**Form 8-5: Petition for Ratification of Agreement and Order**

[[Text Box Start]]

Request to Orphans' Court to Approve Settlement

Between Caveator and Caveatee

[[Text Box End]]

In The Orphans' Court for

(or)

Before the Register of Wills

For

(*insert city/county*), Maryland

In the Estate of \*

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

(*insert name of Decedent*) \*

\* \* \* \* \* \* \* \* \* \*

**Petition for Ratification of Agreement**

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Petitioner, (*insert name of Caveatee*) ("**Petitioner**"), by and through Petitioner’s undersigned counsel, represent unto this Honorable Court that:

1. (*insert name of Decedent*) (the "**Decedent**") died on (*insert date of death*).

2. Upon a Petition for Administrative Probate filed on or about (*insert date*) Petitioner was appointed as Personal Representative of the Decedent's Estate and Decedent's Last Will and Testament dated (*insert date*) (the "**Will**"), was admitted to probate by the Register of Wills (*insert city/county),* Maryland.

3. On or about (*insert date*), (*insert name of Caveator*) filed a Petition to Caveat with this Court, and thereafter, (*insert name of Caveatee*), filed an Answer.

4. (*insert name of Caveatee*) and (*insert name of Caveator*), by and through respective counsel, have engaged in negotiations in an attempt to settle all outstanding issues, and as a result, the Parties did enter into an Agreement to settle all claims and issues (the "**Settlement Agreement**"). A copy of the Settlement Agreement is attached hereto as **Exhibit A**. By signing the Settlement Agreement, (*insert name of Caveator*) authorized Petitioner's counsel to represent Caveator’s consent and waiver of any further notice.

5. Petitioner believes and therefore avers that it is in the best interest of the Estate for this Settlement Agreement to be ratified.

WHEREFORE, the Parties respectfully request this Honorable Court to pass its Order in accordance with the terms of the attached Settlement Agreement:

A. Reappointing (*insert name of Caveatee*) as Personal Representative of the Estate in accordance with the terms of the Will.

B. Authorizing the Estate to enter into the Settlement Agreement in accordance with the terms set forth in Exhibit A.

C. Ratifying the Settlement Agreement in accordance with the terms set forth in Exhibit A.

D. Authorizing the Estate to make those distributions set forth in the Settlement Agreement.

E. And such other matters as the proceedings may require.

I solemnly affirm under the penalties of perjury that the contents of the foregoing document are true to the best of my knowledge, information, and belief.

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

(*insert name of Caveatee*)

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(insert name of Attorney*)

(*insert address*)

(*insert telephone number*)

**Certificate of Service**

I DO HEREBY certify that the Petition for Ratification of Agreement was mailed, prepaid postage, on this \_\_\_\_ day of \_\_\_\_\_\_\_\_, to each of the following persons:

[i*nsert names and addresses of interested persons unless consented and waived notice*]

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

(*insert name of Attorney*)

In The Orphans' Court for

(or)

Before the Register of Wills

For

(*insert city/county*), Maryland

In the Estate of \*

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

(*insert name of Decedent*) \*

\* \* \* \* \* \* \* \* \* \*

**Order**

Upon consideration of the Petition for Ratification of Agreement, it is this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_, hereby ORDERED, that:

1. (*insert name of Caveator*) is reappointed as Personal Representative of the Estate in accordance with the terms of the Decedent's Will;

2. The Estate is authorized to enter into the Settlement Agreement;

3. The Settlement Agreement is ratified; and

4. The Estate is authorized to make those distributions as set forth in the Settlement Agreement.

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

Judge

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

Judge

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

Judge