

## **ADMINISTRATION OF ANCILLARY INTESTATE**

*Recording foreign will; petition for recognition of devisees and legatees.*

Estate of \_\_\_\_\_ Attorney \_\_\_\_\_  
Probate No. \_\_\_\_\_ Telephone No. \_\_\_\_\_

Where real and/or personal property, located within the United States Virgin Islands has been devised or bequeathed by the written will of a nonresident testator, the devisees or legatees entitled under the will, to the property in the United States Virgin Islands may apply to the Superior Court to be placed in possession of such property. Procedure is not applicable where the decedent dies intestate. In Re Estate of DeChabert, 2000 V.I. Lexis 14

***Petition for Probate should contain***

- Name of testator
- Residence of testator
- Date of decedent's will and date in which it was established or admitted to probate in domiciliary state (with certified copy of domiciliary order for probate attached.)
- Date when will was filed with Office of Recorder of Deeds in the Virgin Islands (if applicable);
- Name and address of domiciliary executor/administrator
- Names of the devisees
- Capacities of the devisees or legatees pursuant to will.
- An unsworn declaration made under penalty from the petitioner stating no unpaid debts by Decedent or that devisees/legatees choose to and do assume and will pay such debts as may be owing by the testator which may not be paid by the domiciliary executor/administrator and/or those debts which may become upon or payable out of such property.

- The amount of inheritance tax due, if any.
- Prayer that devisees/legatees be recognized as person entitled to the property in the Virgin Islands and that they be placed in possession of such property.
- Certified copy of will attached to petition.

### *Additional Requirements:*

the amount of inheritance tax due, if any.

- A true copy of the testator's will identified in the petition;
- An original or certified copy of the death certificate;
- A copy of the adjudication from the domiciliary probate, if available;
- Inventory and Valuation of the property in the Virgin Islands sworn to by two (2) responsible persons
- Proof of Publication of Notice to Creditors and Debtors – once a week for four (4) consecutive weeks
- Five Hundred (\$500.00) adjudication fee deposited with the Clerk of Court.
- Judgment by the Court (real property must be described in detail)

## NOTES;