

<p style="text-align: center;">PETITION FOR:</p> <p><input type="checkbox"/> Resignation of a Trustee</p> <p><input type="checkbox"/> Removal of a Trustee</p> <p><input type="checkbox"/> Appointment of a Successor Trustee</p>	<p>Docket No.</p>	<p>Commonwealth of Massachusetts The Trial Court Probate and Family Court</p>
<p style="text-align: center;">case name</p>	<p style="text-align: right;">Division</p>	

The Petitioner(s) (hereafter "Petitioner"), an interested person(s), makes the following statements:

1. Petitioner is:

Name: _____
First Name
M.I
Last Name

(Address)
(Apt, Unit, No. etc.)
(City/Town)
(State)
(Zip)

Primary Phone #: _____

Interest of the Petitioner in the matter (e.g. Trustee, Beneficiary, etc): _____

2. Identify the Trust and Settlor (e.g. ABC Trust, Trust under written instrument by Jane Smith, under the will of Jane Smith dated 1/1/12, etc.):

Date of Trust: _____ Dates of Amendments, if any: _____
(date)

A copy of the trust and any amendments are attached or are on file with the Court.

Venue for this proceeding is proper in this court because:

3. Current Trustee(s) is/are ☐ the Petitioner **AND/OR** ☐ as follows:

Name: _____
First Name
M.I
Last Name

(Address)
(Apt, Unit, No. etc.)
(City/Town)
(State)
(Zip)

Primary Phone #: _____

4. Persons interested in this trust and their representatives (Guardian, Conservator, etc.) are:

☐ as stated in the Petition dated _____ ☐ **OR** as follows:
(date)

Name	Address	Interest	Indicate if this person is:
			<input type="checkbox"/> Minor <input type="checkbox"/> Incompetent
			<input type="checkbox"/> Minor <input type="checkbox"/> Incompetent
			<input type="checkbox"/> Minor <input type="checkbox"/> Incompetent

5. The following person(s):

_____ of _____
(Name of Trustee) (Address)

was named or appointed Trustee(s) in the above described trust; **AND**

☐ has agreed to **resign** as Trustee.

OR

☐ should be **removed** as Trustee for the following reasons:

- ☐ The Trustee has committed a serious breach of trust;
- ☐ There is a lack of cooperation among co-Trustees that substantially impairs the administration of the trust;
- ☐ The Trustee is unfit;
- ☐ The Trustee is unwilling or persistently fails to administer the trust effectively;
- ☐ The removal of the Trustee best serves the interests of the beneficiaries;
- ☐ A substantial change in circumstances has occurred;
- ☐ Removal is requested by all qualified beneficiaries;
- ☐ Removal best serves the interests of all the beneficiaries and is not inconsistent with a material purpose of the trust and a suitable co-Trustee or successor Trustee is available.

6. ☐ The trust instrument does not provide for the appointment of a successor Trustee, and the Petitioner requests

Name: _____
First Name M.I. Last Name

(Address) (Apt, Unit, No. etc.) (City/Town) (State) (Zip)

Primary Phone #: _____

to be appointed by the Court.

7. Supporting documentation and a detailed summary of the Petitioner's basis for requesting the removal as well as any additional relief being requested, are attached and incorporated herein by reference.

Petitioner requests that the Court: (check all that apply)

☐ **Approve the Trustee's resignation.**

☐ **Remove the Trustee.**

☐ **Appoint a successor Trustee to serve**

If applicable, the Trustee shall serve:

☐ **without sureties on the bond**

☐ **with sureties on the bond with the penal sum amount of \$ _____**

Petitioner also requests:

SIGNED UNDER THE PENALTIES OF PERJURY

I certify under the penalties of perjury that the foregoing statements are true to the best of my knowledge and belief.

Date: _____ Signature of Petitioner _____

Information on Attorney for Petitioner, if any _____

Signature of Attorney _____

_____ (Print name)

_____ (Address) _____ (Apt, Unit, No. etc.)

_____ (City/Town) _____ (State) _____ (Zip)

Primary Phone #: _____

B.B.O. # _____

Email: _____