

STATE OF VERMONT

SUPERIOR COURT
Unit

PROBATE DIVISION
Case No. _____

In re the TRUST of: []

For the Benefit of _____

PETITION TO COMMENCE A TRUST PROCEEDING

The undersigned petitioner represents that:

[] The decedent, _____
late of _____ (city or town/state), left a Will dated _____, which
was admitted to probate in _____ (city or town/state), with a trust
established under terms of said Will;

OR

[] The Settlor is a resident of _____ (city or town/state), executed an inter vivos
trust agreement dated _____, establishing a trust of which the current trustee(s) is/are

(names of trustees).

The undersigned petitioner requests in respect of the trust so established (check items that apply):

- A. [] Appointment of Trustee. That the court appoint
_____ (name) of
_____ (city or town/state), as the trustee;
B. [] Appointment of Successor Trustee. That the court appoint
_____ (name) of
_____ (city/state), as successor trustee;
C. [] Approval of Nonjudicial Settlement. That the court approve a nonjudicial settlement, pursuant to 14
V.S.A. § 111(e);
D. [] Order for Other Relief. That the court: (choose all that apply)
[] Modify or terminate a noncharitable irrevocable trust by consent of the settlor and all of the
beneficiaries of the trust, pursuant to 14A V.S.A. § 411.
[] Modify or terminate a trust because of unanticipated circumstances or inability to administer a
trust effectively, pursuant to 14A V.S.A. § 412.
[] Apply cy pres to modify or terminate a trust with a charitable purpose, pursuant to 14A V.S.A. §
413.
[] Reform the terms of a trust to conform the terms to the settlor's intention, correcting a mistake
of law or fact, pursuant to 14A V.S.A. § 415.

- Compel a former trustee or other person to deliver trust property to the current trustee pursuant to 14A V.S.A. § 812.
- Redress the following breach of trust committed by a former trustee, pursuant to 14A V.S.A. § 812:

- Approve the trustee’s report of the trust property, liabilities, receipts, and disbursements, including the source and amount of the trustee’s compensation, a listing of the trust assets, and if feasible, their respective market values

OR

- Take the following action:

E. **Trustee for Absent Person.** Appoint a trustee of the estate of _____ (name),
an absent person for whose estate a trustee is necessary.

Filed with this petition is:

- Supporting documentation and a summary of the petitioner’s basis for this/these request(s) are attached.
- Copies of the trust agreement and the amendments thereto are attached.
- List of Persons Interested in Trust is attached listing the persons interested in the trust estate.
- The entry fee listed in 32 V.S.A. § 1434 is attached.

I declare that the above statements are true and accurate to the best of my knowledge and belief. I understand that if the above statements are false, I will be subject to the penalty of perjury or to other sanctions in the discretion of the court.

Petitioner’s Information

Date: _____

Signature _____

Mailing Address

Printed Name _____

Home/Cell Phone _____

Work Phone _____

Email Address _____

Petitioner’s Information (if another)

Date: _____

Signature _____

Mailing Address

Printed Name _____

Home/Cell Phone _____

Work Phone _____

Email Address _____