These forms are for guidance only and are not warranted to be definitive on the subject matter. Use only after modifying to fit your particular set of facts. Suggestions to improve these forms are welcome. They were prepared in a relatively short time period and have not been tested in court.

Possible Will Clause Allowing For Independent Administration

I name and appoint my wife, XXX, as Executrix of my estate with full seisin and without bond. If for any reason she is unwilling or unable to serve or to continue to serve as such, then as her successor I name and appoint my son, XXX, as Executor of my estate with full seisin and without bond. If for any reason he too is unwilling or unable to serve or to continue to serve as such, then as his successor I name and appoint XXX, as Executor of my estate with full seisin and without bond.

In accordance with the provisions of Article 3396.2 of the Louisiana Code of Civil Procedure, I expressly delegate to my Executrix the authority to act as an Independent Executor without court supervision and without bond. This provision shall apply to any subsequent dative executor appointed by the court.

I further expressly delegate to my Executrix the authority to xxxxxxxxxxx.

[Insert any powers from a standard Mandate or Procuration (power of attorney) the attorney deems desirable to list in the Will]

See Articles of Code of Civil Procedure 3191 through 3395 for guidance

NO:		DIVISION " "
	SUCCESSION OF XXX	
FILED:		DEPUTY CLERK

PETITION FOR FILING AND EXECUTION OF TESTAMENT (CIVIL CODE ARTICLE 2891) AND CONFIRMATION OF INDEPENDENT EXECUTOR

The petition of XXX, of the full age of majority and presently domiciled in the Parish of Jefferson, State of Louisiana ("Petitioner"), through undersigned counsel, respectfully represents:

1.

XXX ("Decedent") died on XXX at Metairie, Louisiana while domiciled in the Parish of Jefferson, State of Louisiana, on XXX, 2001, as will appear from the Affidavit of Death and Heirship attached hereto.

2.

As appears from the Affidavit of Death and Heirship, the Decedent was married but once and then to XXX, who predeceased him, and he had only two (2) children of the marriage XXX and XXX, both surviving him. Decedent had no other children of any status whatsoever, and never adopted anyone. None of the children has been interdicted and none is subject to being interdicted because of mental incapacity or physical infirmity. Both are over the age of 23 years of age.

3.

The Decedent left a last will and testament, dated XXX, executed in accordance with the provisions of Article 1576 of the Louisiana Civil Code, before XXX, Notary Public.

4.

The Will is presented herewith for filing and execution and for an order giving it the effect of probate, all in accordance with Article 2891 of the Louisiana Code of Civil Procedure.

5.

The Petitioner is named as the Independent Executor in the Will, and he was given the powers of an independent executor to the fullest extent permitted by applicable law, without the necessity of posting a bond. The Petitioner accepts the appointment and requests that Letters of Independent Administration be issued to him without having to post a bond. The Petitioner has executed the oath of office, which he attaches to this petition.

WHEREFORE, the Petitioner, XXX, prays that:

- (1) the Will of XXX be filed and executed and given the effect of probate, according to law;
- (2) XXX be confirmed as Independent Executor, and that Letters of Independent Administration be issued to him upon compliance with the requisites of law;

RESPECTFULLY SUBMITTED:				
XXX (Bar No.) Attorney for Petitioner				

NO:		DIVISION " "
	SUCCESSION OF XXX	
FILED:		DEPUTY CLERK

PETITION FOR APPOINTMENT OF INDEPENDENT ADMINISTRATOR

The petition of XXX, of the full age of majority and presently domiciled in the Parish of Jefferson, State of Louisiana ("Petitioner"), through undersigned counsel, respectfully represents:

1

XXX ("Decedent") died on XXX at Metairie, Louisiana while domiciled in the Parish of Jefferson, State of Louisiana, on XXX, 2001, as will appear from the Affidavit of Death and Heirship attached hereto.

2.

As appears from the Affidavit of Death and Heirship, the Decedent was married but once and then to XXX, who predeceased him, and he had only two (2) children of the marriage XXX and XXX, both surviving him. Decedent had no other children of any status whatsoever, and never adopted anyone. None of the children has been interdicted and none is subject to being interdicted because of mental incapacity or physical infirmity. Both are over the age of 23 years of age.

3.

All of the legal heirs of the decedent identified in the Affidavit of Death and Heirship consent to the Independent Administration of this succession as appears from the signed affidavits attached to this petition.

4.

Decedent died intestate.

5.

There are debts due by the decedent's estate; therefore, an administration of 2a succession is necessary. (Any other appropriate allegation)

6.

Petitioner attaches a detailed descriptive list to this petition showing the total value of known assets to be \$ and desires that it be filed herewith. A list of known debts is also included in the descriptive list. (A list of disputed debts that are not acknowledged appears at the end of the list of debts. The descriptive list can be titled "Initial" or "First" since it is possible that all assets and debts are not known at the time of opening the succession)

7.

Petitioner XXX, desires to be appointed Independent Administrator of this succession without posting a bond, and he is entitled to have letters of independent administration issued to him since more than ten (10) days have elapsed since the death of the deceased, and as will appear from the attached certificate no one has filed a petition for notice of application for appointment of an administrator. The Petitioner has executed the oath of office, which he attaches to this petition.

WHEREFORE, the Petitioner, XXX, prays that:

- 1) XXX be confirmed as Independent Administrator, and that Letters of Independent Administration be issued to him upon compliance with the requisites of law; and
- 2) The descriptive list of the assets and debts of the deceased be ordered filed; and the security required for faithful performance for the duties of the Independent Administrator be fixed at zero.

(Alternate)

2) The descriptive list of the assets and debts of the deceased be ordered filed; and the security required for faithful performance for the duties of the Independent Administrator be fixed at \$XXX.

RESPECTFULLY SUBMITTED:	
XXX (Bar No.) Attorney for Petitioner	-

24TH JUDICIAL DISTRICT COURT FOR THE PARISH OF JEFFERSON STATE OF LOUISIANA

NO:	DIVISION			
SUCCESSION OF				
FILED:	DY.CLERK			
<u>VERIFIC</u>	CATION AND			
AFFIDAVIT OF CONSENT TO I	NDEPENDENT ADMINISTRATION			
STATE OF LOUISIANA				
PARISH OF JEFFERSON				
BEFORE ME, the undersigned authority, person	onally came and appeared			
XXX, XX	XX and XXX			
	and that all of its allegations are true and correct, X as Independent Administrator of the succession			
				
Sworn to and subscribed before me, this	_ day of, 2001.			
	Notary Public			
	riotary r done			

NO:	DIVISION " "
	SUCCESSION OF XXX
FILE	CD: DEPUTY CLERK
ADI	PETITION FOR ORDER CONVERTING FROM COURT-SUPERVISED MINISTRATION TO INDEPENDENT ADMINISTRATION AND FOR ISSUANCE OF LETTERS OF INDEPENDENT ADMINISTRATION
Parish	petition of XXX ("Administrator"), of the full age of majority and presently domiciled in the h of Jefferson, State of Louisiana,. the duly qualified and acting Administrator of the ession of XXX ("Decedent"), and XXX, and XXX, and etc. respectfully represents:
	1.
	XX, this Honorable Court rendered an order in the Decedent's intestate succession that rmed XXX as Administrator with a bond of \$XXX.
	2.
	f the requirements of the Independent Administration Law in the administration of this ession have been established and satisfied.
	3.
Indep to hin	Decedent's administrator hereby accepts the conversion of his appointment to that of bendent Administrator, and he requests that Letters of Independent Administration be issued in. The Administrator has executed a new oath of office as Independent Administrator, in he attaches to this petition.
	4.
they c Indep	oners XXX and XXX, allege that they are the only intestate heirs of the Decedent and that consent to conversion of the administration of the Decedent's succession pursuant to the pendent Administration Law and of the continued service of the Administrator as pendent Administrator.
WHE	REFORE, the Petitioners, XXX, XXX, and XXX pray:
(1)	that the Succession of XXX be converted into an independent administration effective immediately;
(2) (3)	that Letters of Independent Administration be issued immediately to XXX; that the bond of XXX as Administrator be continued in his capacity as Independent Administrator; and
RESF	PECTFULLY SUBMITTED:
XXX	, Administrator

 \overline{XXX}

XXX	
XXX (Bar No.) Attorney at Law	

24TH JUDICIAL DISTRICT COURT FOR THE PARISH OF JEFFERSON STATE OF LOUISIANA

NO:	DIVISION			
SUCCESSION OF				
FILED:DY.CLERK				
<u>VERIFIC</u>	ATION AND			
AFFIDAVIT OF CONSENT TO I	NDEPENDENT ADMINISTRATION			
STATE OF LOUISIANA				
PARISH OF JEFFERSON				
BEFORE ME, the undersigned authority, person	onally came and appeared			
XXX, XX	XX and XXX			
who being duly sworn did depose and say that Conversion from a court Supervised Administr all of its allegations are true and correct, ad that Independent Administrator of the succession of without bond.	ation to an Independent Administration and that they consent to the appointment of XXX as			
Sworn to and subscribed before me, this	day of, 2001.			
	Notary Public			

NO:	DIVISION " "
	SUCCESSION OF XXX
FILED:	DEPUTY CLERK
ADMINISTRATION TO INDI	R CONVERTING FROM COURT-SUPERVISED EPENDENT ADMINISTRATION AND FOR ISSUANCE OF INDEPENDENT EXECUTORSHIP
domiciled in the Parish of Jefferson	ary Executor"), of the full age of majority and presently n, State of Louisiana, the duly qualified and acting Executor of at"), and XXX, and XXX, and etc. respectfully represents:
	1.
	ndered an order that ordered the Decedent's last will and d executed and confirmed XXX as Testamentary Executor
	2.
All of the requirements for use of this Succession have been established.	the Independent Administration Law in the administration of hed and satisfied.
	3.
an independent administration purs the conversion of his appointment Letters of Independent Executorsh	s to convert the administration of the Decedent's succession to suant to the Independent Administration Law, and he accepts to that of Independent Executor, and he further requests that ip be issued to him. The Testamentary Executor has executed at Executor, which he includes for filing herewith.
	4.
<u> </u>	e that they are the only universal or general legatees under the on of the administration of the Decedent's succession pursuant Law.
WHEREFORE, the Petitioners, XX	XX, XXX and XXX, pray:
(1) that the Succession of XXX immediately;	X be converted into an independent administration effective
(2) that Letters of Independent	Executorship in the form prepared by the Petitioners and issued immediately to XXX; and
RESPECTFULLY SUBMITTED:	
XXX, Testamentary Executor	-
XXX	-

 \overline{XXX}

Attorney at Law (Bar No.)

24TH JUDICIAL DISTRICT COURT FOR THE PARISH OF JEFFERSON STATE OF LOUISIANA

NO:	DIVISION				
SUCCESSION OF					
FILED:	DY.CLERK				
	CONSENT TO CONVERT FROM COURT TO INDEPENDENT EXECUTORSHIP				
STATE OF LOUISIANA					
PARISH OF JEFFERSON					
BEFORE ME, the undersigned authority, person	onally came and appeared				
XXX, XX	XX and XXX				
who being duly sworn did depose and say that Conversion from a court Supervised Administr of its allegations are true and correct, ad that th Independent Executorship of the Succession of without bond.	ation to an Independent Executorship and that all ey consent to the appointment of XXX as				
Sworn to and subscribed before me, this	day of, 2001.				
	Notary Public				
	110tal y 1 dolle				

NO:	DIVISION " "
	SUCCESSION OF XXX
FILED:	DEPUTY CLERK
ORDER CONFIRM	NG APPOINTMENT OF INDEPENDENT EXECUTOR
accordance with Article 1576	and testament of XXX ("Decedent"), dated XXX and drawn in of the Louisiana Civil Code, the will having been filed in these e with Article 2891 of the Louisiana Code of Civil Procedure, as of Death and Heirship:
Judicial District Court for the	Il be hereby filed and recorded in the Office of the Clerk of the 24 th Parish of Jefferson, State of Louisiana, and executed according to have the effect of probate of the Will; and
	that XXX be confirmed as Independent Executor, and that Letters in be issued to XXX as Independent Executor upon his filing the rout filing a bond.
Thus done and signed in char	nbers in Gretna, Louisiana, this day of, 2001.
-	DISTRICT JUDGE

NO:				יום	VISION
		SUCCESSI	ON OF XXX		
FILED:				DE	PUTY CLERK
	<u>LETTERS</u>	OF INDEPE	NDENT EXECUT	<u>ORSHIP</u>	
BE IT KNOWN:					
testament of the lat relative thereto, is f Decedent and to pe	e XXX ("Dec fully qualified erform all othe ut the necessi	tedent"), and, h l, authorized an er lawful acts as ty of delay for	rirmed as independe aving complied with dempowered to color independent executobjection to, or any o:	n all the leg llect all prop tor pursuan	al requirements perty of the to La. C.C.P.
[Insert any of the end Procedure deemed [Insert all terms to	desirable]		pters 4 through 12 o	of Title III o	of the Code of Civil
	d and the Sea 2001.	l of this Honora	able Court, at Gretn	a this	day of
		DISTRIC	CT JUDGE		

NO:	DIVISION " "
SUCCESSION OF XXX	
FILED:	DEPUTY CLERK
LETTERS OF INDEPENDENT ADMINISTRA	<u>ATION</u>
BE IT KNOWN:	
That XXX has been named, appointed and confirmed as independen SUCCESSION of the late XXX ("Decedent"), and, having complied requirements relative thereto, is fully qualified, authorized and emportance of the Decedent and to perform all other lawful acts as indepursuant to La. C.C.P. Art. 3396.15 without the necessity of delay for action in or by this Honorable Court, including, without limitation, the	with all the legal owered to collect all ependent administrator or objection to, or any
[Insert any of the enumerated powers from Chapters 4 through 12 of Ti Procedure deemed desirable]	ttle III of the Code of Civil
[Insert all terms to conform to powers set forth in Will, if any]	
WITNESS our hand and the Seal of this Honorable Court, at Gretna, Lou, 2001.	uisiana this day of

DISTRICT JUDGE