

INFORMAL PROBATE

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Closing the Estate as Personal Representative

(Instruction and Forms)

INFORMAL PROBATE

PART 4: CLOSING ESTATE

This packet contains general information and instructions about closing the estate as personal representative, 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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The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

Procedures: How to Close the Estate

Use this Packet if:

- ✓ You have been appointed the Personal Representative of the Estate, whether or not there is a Will, more than four months ago.
- ✓ You have published the Notice to Creditors according to law more than four months ago.
- ✓ The Estate has been fully administered and you want to close the Estate.

Closing The Estate: After you have paid all the claims and distributed all of the property of the Estate, you are ready to close the Estate. You must do the following:

1. Complete the Closing Statement: See the form called Instructions: How to fill out the Closing Statement.
2. Mail a copy of the Closing Statement: Mail a copy of the Closing Statement to each beneficiary/heir to the estate, any creditors that have filed any claims and any other person who filed a Demand for Notice of the proceedings. Keep a record of when you mailed the Closing Statement and to whom you mailed the Closing Statement.
3. File the original Closing Statement: You can bring the Closing Statement to court or you can mail it.
 - In person. File the original Closing Statement with the Clerk of Superior Court at one of the following locations and bring a copy of the Closing Statement with you to have it conformed:

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

Or

- By mail. Mail the original and one copy of the completed and signed Closing Statement along with a self-addressed, stamped return envelope to:

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

Also request that a copy of the Closing Statement be conformed (date-stamped) and mailed back to you. This will assure that your file contains a copy of the Closing Statement reflecting the date it was filed with the Court Clerk.

4. Order to Appear Hearing: In most informal probate cases, a hearing will not be set. However, if an Order to Appear Hearing has been set in your case because a Closing Statement has not been filed, you have 2 options:

- If the Estate has been fully administered and it is ready to be closed, file the original Closing Statement according to the instructions above. Then send a copy of your conformed Closing Statement along with a note requesting that the hearing be canceled to the Commissioner assigned to your case. Address the mailing to the Commissioner assigned to your case at the following address:

Commissioner _____
Address: _____

Phone: _____

Commissioner _____
Address: _____

Phone: _____

Mail or deliver the Closing Statement to the Commissioner before whom the Order to Appear Hearing is set early enough so that he/she receives it at least 5 days prior to the hearing. You may confirm in advance of the hearing that the copy has been received by the Commissioner and that your hearing has been canceled by calling the Commissioner's Judicial Assistant at the telephone number listed above. You will then receive a minute entry several days after the scheduled hearing confirming that the hearing was vacated.

Note: The court cannot return long distance telephone calls.

OR

- If the estate has not been fully administered and it is not ready to be closed, do not file the Closing Statement. The Personal Representative should appear at the hearing or, if the Personal Representative resides outside of Arizona, arrange to appear at the hearing by telephone. Telephonic hearings can be arranged by calling the Commissioner's Judicial Assistant at the phone numbers listed above. At the hearing,
 - 1) The Personal Representative will be expected to tell the Commissioner the status of the administration of the estate including what tasks remain to be completed to complete the administration of the estate, And
 - 2) The court will set deadlines for completing the tasks and for filing the Closing Statement.

INSTRUCTIONS: HOW TO FILL OUT THE CLOSING STATEMENT

The Personal Representative of the Estate must complete the CLOSING STATEMENT to close the Estate. Follow these steps to do so:

STEP 1

Caption

Write your name, address, city, state, zip code, and telephone number. Next write the name of the person who died, and the court case number.

Paragraph 1

Appointment as Personal Representative: Write the date you were appointed to be the Personal Representative of the Estate.

Paragraph 2

Notice to Creditors: Write the date of the first publication to the Creditors.

Paragraph 3

Administration of Estate: List the names of any creditors or other claimants whose claims against the Estate are not barred or who were not paid. If there were none, write in "none" in the space provided.

Paragraph 4

Distribution of Assets: This statement tells the court that you have distributed all of the assets of the Estate to the Persons entitled to distribution.

Paragraph 5

Mailing the Closing Statement: Make sure you mail a copy of the CLOSING STATEMENT to all of the people you distributed property of this Estate, to all people whose interests were affected by the administration of the Estate, **AND** to all creditors or claimants whose claims against the Estate are not barred or who were not paid.

Paragraph 6

Accounting: Make sure you have mailed or delivered a copy of the accounting to the people whose interests were affected by the administration of the Estate.

Paragraph 7

Claims: If you wrote "none" in **Paragraph 3**, fill in "none" in this space too. If you listed creditors or other claimants in **Paragraph 3**, specify the arrangement made to pay each creditor or claimant.

Signatures

You must sign the CLOSING STATEMENT in front of a Notary Public. The Notary Public must sign and date the CLOSING STATEMENT too. Remember to take a valid picture identification with you to the Notary.

STEP 2

See the Self-Service Center instruction form called **Procedures: How to Close the Estate**.

INFORMAL PROBATE

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Closing the Estate as Personal Representative

(Forms Packet)

SELF-SERVICE CENTER

INFORMAL PROBATE CLOSING THE ESTATE OF THE PERSON WHO DIED

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; AND,
- ✓ The person had a will or did not have a will; AND,
- ✓ You have filed the final Accounting and Deed of Distribution; AND,
- ✓ You want to close the estate and close the court case: AND,
- ✓ At least 4 months have passed since you were appointed Personal Representative, and at least 4 months have passed since the date of the first publication to the Notice to Creditors.

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
PART 4: CLOSING THE ESTATE**

This packet contains court forms and instructions to file informal probate. 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!

Order	Title	No. Pp.
1	Checklist for Closing the Estate	1
2	Table of Contents (this page)	1
3	“Closing Statement and Proof of Mailing Closing Statement”	2

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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: _____

(Name of the person who died)

CLOSING STATEMENT and PROOF OF MAILING/DELIVERY CLOSING STATEMENT

I am the Personal Representative of this Estate, and I make these statements under oath.

1. **Appointment as Personal Representative.** I was appointed as the Personal Representative of this Estate on _____ (date), more than four months before the date of this Closing Statement.
2. **Notice to Creditors.** The Notice to Creditors was published according to law. The first publication occurred on _____ (date), more than four months before the date of this Closing Statement.
3. **Administration of Estate.** The Estate has been fully administered by making payment, settlement or other disposition of all expenses of administration, and all taxes and claims that have accrued against the Estate with the following exceptions: (List the exceptions.)

4. **Distribution of Assets.** I have distributed all of the assets of the Estate to the persons entitled to distribution.
5. **Mailing Closing Statement.** I am sending a copy of this Closing Statement to all of the people to whom I distributed property of this Estate, to all people whose interests are affected by the administration of the Estate, and to all creditors or other claimants whose claims against the Estate are not barred or were not paid.
6. **Accounting.** I have mailed or delivered a copy of the full written accounting of the Estate to the people whose interests are affected by the administration of the Estate, including guardians ad litem, conservators and guardians.

7. Claims. With respect to any claim listed above in paragraph 3 that has not been paid and that is not barred, I have distributed the Estate subject to possible liability, with the agreement of the distributees, or the following arrangements have been made to accommodate outstanding liabilities: (List arrangements.)

Signature of Personal Representative

STATE OF ARIZONA)
County of _____)ss.

I, being duly sworn, state that I am the Personal Representative for the above Estate, and that the statements in the Closing Statement are accurate and complete to the best of my knowledge and belief. I also state that a copy of this closing statement was mailed to the following individuals on the date(s) and at the address(es) below.

Signature of Personal Representative

This Closing Statement was subscribed and sworn to before me this _____ day of _____, _____, by the above named person.

STATE OF _____

COUNTY OF _____

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

_____.

(notary seal)

Deputy Clerk or Notary Public

A copy of the Closing Statement was mailed to the following individuals:

Name	Address	Date Mailed/Delivered
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____