

Rule 12.1C Family Exemption; Allowance.

A petition claiming the family exemption may be filed with the clerk at any appropriate time prior to audit of the account of the personal representative in order that the same may be made a matter of record, and a copy thereof shall be forthwith served upon the personal representative. Upon the filing of such petition and service of a copy thereof upon him, the personal representative shall not sell or otherwise dispose of the property claimed therein without the written consent of the party claiming the exemption, except by leave of Court for cause shown and after such notice as the Court may direct. Except in unusual cases and on special allowance by the Court upon cause shown, judicial action on such petition for the family exemption will be deferred until and included within the matters considered at the audit. If the petition does request and the Court shall specially allow proceedings for the exemption prior to audit, the practice and procedure thereon as to appraisal, advertising and notice shall be as prescribed by special order in each case.