



## PUEBLO OF LAGUNA COURT

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### PETITION TO PROBATE ESTATE & APPLICATION FOR APPOINTMENT OF PERSONAL REPRESENTATIVE (COVERSHEET)

IT IS IMPORTANT THAT PETITION IS FILLED OUT ACCURATELY OR TO THE BEST OF YOUR KNOWLEDGE. UNAVAILABLE INFORMATION WILL ONLY DELAY THE COURT PROCESS.

#### **PETITIONER:**

**Name:** \_\_\_\_\_ **DOB:** \_\_\_\_\_ **Social No:** \_\_\_\_\_

**Tribal Affiliation:** \_\_\_\_\_ **Enrollment No:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Physical Address:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_ **Phone No:** \_\_\_\_\_

#### **PLEASE DOUBLE CHECK YOUR DOCUMENTS:**

- Attach a copy of the Decedents Death Certificate
- If the Decedent has a WILL, please attach a copy
- Filing Fee of \$6.00 in a Money Order or Cashier's Check
- If you should have any questions or need assistance with the Petition, please refer to our Approved Attorney list for help. Thank you.

IN THE TRIBAL COURT  
PUEBLO OF LAGUNA  
STATE OF NEW MEXICO

CASE NO: \_\_\_\_\_

**PETITION TO PROBATE ESTATE &  
APPLICATION FOR  
APPOINTMENT OF PERSONAL  
REPRESENTATIVE**

IN THE MATTER OF:

\_\_\_\_\_  
(Deceased/Decedent)

\_\_\_\_\_  
Petitioner

I, \_\_\_\_\_, (Petitioner), hereby state the following:

1. I am related to the Decedent as follows: \_\_\_\_\_.
2. The Decedent died on \_\_\_\_/\_\_\_\_/\_\_\_\_, and at this location \_\_\_\_\_.
3. I have attached a copy of the Death Certificate issued by the State of \_\_\_\_\_ to this Petition.
4. The following is the physical residential address of the Decedent at their time of death: \_\_\_\_\_.
5. The Decedent was an enrolled member of the following Tribe/Pueblo: \_\_\_\_\_, and has the following enrollment number: \_\_\_\_\_.

6. Did the Decedent have an interest in a traditional family home located in Laguna?

YES If yes, state the location, including which Village the home is located

NO

Select one of the following:

I am not aware of any Family Meeting with Village Officials to review or determine how the property of the Decedent, including a land assignment, should be distributed.

The following Village Officials had a meeting on \_\_\_\_\_ and have determined, or are considering how the property of the Decedent should be distributed.

**Name of Village Official:**

**Village:**


7. The following property has been distributed through custom and tradition, or for other reasons (describe piece of property and who received it).

**Property:**

**Person who received the property:**


8. Is any of the Decedent's property located outside of the Pueblo of Laguna?

YES  NO

If yes, please list the property and the location:

**Property:**

**Location:**


Select one of the following:

I am not aware of any person being appointed as the Personal Representative, Executor or Administrator of the Estate of the Decedent in this or any other Court or jurisdiction.

The following person, \_\_\_\_\_, has been appointed as Personal Representative, Executor, or Administrator of the Estate of the Decedent by the following Court: \_\_\_\_\_, Case no. \_\_\_\_\_.

9. Did the Decedent leave a written will?

YES If yes, please attach a copy of the will to this Petition. The Court will determine at the hearing whether it is a valid will.

NO If, the Decedent did not leave a will the Pueblo of Laguna Code POLC § 7-7-4 – Heirship, instructs the Court to use the following designations to distribute the Decedent’s property as follows:

- A. To the surviving spouse, if the deceased was a married person, in its entirety;
- B. If the deceased left no surviving spouse, to the children of the deceased, share and share alike;
- C. If the deceased left no surviving spouse or children, then to the father and mother of the deceased, or the survivor of them;

- D. If the deceased left no surviving spouse, nor surviving children, nor surviving parents, then to the brothers and sisters of the decedent, share and share alike;
- E. In the event the deceased left no heirs, the assets of the deceased shall escheat (be transferred) to the Pueblo of Laguna.

These proceedings are governed by the Pueblo of Laguna Code POLC §7-7-4. - Heirship. These laws can be reviewed online on the Pueblo of Laguna Municode website at [https://library.municode.com/nm/pueblo\\_of\\_laguna/codes/tribal\\_code](https://library.municode.com/nm/pueblo_of_laguna/codes/tribal_code).

10. Was the Decedent ever Married?

NO Skip to Paragraph 11

YES If yes, please answer the following:

a. Did the Decedent have a spouse who was alive at the time of his/her death? If yes, what is the name of the spouse:

\_\_\_\_\_

b. Did the Decedent have a spouse that predeceased him/her? If so, what was the name of the spouse:

\_\_\_\_\_

c. Was the Decedent divorced? If so, what was the name of the prior spouse: \_\_\_\_\_.

11. Please list the name of relatives who predeceased the Decedent (died prior to the Decedent). Include children, parents, brothers and sisters.

**Name:** **Relationship:** **Year of Death:**

Name:	Relationship:	Year of Death:

12. The Personal Representative of the Estate of the Decedent has the obligation to identify all property and debts of the Decedent, make a proposed distribution of property of the Decedent, submit a written report to the Court, and distribute the property as ordered by the Court. Write the name of the person you are proposing to have named as the Personal Representative of the Estate, including yourself if that is your intention.

Name: \_\_\_\_\_

13. Please provide the names and contact information of all surviving relatives of the Decedent. This includes surviving spouse, children, parents, brothers and sisters. Please complete as accurately as possible. (The purpose of the email address is to permit out-of-town relatives to appear via Zoom.

<b>NAME:</b>	<b>RELATIONSHIP TO DECEDENT:</b>
<b>MAILING ADDRESS:</b>	<b>AGE (IF MINOR):</b>
<b>EMAIL ADDRESS:</b>	<b>PHONE NUMBER:</b>

<b>NAME:</b>	<b>RELATIONSHIP TO DECEDENT:</b>
<b>MAILING ADDRESS:</b>	<b>AGE (IF MINOR):</b>
<b>EMAIL ADDRESS:</b>	<b>PHONE NUMBER:</b>

<b>NAME:</b>	<b>RELATIONSHIP TO DECEDENT:</b>
<b>MAILING ADDRESS:</b>	<b>AGE (IF MINOR):</b>
<b>EMAIL ADDRESS:</b>	<b>PHONE NUMBER:</b>

<b>NAME:</b>	<b>RELATIONSHIP TO DECEDENT:</b>
<b>MAILING ADDRESS:</b>	<b>AGE (IF MINOR):</b>
<b>EMAIL ADDRESS:</b>	<b>PHONE NUMBER:</b>

<b>NAME:</b>	<b>RELATIONSHIP TO DECEDENT:</b>
<b>MAILING ADDRESS:</b>	<b>AGE (IF MINOR):</b>
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<b>NAME:</b>	<b>RELATIONSHIP TO DECEDENT:</b>
<b>MAILING ADDRESS:</b>	<b>AGE (IF MINOR):</b>
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<b>NAME:</b>	<b>RELATIONSHIP TO DECEDENT:</b>
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<b>EMAIL ADDRESS:</b>	<b>PHONE NUMBER:</b>

<b>NAME:</b>	<b>RELATIONSHIP TO DECEDENT:</b>
<b>MAILING ADDRESS:</b>	<b>AGE (IF MINOR):</b>
<b>EMAIL ADDRESS:</b>	<b>PHONE NUMBER:</b>

Wherefore, the above-named Petitioner requests that the Court appoint the individual named herein as the Personal Representative of the Decedent’s Estate, that the Decedent’s estate be probated in accordance with the Pueblo of Laguna law, custom, and tradition, and that the Court grant such other and further relief as deemed necessary and proper.

I swear that the information contained in this Petition is true and accurate to the best of my knowledge and belief.

Respectfully Submitted,

\_\_\_\_\_  
Signature