**COMMISSION TO ADMINISTER OATH**

INSTRUCTIONS

I. Specific Instructions

1. This form is to be used when the judge of the probate court who appoints an administrator, executor, guardian, or conservator desires to grant a commission to any judge or clerk of any court of record of any other state to administer the fiduciary’s oath or affirmation. The form may be altered to grant the commission only to a specific judge or court if the appointing judge prefers. A commission from the county of appointment is not required in order for the fiduciary to be authorized to take the oath or affirmation before any judge or clerk of any probate court of this state. O.C.G.A. §§ 29-2-24, 29-3-24, 29-4-25, 29-5-25, 53-6-16(b), 53-6-24(b).
2. If the oath or affirmation is made by an executor or administrator with will annexed, a

certified copy of the probated will must be examined by the fiduciary at the time the oath or affirmation is taken. The oath or affirmation itself, or the attestation of the attesting official, should recite that this was done.

1. The attestation by the official who administers the oath or affirmation should contain the date, printed name and court of the official, and the official’s signature.
2. The appropriate oath or affirmation to be taken should be provided by the judge granting the commission.
3. When using this form as a fill-in-the-blank, please use the PDF version. When completing the form on a computer, use the Word version which includes bracketed information to allow find and replace of certain repeating information. (NOTE: Line spaces are provided when information requested by the form is not repeating in nature.)

To replace pre-set bracketed information, type into the “find what” line of your computer’s replace function the bracketed information exactly as provided by the form, including the brackets, and type into the “replace with” line the information you wish to include in the form. After entering your information, select “replace all.” An example is provided below.

 

 All of the information included in brackets, which is listed below, should be addressed by the find and replace function. If the brackets request information not pertaining to your filing, for example instances when there is no Second Petitioner, replace said information with N/A.

* {COUNTY} = County Name where this Petition will be Filed
* {PARTY NAME} = Name of Deceased, Child, or Adult Ward subject of this Petition
* {PETITIONER} = Name of Person filing this Petition

II. General Instructions

General instructions applicable to all Georgia probate court standard forms are available in each Probate Court, labeled GPCSF 1.

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| **IN THE PROBATE COURT** **COUNTY OF {COUNTY}****STATE OF GEORGIA** |
| **IN RE: ESTATE OF** | **)** |
|  | **) ESTATE NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| **{PARTY NAME},** | **)** |
|  **DECEDENT/MINOR/WARD.** | **)** |

**COMMISSION TO ADMINISTER OATH**

To: Any Judge or Clerk of Any Court of Record of the State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

 {PETITIONER} has been appointed by this Court as (Administrator) (Executor) (Personal Representative) (Conservator) (Guardian) of the estate of {PARTY NAME}, (deceased) (minor) (incapacitated adult), and has requested to take the required oath or affirmation in your state. Pursuant to O.C.G.A. §§ 29-2-24, 29-3-24, 29-4-25, 29-5-25, 53-6-16, or 53-6-24, I hereby commission you to administer the attached oath or affirmation to said fiduciary. Please return the completed oath and attestation to this Court together with your statement of costs, if any.

 SO ORDERED this \_\_\_\_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

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

 Judge of the Probate Court

 {COUNTY} County, Georgia

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| **IN THE PROBATE COURT** **COUNTY OF {COUNTY}****STATE OF GEORGIA** |
| **IN RE: ESTATE OF** | **)** |
|  | **) ESTATE NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| **{PARTY’S NAME},** | **)** |
|  **DECEDENT/MINOR/WARD.** | **)** |

**CERTIFICATE OF EXEMPLIFICATION**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Clerk of the above-named Court, do hereby certify that the documents annexed to this Certificate and described below are true copies of originals on file and of record in this Court (list below documents included):

I further certify that the within is still of full force and effect, and in witness whereof, I have hereunto set my hand and the Seal of this Court, this \_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

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

Clerk, Probate Court

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Judge of the above-named Court, do

hereby certify that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, whose name is signed to the preceding Certificate of Exemplification, is a Clerk in the said Court, duly appointed, and that full faith and credit are due to her official acts. I further certify that the Seal affixed to said Certificate is the Seal of this Court, and that the attestation thereof is in due form of law, this \_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

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

Judge of the Probate Court

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

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Clerk of the above-named Court, do

hereby certify that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, whose name is signed to the foregoing Certificate, is the Judge of this Court, duly elected and sworn, that the signature of said Judge is genuine, and in witness whereof, I have hereunto set my hand and affixed the Seal of said Court, this \_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

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

Clerk, Probate Court