

**RULE 5.6 NOTICE TO  
BENEFICIARIES AND INTESTATE HEIRS**

**(a) Requirement of Notice.** Within three (3) months after the grant of letters, the personal representative to whom original letters have been granted or [his] the personal representative's counsel shall send a written notice of estate administration in the form [prescribed to] set forth in Rule 5.7.

(1) every person, corporation, association, entity or other party named in decedent's will as an outright beneficiary whether individually or as a class member;

(2) the decedent's spouse and children, whether or not they are named in, or have an interest under, the will;

(3) where there is an intestacy in whole or in part, to every person entitled to inherit as an intestate heir under Chapter 21 of the Probate, Estate and Fiduciaries Code;

[(2)] (4) the appointed guardian of the estate, parent or legal custodian of any beneficiary who is a minor child under the age of eighteen (18) years;

[(3)] (5) the appointed guardian of the estate or, in the absence of such appointment, the institution or person with custody of any beneficiary who is an adjudicated [mental incompetent] incapacitated person;

[(4)] (6) the Attorney General on behalf of any charitable beneficiary whose interest exceeds \$25,000 or which will not be paid in full;

[(5)] (7) the Attorney General on behalf of any governmental beneficiary; [or in default of the other heirs of the estate; and]

[(6)] (8) the trustee of any trust which is a beneficiary; and

[(7)] the spouse, children or other intestate heirs of the decedent as determined under Chapter 21 of the Probate Estates and Fiduciaries Code.]

(9) such other persons and in such manner as may be required by any local rule of court.

[(b) **Contents of Notice . . . .**]

(b) **Definition of Beneficiary.** “Beneficiary” shall be deemed to include any person who may have an interest by virtue of the Pennsylvania anti-lapse statute, 20 Pa.C.S. § 2514.

(c) **Manner of Notice.** Notice shall be given by personal service or by first-class, prepaid mail to each [party] person and entity entitled to notice under subdivision (a) (1) – (9) whose address is known or reasonably available to the personal representative.

(d) **Certification of Notice.** Within ten (10) days after giving the notice required by subdivision (a) of this Rule, the personal representative or [his] the personal representative’s counsel shall file with the Register or Clerk [his, her or its] a certification in [substantially] the [attached] form set forth in Rule 5.7(b) that notice has been given as required by this Rule. No fee shall be charged by the Register or Clerk for filing the certification required by [paragraph (d)] this subdivision.

(e) **Failure to File Certification.** Upon the failure by the personal representative or [his] the personal representative’s counsel to file the certification on a timely basis, the Register shall, after ten (10) days prior written notice to the delinquent [fiduciary] personal representative and his counsel, notify the Court of such delinquency [along with a request that the Court conduct a hearing to determine whether sanctions should be imposed upon the delinquent personal representative or counsel].

Note: The 1998 amendment to subdivision (e) is not intended to limit the inherent power of the Court to impose sanctions upon a delinquent personal representative or counsel.

(f) **Effect of Notice.** This Rule shall not alter, diminish or confer existing rights.

(g) **Copies of Rule.** The Register shall deliver a copy of [this Rule] Rules 5.6 and 5.7 to each personal representative and counsel at the time letters are granted.

Note: It is not the intention of the Rule to require notice beyond the degree of consanguinity entitling a person to inherit under Chapter 21 of the Probate, Estates and Fiduciaries Code.

**The form of Notice and Certification following Rule 5.6 is rescinded and new Rule 5.7 is adopted to replace the form of Notice and Certification.**

**RULE 5.7 FORM OF NOTICE AND CERTIFICATION  
OF NOTICE TO  
BENEFICIARIES AND INTESTATE HEIRS**

(a) **Form of Notice to Beneficiaries and Intestate Heirs.**

**IMPORTANT NOTICE**

**NOTICE OF ESTATE ADMINISTRATION**

**THIS NOTICE DOES NOT MEAN THAT YOU WILL RECEIVE  
ANY MONEY OR PROPERTY FROM THIS ESTATE OR OTHERWISE.**

Whether you will receive any money or property will be determined wholly or partly by the decedent's will. If the decedent died without a will, whether you will receive any money or property will be determined by the intestacy laws of Pennsylvania.

BEFORE THE REGISTER OF WILLS, COUNTY OF \_\_\_\_\_,  
PENNSYLVANIA

In re Estate of \_\_\_\_\_, deceased,  
No. \_\_\_\_\_ of \_\_\_\_\_

TO:

(Name and Address)

Please take notice of the death of decedent and the grant of letters to the personal representative(s) named below.

The Decedent \_\_\_\_\_, died on the  
day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ County,  
Pennsylvania.

The Decedent died testate (with a Will); or

The Decedent died intestate (without a Will).

The personal representative of the Decedent is  
(name, address and telephone number).

If the Decedent died testate, the will has been filed with the Office of the  
Register of Wills of \_\_\_\_\_ County (address and telephone number).

If the Decedent died intestate, a Petition for the Grant of Letters of  
Administration was filed with the Office of the Register of Wills of  
County (address and telephone number).

A copy of the Will or Petition may be obtained by contacting the Register  
of Wills and paying the charges for duplication.

Date:

Signature:

Name  
Address

Telephone (    )

Capacity:

Personal Representative  
Counsel for personal  
representative

(b) **Form of Certification of Notice.**

**CERTIFICATION OF NOTICE UNDER RULE 5.6 (a)**

Name of Decedent:

Date of Death:

Will No.

Adm. No.

To the Register:

I certify that notice of [beneficial interest] estate administration required by Rule 5.6 (a) of the Orphans' Court Rules was served on or mailed to the following beneficiaries of the above-captioned estate on

Name

Address

Notice has now been given to all persons entitled thereto under Rule 5.6 (a) except

Date: \_\_\_\_\_

Signature

Name

Address

Telephone ( )

Capacity: Personal Representative

Counsel for Personal Representative