the Trust Created under Agreement By
and Between _____, Settlor, and _____,
Trustee, dated _____.

PETITION TO ALLOW
ACCOUNT DATED _____
PURSUANT TO MINN. STAT. § 501C.0202

I, _____, state:

1. The Trust instrument consists of:

the Last Will of _____, dated _____.

or

an agreement by and between _____, Settlor, and _____, Trustee, dated _____.

A true and correct copy of the instrument is on file with this Court and is made a part of this Petition.

2. I am the Trustee of the Trust. My appointment was by:

being named as Trustee in the Last Will of _____, dated _____.

or

being named as Trustee in an agreement by and between _____, Settlor, and _____, Trustee, dated _____.

or

being named as a successor or additional Trustee by _____ who had authority to appoint successor or additional Trustees under the terms of the Trust.

or

being appointed by the Court.

3. My appointment as Trustees was

not confirmed by the Court.

or

confirmed by an Order of this Court pursuant to Minnesota Statutes § 501.33, § 501B.22, § 501C.0202, which is on file with the Court.

and

released by an Order of the Court dated _____ pursuant to Minnesota Statutes 01.351 or 501C.0202.

4. For the purpose of this Petition we submit the Trust to the jurisdiction of this Court.

5. Jurisdiction. The Court has jurisdiction in this matter (Select one):
 in rem jurisdiction.
 in personam jurisdiction.
6. Venue in this county is proper because (Select appropriate boxes):
 The Will was admitted for probate in this County.
 Trustee _____, who has custody of part or all of the Trust assets, resides or has a trust office in this County.
 The Trust's principal place of administration is or will be located upon approval by this Court in this County.
 Trust assets include real estate which is located in this County.
 There has been a prior court proceeding in this Court.
 Other: _____.
7. This Petition is brought pursuant to Minnesota Statutes section 501C.0202.
8. I request that the Court represent the interested parties who are minors, incapacitated, and those who are unborn, unascertained or unknown pursuant to Minnesota Statutes section 501C.0305.
9. The Trustees' account of the Trust dated _____, covering the continuous administration of the Trust from _____ through _____, has been filed with this Court. The account contains the following:
- a. A statement of the total inventory or carrying value and of the fair market value, if reasonably ascertainable, of the assets of the Trust principal as of the beginning of the accounting period.
 - b. A complete itemized inventory of the assets of the Trust principal as of the end of the accounting period, showing both the inventory or carrying value of each asset and also the fair market value of each asset as of such end of the accounting period.
 - c. An itemized statement of all income transactions during the period of such account.
 - d. A summary statement of all income transactions during the period of such account, including the totals of distributions of income to beneficiaries and the totals of Trustees' fees and attorneys' fees charged to income.
 - e. An itemized statement of all principal transactions during the period of such account.
 - f. A reconciliation of all principal transactions during the period of such account, including the totals of distributions of principal to beneficiaries and the totals of Trustees' fees and attorneys' fees charged to principal as well as the totals of liquidations and reinvestments of principal cash.
 - g. A list of all assets that realized a net income less than one per cent of the inventory value or acquisition cost, and an explanation of the amount of net income realized and the reasons for retaining the assets.
- The account is true and correct.
10. [SEE APPENDIX FOR SELECTED OPTIONAL PARAGRAPHS FOR PETITION]
11. I request an Order of this Court approving payment from the Trust of my reasonable attorneys' fees and expenses

incurred in connection with this proceeding.

12. [SEE APPENDIX FOR SELECTED OPTIONAL PARAGRAPHS FOR TRUSTEES COMPENSATION]

13. The only persons in being known to the Petitioner as having or who may claim to have an interest in the Trust are:

[LIST OF TRUSTEES AND QUALIFIED BENEFICIARIES]

None of these persons is under any legal disability, except those designated as minors, and during the past ninety (90) days, none of these persons has served in the military service of the United States of America or if a beneficiary has served in the military service the Trustees will obtain and file with the Court an appearance and waiver for such beneficiary.

WHEREFORE, I request the Court fix a time and place for a hearing on this Petition and enter an order:

1. Settling and allowing the Trustees' account of the Trust dated _____ covering the continuous administration of the Trust from _____ through _____;
1. Approving and confirming all acts of the Trustees in selling or retaining Trust assets, in investing the funds of the Trust in the securities and properties shown in the account, and in charging or crediting disbursements or receipts to principal or income as shown in the account, and, in general, approving and confirming in all respects all acts of the Trustees in the administration of the Trust from _____ through _____.
2. Approving payment from the Trust of our reasonable attorneys' fees and expenses incurred in connection with this proceeding; and
4. [SEE APPENDIX FOR SELECTED OPTIONAL PARAGRPHS FOR RELIEF]
5. Granting such other relief as may be proper.

Under penalties for perjury, I declare or affirm that I have read this document and I know or believe its representations are true and complete.

Date: _____

Trustee

Attorney for Trustee
Name
Address
City, State ZIP
Telephone: FAX:
Attorney License No.:

NOTE: Attach Acknowledgement. See Appendix T-068.

SAMPLE
DOCUMENT