Application to become Personal Representative of an Estate

(See Section 64.2-502 of the Code of Virginia (1950))

Having been duly sworn, I, _____, hereby certify
First name Middle name Last name
under penalty of perjury as follows:

1) I have not been convicted of any of the following offenses:
   Felony offense of fraud or the felony offense of misrepresentation
   Any offense of robbery, extortion, burglary, larceny, embezzlement, fraudulent conversion, perjury, bribery, treason, or racketeering

2) I am not a person under a disability, as defined by Section 8.01-2 of the Code of Virginia:
   I am not currently serving a prison sentence for a felony
   I am not a minor (under the age of 18 years old)
   I have not been deemed by a Court to be an "incapacitated person"
   I have not been deemed by the U.S. Dept of Veterans Affairs to be incapacitated
   I have not been determined to be incapable of taking care of myself, incapable of properly handling and managing my estate, or otherwise unable to defend my property or legal rights

3) I am not addicted to or a dependent user of drugs, alcohol, or illegal substances.

Signature: _____

COMMONWEALTH OF VIRGINIA
County of Smyth County, to wit;

The foregoing instrument was sworn to, subscribed, and acknowledged before me by

_____, this ____ day of _____, 20____.

JOHN H. GRAHAM, CLERK
Smyth County Circuit Court

By: _____
Clerk -- Deputy Clerk

Va. Code § 64.2-502. SUMMARY: Provides that the clerk of court shall require any person seeking to be granted the administration of an intestate estate to sign under oath that he has not been convicted of a felony offense of (i) any fraud or misrepresentation or (ii) robbery, extortion, burglary, larceny, embezzlement, fraudulent conversion, perjury, bribery, treason, or racketeering, regardless of whether his civil rights have been restored. Provides that if the person convicted of such felony offense is the sole distributee of the estate, then the court or clerk may grant administration to such person if he is otherwise suitable and competent to perform the duties of his office.