

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
PROBATE DIVISION

In re: _____

minor/ward/deceased

_____ INT _____
_____ IDD _____
_____ ADM _____
_____ GDN _____
_____ CON _____
_____ TRP _____

PETITION FOR REFERRAL TO AUDITOR-MASTER

1. I, _____, certify that I am the (successor fiduciary, an interested person, other) in this matter, and request that the Court refer this matter to the Auditor-Master, pursuant to Superior Court, Civil Rule 53.
2. As grounds, the undersigned respectfully states that the (fiduciary, power of attorney, etc.) has failed to properly account for the assets of this estate.
3. Specifically, the fiduciary has not accounted to the (interested persons, the successor personal representative, to the Court) for
 - A. the following assets (list the specific assets to be accounted for): _____

 - B. the dates that the accounting should cover: _____

 - C. and has also done (or not done) the following:
 - i. _____

 - ii. _____

4. I have taken the following steps to secure this information:
 - A. _____

 - B. _____

5. WHEREFORE, the undersigned asks that the Court refer this matter to the Auditor-Master so that he can:
 - A. _____

B. _____

C. _____

(Pleading must be notarized in intervention, guardianship, conservatorship, and trust proceedings, and verified in decedent's estates.)

Signature of filer

Typed name of filer

Address (actual address/not Post Office Box)

Telephone number

Email address

Unified Bar number (if filer is an attorney)

VERIFICATION

I, _____, being first duly sworn, on oath, depose and say that that I have read the foregoing pleading by me subscribed and that the facts therein stated are true to the best of my knowledge, information, and belief.

Signature of petitioner

Subscribed and sworn to before me this ____ day of _____, 20_____.

Notary Public/Clerk

CERTIFICATE OF SERVICE

I certify that on the ____ day of _____, 20____, a copy of this filing was either eServed in accordance with the provisions of Administrative Order 13-15 or served by first class mail, postage prepaid, on the following persons (list names and complete mailing addresses):

Signature

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
PROBATE DIVISION

_____ INT _____
_____ IDD _____
_____ ADM _____
_____ GDN _____
_____ CON _____
_____ TRP _____

In re:

minor/ward/deceased

ORDER OF REFERENCE TO AUDITOR-MASTER

Upon consideration of the record herein and the failure of _____
_____, the _____, to _____
_____, and it appearing that:

- a final account must be stated on his/her behalf and that it is necessary to have the account stated by the Auditor-Master, or
- _____

_____.

it is hereby on this _____ day of _____, 20_____,

ORDERED that pursuant to Superior Court, Civil Rule 53, this matter is referred to the Auditor-Master for his appointment, provided that, pursuant to Rule 53(b)(3), his appointment shall not be effective until he files an affidavit, within three days of the service of this order, disclosing that there is no basis for his disqualification under Superior Court, Civil Rule 63-I, and it is further

ORDERED that the Auditor-Master shall be appointed in this case without limitation on his powers as set forth in Rule 53, to perform the duties described herein, and it is further

ORDERED that the Auditor-Master shall move with all reasonable diligence in the execution of this Order, and is directed, upon the effective date of his appointment, to promptly schedule a meeting of the parties within twenty (20) days, and thereafter to file a written report

with appropriate findings and recommendations with the Court within _____ days of the date of this Order, and the Court will review the Report in accordance with Superior Court, Civil Rule 53(g), and it is further

ORDERED that a party may file objections to -- or a motion to adopt or modify -- the Auditor-Master's report and recommendations no later than 20 days from the time the Auditor-Master's report and recommendations are served, unless the Court hereafter sets a different time, and if no objections or motions are filed, the Court may adopt the report, and it is further

ORDERED that *ex parte* communications are permitted between the Court and the Auditor-Master for scheduling, administrative or emergency purposes, and it is further

ORDERED that *ex parte* communications are permitted between the Auditor-Master and parties, witnesses and other persons:

1. for the purpose of scheduling meetings or hearings, and
2. for the purpose of gathering documentation in support of the report,
3. so long as such communications do not involve substantive matters or issues on the merits, and
4. provided that the Auditor-Master shall maintain, as part of the record, a log of the name of persons communicated with, along with the date, time and substance of all communications made pursuant to this Order, which log shall be available for viewing by all parties.

It is further **ORDERED** that the Auditor-Master shall not be compensated by the parties, but shall be entitled to recover costs as detailed in the Report, and it is further

ORDERED that the Auditor-Master shall preserve the record upon which his report is based for one year after the report has been ruled upon by the Court and any appeals thereof exhausted.

JUDGE

Copies to:
Louis L. Jenkins
Auditor-Master
D.C. Superior Court
Gallery Place, Room 623

Attached List

CC: