

INFORMAL PROBATE

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2

Application for Appointment as Personal Representative

Part 2: The Appointment, Notice of Appointment, Inventory and Appraisement

(Instruction and Forms)

SELF-SERVICE CENTER

INFORMAL PROBATE APPLICATION FOR APPOINTMENT AS PERSONAL REPRESENTATIVE

PART 2: The Appointment, Notice of Appointment, Inventory and Appraisement

This packet contains instructions and procedures about the appointment, notice of appointment, and the inventory and appraisement whether there was a will or not. 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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SELF-SERVICE CENTER

PROCEDURES: WHAT TO DO AFTER YOU ARE APPOINTED PERSONAL REPRESENTATIVE

USE THIS PACKET ONLY if you have been appointed the Personal Representative of the Estate in an Informal Probate proceeding.

1. NOTICES AND ORDERS YOU MUST SEND AFTER THE LETTERS ARE ISSUED:

A. NOTICE OF APPOINTMENT and/or ADMISSION OF WILL:

- Within **10 days** of your appointment you must complete this Notice and **mail or deliver a copy** of the Notice to everyone entitled to notice, including all interested persons. If your case involves a Will, check the boxes that say appointment and admission, otherwise only check the boxes that say Appointment of Personal Representative.
- If there is a Will, attach a copy of the Will to the Notice.
- Complete the PROOF OF DELIVERY/MAILING OF NOTICE, and file it and the **original** PROOF OF NOTICE with the Probate Registrar.

B. ORDER TO PERSONAL REPRESENTATIVE:

- Within **10 days** of your appointment you must mail a **copy** of the ORDER TO PERSONAL REPRESENTATIVE to everyone entitled to notice, including all interested persons.
- Complete the PROOF OF DELIVERY/MAILING OF ORDER OF PERSONAL REPRESENTATIVE, and file the **original** PROOF OF NOTICE with the Probate Registrar. To simplify things, the PROOF OF NOTICE FOR THE ORDER TO PERSONAL REPRESENTATIVE and the NOTICE OF APPOINTMENT and/or ADMISSION OF WILL are combined into one document.

C. NOTICE TO CREDITORS:

- Complete the NOTICE TO CREDITORS included in this packet and mail it to all creditors you know about. File the **original** NOTICE TO CREDITORS with the Probate Registrar.
- Publish the NOTICE TO CREDITORS. You must do this just in case there is a creditor who is not aware of this matter. Publish in a newspaper of general circulation in the county where the Court hearing is held, once a week for **3 weeks in a row**. Use the letter in this packet to help you.
- The newspaper will usually file the original AFFIDAVIT OF PUBLICATION and return a copy to you. If the newspaper returns the original AFFIDAVIT OF PUBLICATION to you, file it with the Probate Registrar.
- Complete the PROOF OF NOTICE TO CREDITORS and file the **original** with the Probate Registrar.

2. DOCUMENTS YOU MUST COMPLETE:

A. INVENTORY AND APPRAISEMENT OF ASSETS IN THE ESTATE:

- Within **90 days** after your appointment as Personal Representative you must prepare an inventory of property owned by the decedent. You must:
 - 1) List the property with reasonable detail,
 - 2) Estimate its fair market value,
 - 3) Indicate whether it was held as community or separate property, **AND**
 - 4) What kind and amount of any encumbrances/liens might exist on the property.

You can hire an appraiser to determine fair market value if there is **reasonable doubt** about some asset. Be sure the appraiser is qualified and disinterested. List the name(s) and address(es) of the appraisers on the inventory, and list which item(s) was/were appraised.

- After the inventory is completed, do one of the following:
 - 1) File the inventory with the court and send copies to any interested person who requests it, **OR**
 - 2) You can choose not to file it, but then you must deliver or mail a copy of the inventory to **each** of the heirs or people named in the will and any other interested person who requests it. If you do this, complete the PROOF OF MAILING OR DELIVERY OF INVENTORY AND APPRAISEMENT is in your packet. (Proof or Delivery is only required in Pinal County, although it is good practice to do so anyway).

Note: at any time while you are administering the Estate you realize that you failed to list some item in the inventory or the value or description of the asset was wrong, you must file a supplementary inventory with the new information, and file it with the court and give copies to interested parties who request it only, or if you choose not to file it, then give copies to **all** interested persons.

3. NOW PROCEED WITH ADMINISTRATION AND CLOSING THE ESTATE:

Go to Packet Number 3 called ***Administering and Accounting Before Closing the Estate*** and Packet Number 4 called ***Closing the Estate***.

INFORMAL PROBATE

Do not copy
or file this page

2

Application for Appointment as Personal Representative

Part 2: The Appointment, Notice of Appointment,
Inventory and Appraisement
(Forms Packet)

SELF-SERVICE CENTER

**INFORMAL PROBATE
APPOINTMENT OF PERSONAL REPRESENTATIVE
AND ADMISSION OF WILL (if applicable)**

CHECKLIST

Use the forms and instructions in this packet only if the following factors apply to your situation:

- ✓ You have been appointed the Personal Representative of the estate of a person who died.
- ✓ You have signed the Acceptance of Appointment and are ready to give notice that you have been appointed.

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 Self-Service Center website.

SELF-SERVICE CENTER

INFORMAL PROBATE APPLICATION FOR APPOINTMENT AS PERSONAL REPRESENTATIVE

PART 2: The Appointment, Notice of Appointment, Inventory and Appraisement

This packet contains court forms and instructions to file informal probate application for appointment as personal representative. 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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Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

FOR CLERK'S USE ONLY

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: _____

NOTICE OF:

☐ an Adult or ☐ a Minor, deceased

☐ **INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE**

(Person died without a Will - "Intestate Estate"),

OR

☐ **INFORMAL PROBATE OF A WILL
AND INFORMAL APPOINTMENT OF A
PERSONAL REPRESENTATIVE**

AND ADMISSION OF WILL (Person died
with a Will – "Testate Estate")

1. This Notice is being sent to those persons who have, or may have, some interest in the Estate of the person named in the court caption above, who died on _____ (date).

2. MY NAME AND ADDRESS:

My name is: _____

My address is: _____

3. **DOCUMENT FILED:** On _____ I filed the following document with the court:
(Month/Day/Year)

☐ Application for Informal Appointment of Personal Representative because the person died without a Will - "intestate estate," OR

☐ Application for Informal Probate of Will and For Informal Appointment of Personal Representative because the person died with a Will -- "testate estate"

Case No. _____

4. **APPOINTMENT AS PERSONAL REPRESENTATIVE.** On _____ (date) the Probate Registrar appointed _____ (name) as Personal Representative of the Estate of the person who died.

5. **BOND:** ☐ No bond is required or ☐ a bond in the amount of \$_____ is required which has been filed with the court.

6. **LOCATION OF PAPERS:** Papers relating to the Estate are on file with the Court at the address checked below, and are available for your inspection.

☐ Yuma County Justice Center
Clerk of Superior Court
250 W. 2nd Street
Yuma, Arizona 85364

7. **COPY OF WILL. (Only if there is a Will)** A copy of the Will is attached to this notice for you. You have 4 months from the date you receive this Notice to begin a formal probate case.

DATED: _____
(Month/Day/Year)

Signature

Print Name

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

FOR CLERK'S USE ONLY

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: _____

PROOF OF DELIVERY OR MAIL OF:

_____ ☐ an Adult or ☐ a Minor, deceased

- ☐ NOTICE INFORMAL APPOINTMENT
OF PERSONAL REPRESENTATIVE
☐ ADMISSION OF WILL TO PROBATE
☐ ORDER TO PERSONAL
REPRESENTATIVE

STATE OF ARIZONA)
COUNTY OF YUMA) ss.

1. **DOCUMENT:** I delivered or mailed by first class mail, postage prepaid a copy of the following document:
(Check one box)

- ☐ **(If no Will exists)** NOTICE OF INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE and separate ORDER TO PERSONAL REPRESENTATIVE (Person died without a Will - "Intestate Estate"), OR
☐ **(If a Will exists)** NOTICE OF ADMISSION OF A WILL AND INFORMAL APPOINTMENT OF A PERSONAL REPRESENTATIVE and separate ORDER TO PERSONAL REPRESENTATIVE (person died with a Will – "Testate Estate").

2. **PERSONS.** I mailed or delivered the document to the following persons entitled to notice of this case.
(if you need more room, attach a sheet of paper):

| NAME | ADDRESS | DATE MAILED OR DELIVERED |
|-------|---------|-----------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Signature _____ Print Name _____

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

Deputy Clerk or Notary Public

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

FOR CLERK'S USE ONLY

SUPERIOR COURT OF ARIZONA YUMA COUNTY

In the Matter of the Estate of:

Case Number: _____

☐ an Adult or ☐ a Minor, deceased

NOTICE TO CREDITORS OF INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE AND/OR INFORMAL PROBATE OF A WILL

NOTICE IS GIVEN THAT:

1. **PERSONAL REPRESENTATIVE:** (name) _____
has been appointed Personal Representative of this Estate on (date). _____
Address: _____
2. **DEADLINE TO MAKE CLAIMS.** All **persons** having claims against the Estate are required to present their claims **within four months** after the date of the first publication of this Notice or the claims will be forever barred.
3. **NOTICE OF CLAIMS:** Claims must be presented by delivering or mailing a written statement of the claim to the Personal Representative at (address) _____

4. **NOTICE OF APPOINTMENT.** A copy of the Notice of Appointment is attached to the copies of this document mailed to all known creditors.

DATED: _____

Personal Representative

Print Name

Print Name

Print Address

Month/Day/Year

Name of Newspaper

Address

RE: Case Number _____

To Whom It May Concern:

Enclosed is a court file-stamped copy of the Notice to Creditors in the above matter. In accordance with A.R.S. §14-3801, please publish this Notice in your newspaper once a week for three weeks in a row.

Enclosed is a check or money order in the amount of \$_____ for the cost of the publication.

Upon receipt of this letter, please call me at _____ to tell me when the first publication will occur. When all three weeks of publication have been completed, please file the original Affidavit of Publication with the Court and send me one copy.

Thank for your help in this matter.

Yours truly,

Sign Your Name

Enclose: Copy of Notice to Creditors
 Check or Money Order (call newspaper ahead of time to find out what the charge is)

FOR CLERK'S USE ONLY

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

FOR CLERK'S USE ONLY

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

SUPERIOR COURT OF ARIZONA IN YUMA COUNTY

In the Matter of the Estate of:

Case Number: _____

☐ an Adult or ☐ a Minor, deceased

PROOF OF DELIVERY OR MAILING OR PUBLISHING NOTICE TO CREDITORS OF INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE AND/OR INFORMAL PROBATE OF A WILL

UNDER PENALTY OF PERJURY

1. **NOTICE.** I delivered or mailed by first class mail, postage prepaid a copy of the Notice to Creditors to the following known creditors entitled to such notice (if you need more room, attach a sheet of paper):

| NAME | ADDRESS | DATE MAILED or DELIVERED |
|------|---------|-----------------------------|
|------|---------|-----------------------------|

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

2. **PUBLICATION.** The Notice to Creditors was published in the following newspaper on the following dates. The Affidavit of Publication is filed separately.

Name of newspaper: _____

Dates of publication: A. ____ / ____ / ____, B. ____ / ____ / ____, C. ____ / ____ / ____.

Signature _____ Print Name _____

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

Deputy Clerk or Notary Public

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

FOR CLERK'S USE ONLY

SUPERIOR COURT OF ARIZONA IN YUMA COUNTY

In the Matter of: _____

Case Number: _____

A Deceased Person

INVENTORY AND APPRAISEMENT AND PROOF OF MAILING

I am the Personal Representative for the decedent, the person who died, and I state under oath or affirm as follows:

- TRUE AND CORRECT STATEMENT.** The following inventory of property is a true and correct statement of all the property known to me to be owned by the person who died at his or her death.
- TOTAL ESTIMATED VALUE.** The total estimated value of all real and personal property in the estate, as supported by the following itemization of property, is \$_____
- DESCRIPTION OF PROPERTY AND DEBT.** This document accurately describes each item of property, estimates the fair market value of the property as of the date of the decedent's death, describes the nature of the property as community or separate property, and itemizes the type and amount of all debts, mortgages, or liens relating to each item of property.
- NOTICE TO OTHER PARTIES.** A copy of this document was hand-delivered or mailed by first class mail, postage prepaid, to the following persons: (Attach additional paper if necessary.)

| Name | Address | Relationship to Person who Died | Date Mailed or Delivered |
|------|---------|------------------------------------|-----------------------------|
| | | | |
| | | | |
| | | | |
| | | | |

Date

Signature

INVENTORY AND APPRAISEMENT OF PROPERTY IN ESTATE

(use additional sheets of paper if necessary)

Inventory date: _____

REAL PROPERTY**A. GENERAL INFORMATION:**

| Property Description and Address | Community OR Separate Property | Estimated Value in Dollars | Dollars of Debt |
|----------------------------------|--------------------------------|----------------------------|-----------------|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |

Total estimated fair market value of real property: \$ _____

Total estimated debt on real property: \$ _____

B. INFORMATION ABOUT REAL PROPERTY ITEMS LISTED ABOVE THAT WERE APPRAISED:

| Name | Address | Item Number Above |
|------|---------|-------------------|
| | | |
| | | |
| | | |
| | | |
| | | |

