

CHAPTER 242

REFEREES

IN THE SUPREME COURT OF IOWA

IN THE MATTER OF A CHANGE
IN THE IOWA RULES OF PROBATE
PROCEDURE

}

REPORT OF THE
SUPREME COURT

TO: MR. DONOVAN PEETERS, SECRETARY OF THE LEGISLATIVE COUNCIL OF
THE STATE OF IOWA:

Pursuant to Iowa Code section 602.4201 (1985) and section 602.4202 (Supp. 1985), the Supreme Court of Iowa has prescribed and hereby reports to the Secretary of the Legislative Council the attached Exhibit "A", reflecting the amendments to Iowa Rule of Probate Procedure 4 which is issued this date.

Pursuant to Iowa Code section 602.4202(2) (Supp. 1985), this change is to take effect July 1, 1987. The previous order of this court filed February 9, 1987,* making these amendments effective April 1, 1987, is hereby rescinded.

Respectfully submitted,

THE SUPREME COURT OF IOWA

/s/ W. W. Reynoldson

W. W. REYNOLDSON, Chief Justice

Des Moines, Iowa
February 18, 1987

ACKNOWLEDGMENT

I, the undersigned, Secretary of the Legislative Council of the State of Iowa hereby acknowledge delivery to me on the eighteenth day of February, 1987, the Report of the Supreme Court pertaining to the Iowa Rules of Probate Procedure.

/s/ Donovan Peeters

Secretary of the Legislative Council

*Not published

EXHIBIT "A"

Rule 4. Report of referee. A report of a referee in probate shall be in substantially the following form:

IN THE IOWA DISTRICT COURT FOR _____ COUNTY

IN THE MATTER OF THE
ESTATE OF



REPORT OF REFEREE

Probate No. _____

Deceased.

COMES NOW the duly appointed Referee and reports to the Court as follows: The _____ Report has been filed in this Estate. The Referee has examined said Report and reports to the Court as follows: (All questions must be answered. If "yes" or "no" is not appropriate, check "N/A".)

[NEW COLUMN]

- 1. Notice of Appointment published: YES ___ NO ___ N/A ___
- 2. Fiduciaries fees ordered or waived and affidavit of compensation filed: YES ___ NO ___ N/A ___
- 3. Attorney fees ordered and affidavit of compensation filed: YES ___ NO ___ N/A ___
 - (A) Itemization was requested and provided: YES ___ NO ___ N/A ___
 - (B) If not, statement required by Iowa Code section 633.477(11), was made: YES ___ NO ___ N/A ___
- 4. Income tax acquittance filed: YES ___ NO ___ N/A ___
- 5. Inheritance tax clearance filed: YES ___ NO ___ N/A ___
- 6. A list of distributees is shown: YES ___ NO ___ N/A ___
- 7. A description of real estate is shown: YES ___ NO ___ N/A ___
- 8. Certificates of change of title to real estate, as required, to be issued by the Clerk of Court: YES ___ NO ___ N/A ___
- 9. All claims filed have been paid or released: YES ___ NO ___ N/A ___
- 10. Notice of hearing on this Report waived: YES ___ NO ___ N/A ___
 - (A) If not waived, proper proof of service of notice is on file: YES ___ NO ___ N/A ___
- 11. Accounting is waived: YES ___ NO ___ N/A ___
- 12. Court costs have been paid: YES ___ NO ___ N/A ___
- 13. If estate is testate and spouse is not personal representative, spouse has filed an election to take under or against the Will: YES ___ NO ___ N/A ___
- 14. Receipts for all special bequests: YES ___ NO ___ N/A ___
- 15. Federal estate tax closing letter and proof of payment is on file (not required for closing): YES ___ NO ___ N/A ___
- 16. ~~Thirty day written notice of final settlement has been given to or waived by the department of revenue (see Iowa Code section 450.58 (as modified by H.F. 761, section 4, 1985 Session of 71st G.A.)).~~ YES ___ NO ___

WHICH _____

1716. Remarks: _____

Dated this _____ day of _____, 19____.

Referee in Probate