

# **INFORMAL PROBATE**

*Do not copy  
or file this page*

# **3**

## **CLAIM AGAINST THE ESTATE**

## Informal Probate - Claim Against the Estate

Use the forms and instructions if the following factors apply to your situation:

- ✓ You received notice about a court case involving the property of a person who died (informal probate), OR
- ✓ You believe a person who died owes you money, AND
- ✓ You want to make a claim in the estate case filed with the court before all the property is transferred to others.

**READ ME:** Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Law Library Resource Center website.

## Informal Probate - Claim Against the Estate

This packet contains court forms and instructions to file a claim against the estate. Items in **BOLD** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

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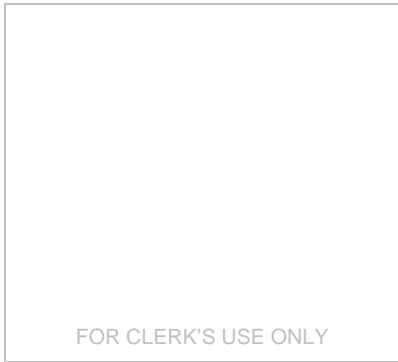
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## Instructions: How to file a Claim against the Estate

1. Who can file a claim: Generally, you must reasonably believe that the person who died owes you money.
2. When a claim must be filed: You are not required to file a claim against the estate if the personal representative has paid you or is making arrangements with you to pay what is owed from the decedent's property. But here is what the law currently provides as to creditors:
  - All persons unknown to the personal representative, having claims against the estate are required to present their claims within four months after the date of the first publication of the notice to creditors or the claims will be forever barred.
  - All persons known to the personal representative, having claims against the estate are required to present their claims within four months after receipt of the notice to creditors by mail or the claims will be forever barred.
  - Claims must be presented by delivering or mailing a written statement of the claim to the personal representative at his or her address; you do not need to file the claim in court, unless you want to.
3. How to file a claim against the estate with the court: If you are a person to whom the estate owes money, and you want to file the claim with the court, complete a claim against the estate form, which is included in this packet. File the original with the Probate Registrar, at the court location where you filed the application, which is one of the locations listed below.

Clerk of Superior Court  
250 West 2nd Street  
Yuma, AZ 8536
4. Charge to file the claim in court: a list of current fees is available from the law library resource center website or from the clerk of superior court's website. You do not need to pay anything to mail the claim to the personal representative.

Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_  
Licensed Fiduciary Number: \_\_\_\_\_



Representing  Self, without a Lawyer or  Attorney for  Petitioner OR  Respondent

## SUPERIOR COURT OF ARIZONA YUMA COUNTY

In the Matter of the Estate of:

Case Number: \_\_\_\_\_

an Adult  a Minor, deceased

### CLAIM AGAINST ESTATE

1. My name and address is: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. The Estate is indebted to me in the amount of \$\_\_\_\_\_.
3. The basis of my claim is: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(NOTE: Complete number 4 or 5 only if either apply to your claim.)**

4. The claim is not yet due. It will become due on (date) \_\_\_\_\_
5. The claim is secured by the following property (describe): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. I am mailing a copy of the Claim against Estate to the Personal Representative, if one has been appointed.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name