

LOCAL RULE 57.1

FILINGS AND JUDGMENT ENTRIES

(A) Requirements for Acceptance:

- (1) All filings must contain original signatures. At least one (1) fiduciary must sign the filing when multiple fiduciaries have been appointed.
- (2) Notwithstanding Civil Rule 11 and the standard probate forms, the fiduciary's(ies') signature(s) is(are) required on all matters pertaining to the receipt and expenditure of funds, resignation of fiduciary, or any applications or motions, except as set forth in (4) below.
- (3) Upon the initial filing of any matter captioned in the name of a deceased person, the applicant shall submit a certified copy of the deceased person's death certificate.

Comment:

The Clerk will inspect and copy the original and return it. The record will be kept in the confidential file.

- (4) An attorney may sign Form EGT.1 on behalf of the fiduciary or fiduciaries by signing the attorney's name on the signature line. The attorney shall obtain prior written authorization from such fiduciary or fiduciaries before signing and filing Form EGT.1. The attorney shall attach to Form EGT.1 the document setting forth the written authority granted to the attorney. The attorney shall provide a written copy of the extension to the fiduciary or fiduciaries within two days of its filing.

Comments:

Such authority set forth in (A)(4) may be granted by e-mail, fax, or original signature.

- (5) If a fiduciary/applicant is a person entitled to receive notice of a pleading or document, their signature upon the document shall be deemed a waiver of notice by the signatory and shall constitute full consent to the action requested.

Comment:

The Clerk will inspect and copy the original and return it. The record will be kept in the confidential file.

(B) Approval by Attorney of Fiduciary Filings.

- (1) Each document presented to the Court for filing on behalf of a fiduciary, if not otherwise required to be signed by the fiduciary's attorney, shall have endorsed thereon the approval of the attorney at law, if any, who represents the fiduciary, in the following form:

Approved:

Attorney for Fiduciary

(2) The signature of an attorney constitutes a certification that the attorney has read the pleadings; that to the attorney's best knowledge, information, and belief, there is good ground to support it; and that it is not interposed for delay.

(C) Motions.

Unless an oral hearing is requested, all Motions shall be submitted by Memorandum or Brief. Requests for hearing must be in writing, and filed with the Motion. A statement of the grounds upon which the Motion is based, together with a citation of authorities relied upon, shall be presented in the Memorandum or Brief. All Motions shall be submitted with a proposed Order approved by the attorney of record.

Within fourteen (14) days after the receipt of a copy of a Motion, opposing counsel shall prepare and file a reply to the Motion, setting forth written statements of opposition to the Motion, together with a citation of authorities relied upon in opposition.

The Motion shall be ruled upon at any time after fourteen (14) days from the date of filing the Motion.

(D) Maintaining Privacy of Personal Identifying Numbers.

To protect legitimate personal privacy interests, social security and other personal identifying numbers, such as birth dates, shall be redacted from documents as directed by these rules before the documents are filed with the Probate Court. The responsibility for redacting personal identifying numbers rests solely with the attorneys and parties who file the documents. The clerks will not review the documents to confirm that personal identifying numbers have been excluded.

(E) Account Numbers.

All financial asset account numbers in any public record document filed in this Court shall disclose only the last four (4) digits of the account number. It is the responsibility of the person filing the document to redact the remaining digits of the account number.