

DEPARTMENT of the INTERIOR

news release

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INTERIOR DEPARTMENT PROPOSES REVISED REGULATIONS IN INDIAN PROBATE

A proposal that would modernize regulations relating to the probate of estates of deceased Indians is being published in the Federal Register, the Board of Indian Appeals in Interior's Office of Hearings and Appeals announced today. The updated procedures would make it feasible to probate Indian estates more efficiently and eliminate delays, the Board said. In addition, the new framework is designed to afford a greater degree of impartiality and independence in handling Indian probate matters through the Board.

The proposed revision codifies for the first time many rules, practices and procedures previously contained only in memoranda and instructions, and is designed to bring all procedures into line as far as practicable with the general philosophy of current court rules and practices. Included are provisions for the approval of settlement of disputes by compromise, determination of nationality and non-Indian status, the taking of depositions and for discovery procedures, determination of escheat of estates, as well as procedures applicable to appeals proceedings before the Board of Indian Appeals.

Written comments, suggestions or objections should be submitted within 30 days after publication of the proposed regulations in the Federal Register. Such comments should be addressed to the Director, Office of Hearings and Appeals, Attention: Special Assistant to the Director (Regulations), 4015 Wilson Boulevard, Arlington, Virginia 22203.

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