

ORPHANS' COURT DIVISION RULE 12.16E

RULE 12.16E **CHANGE OF SITUS OF TRUST**

Sec. 1. Petitions. An application for transfer of situs of any testamentary or inter vivos trust shall be by petition of a trustee or any party in interest. The petition shall set forth the following:

- (a) the name of the decedent or settlor and the date of the establishment of the trust estate;
- (b) the names and addresses of all fiduciaries;
- (c) the names and addresses of all parties in interest and whether they are *sui juris* and join in the prayer of the petition;
- (d) a statement whether all taxes due the Commonwealth and its political subdivisions have been paid or provided for;
- (e) a brief statement of the reasons why the change of situs is necessary or desirable;
- (f) the name and address of a successor trustee or trustees, if appropriate, and the court which will have jurisdiction over the trust;
- (g) the place where the trust instrument is recorded; and
- (h) a statement of what actions will be taken in the other jurisdiction causing the appropriate court located therein to accept jurisdiction of the trust.

Sec. 2. Exhibits. Exhibits shall be attached in the following order:

- (a) a copy of the instrument and all amendments thereto which created the trust;
- (b) joinder of all parties who consent;
- (c) acceptance of successor trustee or trustees;
- (d) if the successor trustee is a corporation, a certificate of the appropriate official that the proposed trustee is authorized to transact trust business and the most recent statement of condition, including trust assets being administered;
- (e) a copy of the order of the court in the new situs accepting jurisdiction over the trust.