

## **INFORMATION ON NOTICE TO BENEFICIARIES**

Pursuant to O.C.G.A. §53-5-8, Executors and Administrators with Will Annexed are required by Georgia law to give notice to each beneficiary named in the will that they have been appointed as personal representative over and provide their name, mailing address, and phone number. This notice has to be provided to all beneficiaries within thirty (30) days of Letters Testamentary or Letters of Administration with Will Annexed being issued.

Unless a beneficiary waives such notice, notice must be provided to a beneficiary at their last known address by certified or registered mail or statutory overnight delivery, with return receipt requested. If the beneficiary's identity or location is unknown, the Executors/Administrators with Will Annexed must provide an affidavit of diligent search attesting under oath their efforts to identify and locate such beneficiary.

Within sixty (60) days of being issued Letters Testamentary or Letters of Administration with Will Annexed, the Executor/Administrators with Will Annexed is required to file with the Probate Court documentation from each beneficiary that they have waived the notice OR the certified mail receipt showing they were sent notice OR an affidavit of diligent search showing the efforts the Executor/Administrator with Will Annexed made to identify and locate any beneficiary whose whereabouts is unknown.

Failure to comply with the beneficiary notice requirements may result in the Executor/Administrator with Will Annexed being cited to appear before the Court and show cause why they should not have their Letters revoked.

Attached to this Information on Notice to Beneficiaries is:

- O.C.G.A. §53-5-8 filing statement
- O.C.G.A. §53-5-8 Notice to Beneficiaries
- O.C.G.A. §53-5-8 Waiver form
- Affidavit of Diligent Search

**IN THE PROBATE COURT OF LOWNDES COUNTY  
STATE OF GEORGIA**

**Estate of:** \_\_\_\_\_

**Estate NO:** \_\_\_\_\_

**Deceased.**

**O.C.G.A. §53-5-8(b) Filing**

I, \_\_\_\_\_, Personal Representative of the above-named estate, have served the beneficiaries named in the will as follows:

	<b>Name</b>	<b>Service Type</b>		
		<b>Waiver</b>	<b>Mail</b>	<b>Failed Search</b>
1.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

***Instructions:***

1. *List each beneficiary in the will and check the box for their method of service. (If there are more than 5 beneficiaries, attach a second page.)*
2. *Attach a copy of the waiver they signed or the notice you mailed for each beneficiary.*
3. *Attach a copy of the return receipt showing certified mailing.*
4. *If you do not know where a beneficiary is, search and attach an Affidavit of Diligent Search explaining your efforts.*
5. *File this with the court within 60 days of your date of appointment.*

**If you fail to do each of these things, the court may cite you to appear and show cause why your Letters Testamentary should not be revoked.**

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed: \_\_\_\_\_

Printed name: \_\_\_\_\_

**IN THE PROBATE COURT OF LOWNDES COUNTY  
STATE OF GEORGIA**

**Estate of:** \_\_\_\_\_

**Estate No.:** \_\_\_\_\_

**Deceased.**

**O.C.G.A. §53-5-8(b) Notice**

**To Beneficiary:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

This is to serve as notice to the above-named beneficiary that the undersigned has been appointed Personal Representative of the above-named estate and may be contacted at:

**Personal Representative Information #1:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**Personal Representative Information #2:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

\_\_\_\_\_  
Signature of Personal Representative #1

\_\_\_\_\_  
Signature of Personal Representative #2

**IN THE PROBATE COURT OF LOWNDES COUNTY  
STATE OF GEORGIA**

**Estate of:**

\_\_\_\_\_

**Estate No:** \_\_\_\_\_

**Deceased.**

**WAIVER OF RIGHT TO NOTIFICATION OF ISSUANCE OF  
LETTERS TESTAMENTARY OR LETTERS OF ADMINISTRATION  
WITH THE WILL ANNEXED PURSUANT TO O.C.G.A. §53-5-8**

The undersigned, being 18 years of age or older, laboring under no legal disability, and being a beneficiary of the above-referenced estate, hereby waive my right to notification of issuance of Letters Testamentary or Letters of Administration with the Will Annexed by the Personal Representative of the above-named estate pursuant to O.C.G.A. §53-5-8(b).

Sworn to and subscribed before me this

\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature of Beneficiary

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT  
My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Printed Name of Beneficiary

**IN THE PROBATE COURT OF LOWNDES COUNTY  
STATE OF GEORGIA**

**Estate of:** \_\_\_\_\_

**Estate No:** \_\_\_\_\_

**Deceased.**

**AFFIDAVIT OF DILIGENT SEARCH FOR IDENTITY AND LOCATION  
OF BENEFICIARY PURSUANT TO O.C.G.A. §53-5-8**

The undersigned, being 18 years of age or older, laboring under no legal disability, and being the personal representative of the above estate, hereby state the following efforts to identify and locate the below-named beneficiary of the above-referenced estate as provided in O.C.G.A. §53-5-8(b).

**Named Beneficiary:** \_\_\_\_\_

I hereby state that I made the following diligent efforts to identify and locate the above named beneficiary by taking the following actions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sworn to and subscribed before me this

\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature of Beneficiary

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT  
My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Printed Name of Beneficiary