

NOTICE TO FOREIGN PERSONAL REPRESENTATIVES

The following describes the procedures relative to the estates of persons domiciled elsewhere than the District of Columbia who died. after December 31, 1980, with assets in the District of Columbia.

Our statutes require that authenticated copies (pursuant to 28 U.S.C. Section 1738) of a non-resident decedent's will admitted to probate. if any. and letters of administration granted with respect to his or her estate be filed in this office. This mode of authentication is commonly referred to as "triple-seal", Certified copies of the foregoing documents are insufficient.

In addition to the aforementioned properly authenticated papers, the following must be filed in our office:

1. One original and three copies of the form Notice of Appointment of Foreign Personal Representative and Notice to Creditors.
2. The Form. Appointment of Agent to Accept Service of Process (a resident of the District of Columbia or someone who maintains an office in the District of Columbia must be appointed and must sign this form.)

The forms are downloadable from this site.

All of the aforementioned documents must be hand-delivered for filing. The decedent's date of death must be provided to the Clerk at time of filing. In many instances the individual the personal representative selects as the agent is able to do this. **At the time the documents are filed, the Court costs of \$25.00 are payable to the Register of Wills.** Upon request and payment of a \$1.00 fee, a "Preliminary" Certificate indicating that the authenticated papers have been filed will be issued.

The Notice of Appointment of Foreign Representative and Notice to Creditors must be published in a newspaper that qualifies as a legal publication (at this time, the Washington Law Reporter), and another newspaper of general circulation. e.g. Washington Post. Washington Afro-American, Jewish Week, Washington Times. Washington Post District Weekly, The Washington Informer, The Washington, Blade, Catholic Standard, El Pregonero. The notice must run once a week for three successive weeks.

D.C. Assets may be removed either: (1) after six months from the date of the first publication of the notice. provided one first files proofs of publication of the notice from the newspapers and obtains a "Certificate of No Claims" from the Register of Wills, or (2) after the first publication of the notice, provided one gives the holder of property an indemnity bond, bond, in a form satisfactory to it, in an amount equal to the value of the property and a "Preliminary Certificate". If one intends to remove property after the first publication. one should request our "Preliminary Certificate" when the documents listed above are filed in our office. Please refer to Subchapter V of Title 20 of the D.C. Code (1981 ed.) for further information.

The holder of any D.C. assets will also require a D.C. Inheritance Tax Waiver if the decedent died prior to April 1, 1987. The District of Columbia Inheritance and Estate Tax Revision Act of 1986 which became law on February 24, 1987 abolishes the inheritance tax for the estates of decedents who die after March 31, 1987. One may contact the Inheritance Tax Division, Department of Finance and Revenue, 941 North Capitol Street, N.E., Washington, D. Co, (202) 727-4819 if a Tax Waiver is required.