

Saint Regis Mohawk Tribal Court

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)	DECISION AND ORDER
)	
Estate of Patricia A. Jock)	
)	
)	Case No.: 18-CIV-00006
)	

PROCEDURAL HISTORY

On February 12, 2018, Warren Jock filed a petition with the Saint Regis Mohawk Tribal Court requesting to be named the Administrator for the Estate of Patricia Ann Jock, his wife. Mrs. Jock died on October 7, 2017. Mr. Jock submitted a death certificate and certified family tree from the Saint Regis Mohawk Tribal Clerk's Office.

On May 24, 2018, the Court found Mr. Jock, as the surviving spouse, the only heir and issued him the Letters of Administration. Mr. Jock reviewed the Estate's inventory with the Court during the court appearances on December 5, 2018 and January 9, 2019.

JURISDICTION

Pursuant to the Saint Regis Mohawk Tribe Probate Law, the Court "shall have personal jurisdiction to probate an estate when, at the time of death, (1) the deceased was either a Tribal Member or a person eligible for enrollment as a Tribal Member and the deceased resided or owned real or personal property located within the reservation."¹ Furthermore, "[t]he Tribal Court shall have exclusive jurisdiction to probate real property located within the reservation."²

In the instant matter, Mrs. Jock was a tribal member, resided within the reservation, and had assets located within the reservation. Thus, the Court possesses the requisite jurisdiction in this matter.

APPLICABLE LAW

The present action is governed by the Saint Regis Mohawk Tribe Probate Law (SRMT Probate Law).³

¹ SRMT Probate Law § 1.3 (a).

² SRMT Probate Law § 1.3. (b) (1).

³ SRMT Probate Law (enacted August 16, 2017).

ANALYSIS

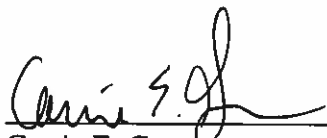
Mrs. Jock did not have real property in her name and passed intestate. Mr Jock, as her surviving husband, is the only heir. Mr. Jock was listed on Mrs. Jock's bank account, thus he is a joint owner and the account is not an Estate asset. The Estate has no debts and Mr. Jock has assumed the funeral expenses. Mr. Jock [REDACTED]

[REDACTED] There are no remaining items to be distributed or debts owed within Mrs. Jock's Estate.

ORDER

Given that Mr. Jock has completed all his work as the Administrator of the Patricia A. Jock Estate by distributing all the personal property, it is hereby ORDERED that he is released as Administrator and that this case is hereby closed.

Signed this 2nd day of April 2019.



Carrie E. Garrow,
Chief Judge
Saint Regis Mohawk Tribal Court

