

**IN THE PROBATE COURT OF
MONTGOMERY COUNTY, ALABAMA**

**IN THE MATTER OF
THE ESTATE OF**

_____,
DECEASED,

§
§
§
§

CASE NO. _____ - _____

PETITION FOR APPOINTMENT OF ADMINISTRATOR AD LITEM

To the Honorable Probate Judge of Montgomery County, Alabama:

COMES NOW, the Petitioner, _____ and petitions this Court, pursuant to Ala. Code §43-2-250, for appointment of an *Administrator Ad Litem* for the Estate of _____, deceased. In support thereof, Petitioner shows as follows:

1. That the Decedent died on or about _____ day of _____, _____, and was a resident of _____ County, State of _____ and that a certified copy of the death certificate is attached hereto. That the Petitioner is the _____ of said decedent.
2. That the Decedent's estate must be represented and has not been opened in any Probate Court or other court of competent jurisdiction, and that no executor, administrator or personal representative has been appointed for the Estate in any capacity.
3. That the appointment of an Administrator Ad Litem is necessary for the following reason(s):

4. That Ala. Code §43-2-250 specifically provides for appointment of an Administrator Ad Litem by this Probate Court, without bond, under these circumstances, where there is no executor or administrator. See also, Nelson v. The Estate of Burton J. Frederick, 855 So. 2d 1043 (Ala. 2003) and Affinity Hospital, L.L. C. d/b/a Trinity Medical Center, and David Britton, R.N. v. Dorris Williford, as Administrator Ad Litem of the Estate of Kristopher Mark Kean, Deceased, 2009 Ala. Lexis 74 April 17, 2009.
5. Petitioner will pay any fees and expenses due an Administrator ad Litem from the proceeds of any suit.

WHEREFORE, Petitioner prays this Honorable Court issue an order appointing _____ as Administrator Ad Litem for the estate of said decedent for purposes proposed herein.

STATE OF _____
_____ **COUNTY**

_____, the **Petitioner**, being duly sworn deposes and says that the facts averred in the above petition are true, according to the best of his/her knowledge, information and belief.

Address: _____

Phone: _____
Petitioner

Sworn to and subscribed before me on the _____ **day of** _____, _____.

(SEAL)

Notary Public

Attorney for Petitioner: _____
Name of Firm: (if any) _____
Address: _____
Phone: () _____ E-Mail Address: _____