

Who has the right (priority) to be appointed as Personal Representative  
when the deceased had no will  
Colorado Revised Statute (Colorado Law)  
15-12-203

**Deceased**



1.



- If there is a living spouse, spouse has 1<sup>st</sup> right (priority) to be appointed as Personal Representative
- If you **are not** the spouse, move to #2



2.



- If no living spouse, children have 2nd right
- **All** biological and legally adopted children **share equal right** to appointment
- If you **are not** a child, move to #3 on next page
- If deceased had no children, see staff in Self-Help Center for further information

**OPTIONS**

Children may:

- Apply to be appointed equally as Co-Personal Representatives if 21 years of age or older; or
- Renounce (give up) their right to be appointed or to give up their right to nominate a qualified person to be appointed if 18 years of age or older- Form JDF 912; or
- Nominate a qualified person to be appointed if 18 years of age or older – JDF 912

**\*Note:** If any child of the deceased is also deceased, their children take their place in priority for appointment of personal representative. They would share equal right with their aunts and uncles who are the siblings of their deceased parent.

3.

### Grandchildren



- If your parent is a child of the deceased who has also passed away, you and your siblings (biological and legally adopted) take your deceased parent's place in priority for appointment of Personal Representative. You and your siblings **share equal 2<sup>nd</sup> right** with your aunts and uncles, who are your parent's siblings
- If there are no living children of the deceased, all grandchildren **share equal 3<sup>rd</sup> right** to priority for appointment
- If you **are not** a 1<sup>st</sup> generation grandchild, move to #4

#### OPTIONS

- The same process above for children would apply to grandchildren.



4.

### Great Grandchildren



- If there are living grandchildren and your parent who is a grandchild of the deceased has also passed away, you and your siblings take their place in priority of appointment of Personal Representative. You and your siblings **share equal 3<sup>rd</sup> right** to the remaining living grandchildren
- If there are no living children or grandchildren, then the great-grandchildren **share equal 4<sup>th</sup> right** to priority for appointment
- If you are not a 1<sup>st</sup> generation great-grandchild, visit Self-Help Center for more information

#### OPTIONS

- The same process above for grandchildren would apply to great-grandchildren.