

STATE OF MINNESOTA

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT  
DISTRICT COURT  
PROBATE DIVISION

In the Matter of the Trust Created under Article \_\_\_\_ of  
the Last Will of \_\_\_\_\_.

Court File No. \_\_\_\_\_

**ALTERNATIVE FOR INTER VIVOS TRUSTS:**

In the Matter of the Trust Created under Agreement By  
and Between \_\_\_\_\_, Settlor, and \_\_\_\_\_,  
Trustee, dated \_\_\_\_\_.

**PETITION TO \_\_\_\_\_  
PURSUANT TO MINN. STAT. § 501B.31**

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. The Trustee of the Trust is \_\_\_\_\_. The Trustee's 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 \_\_\_\_\_ 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 named successor trustee by the Court.

3. Jurisdiction. The Court has jurisdiction in this matter (Select one):

in rem jurisdiction.

in personam jurisdiction.

3. 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: \_\_\_\_\_.

5. The Trustee's appointment as Trustee

- has not been confirmed by the Court.
- or
- has been confirmed by an order of this Court pursuant to Minn. Stat. § 501.33, § 501B.22 or § 501C.0202, which is on file with the Court, but was
- released from jurisdiction of the Court by an Order of this Court pursuant to Minn. Stat. § 501B.351, § 501B.24, or § 501C.0210(c)(2) which is on file with the Court.

6. No court proceedings relative to this Trust have been filed in any other county in Minnesota.

7. The Trust is a charitable trust within the meaning of Minn. Stat. § 501B.35, subd. 2.

8. [SEE APPENDIX FOR OPTIONAL LANGUAGE FOR RELIEF.] [INSERT LANGUAGE FOR REQUESTED RELIEF OF AUTHORITY]

9. The persons having an interest in the Trust are the Attorney General of the State of Minnesota and [NAME OF CHARITY—IF ANY].

10. I request an Order of this Court approving payment from the Trust of reasonable attorneys' fees and expenses incurred in connection with this proceeding.

WHEREFORE, I request the Court enter an order:

1. [INSETR PRAYER FOR RELIEF]
2. Approving payment from the Trust reasonable attorneys' fees and expenses incurred in connection with this proceeding; and
3. 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.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Trustee

Attorney for Trustee

Name

Firm Name

Address

City, State ZIP

Telephone:

FAX:

Attorney License No.:

**NOTE: Attach Acknowledgement.** See Appendix E.

SAMPLE  
DOCUMENT