

INFORMAL PROBATE WITHOUT A WILL

General Information

| ACTION OR PLEADING(S) | JDF # | ADDITIONAL INFORMATION |
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| Obtain the Informal Probate without a Will packet from the Clerk of Court's office or download from the Colorado State Court website. | | www.courts.state.co.us → Self Help/ Forms → All Court Forms and Instructions → Trusts, Estates, Wills → New Case → Probate without a Will |
| You may file your petition in Pueblo County if: → | | <ol style="list-style-type: none"> 1. The Deceased lived or owned property in Pueblo County. 2. Five or more days have passed since the date of death. 3. The nominated (recommended) Personal Representative is 21 years of age or older. |
| Filing Fee Certification Fee (Certified copy of the Letters of Administration.) | | \$164.00 \$20.00 |

STEP 1: Complete Forms

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| Complete the following forms: ↓ | | <ul style="list-style-type: none"> • Complete the caption on each form. The caption is the area at the top of each form. • List all names previously used by the Decedent (deceased) in the caption. For example, Robert Smith aka Bob Smith, aka Robert A. Smith, aka Robert Aaron Smith. • Complete all paragraphs and sections of each form. |
| Application for Informal Appointment of Personal Representative | 916 | <ul style="list-style-type: none"> • All heirs must be listed in paragraph (9) of this form. If any heirs are deceased you must include the date of death. See Heir chart in the front of this book to determine who is an heir. • Complete the Verification; day, month, year, city and state you are signing in, print and sign your name. You DO NOT need to sign this form in front of a Notary Public or Court Clerk. |
| Acceptance of Appointment | 911 | <ul style="list-style-type: none"> • Select the box that applies to the appointment you are seeking. • By signing this form, you agree to perform the duties as Personal Representative of the estate of the Decedent. • Sign, date, and include your address and phone information on the last page of the form. • Complete the Verification on page two. You DO NOT need to sign in front of a Notary Public or Court Clerk. |
| Renunciation and/or Nomination of Personal Representative | 912 | <ul style="list-style-type: none"> • To be completed by the person(s) who wish to renounce (give up) their right as Personal Representative OR nominate a qualified person to act as Personal Representative. • All persons who have priority (1st right) or equal priority for appointment of Personal Representative must renounce their right OR nominate someone as Personal Representative. All persons nominating must agree on the person being nominated. See Priority Chart in front of this book. • Person(s) renouncing or nominating must complete the Verification by entering the date, month, year, city and state they are signing and then sign the form. DOES NOT need to be signed before a Notary or Court Clerk. |
| Irrevocable Power of Attorney | 721 | <ul style="list-style-type: none"> • The nominated Personal Representative will need to complete this form only if they live out-of-state, and sign before a Court Clerk or Notary Public. |
| Order for Informal Appointment of Personal Representative | 917 | <ul style="list-style-type: none"> • Complete the entire body of this form. Leave the date and registrar signature line blank. This is where the Registrar or Judge will date and sign if the nominated person is appointed as Personal Representative. |
| Letters of Administration | | <ul style="list-style-type: none"> • Complete the entire body of this form. Leave the date and registrar signature line blank. This is where the Registrar or Clerk will date and sign once the Order for Informal Appointment of Personal Representative is issued. |

November 14, 2018(pb) standard instructions are for informational purposes only and do not constitute legal advice about your case. There may be exceptions to the information provided on this form.



STEP 2: File With the Court

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| Provide the Court with the completed documents from Step 1 above and pay the filing fee . | | You may want to make copies of these documents prior to filing with the Court for: <ul style="list-style-type: none"> • Yourself • Other interested persons |
| Clerk will assign a case number to your filing | | Example: 18PR5000 |

STEP 3: Requirements of the Personal Representative

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| It is the responsibility of the Personal Representative to administer the estate. → Complete the following forms: ↓ | | <ul style="list-style-type: none"> • This includes collecting assets, valuing assets, paying claims, and distributing remaining assets in accordance with the law. |
| Information of Appointment | 940 | <ul style="list-style-type: none"> • This form informs heirs that a Personal Representative has been appointed and they may contact the Personal Representative with their questions. • This form must be sent to all heirs and the Court within 30 days of appointment. The Certificate of Service at the bottom of the form must be completed before filing with the Court. • If the address or identity of any heir is unknown, this form must also be sent to the Colorado Attorney General's Office. |
| Notice to Creditors by Publication There are two papers available for publication in Pueblo County; The Pueblo Chieftain or The Colorado Tribune. | 943 | <ul style="list-style-type: none"> • This form is to notify potential creditors of the Decedent's estate of the deadline for filing any claims. • Unless one year or more has passed since the death of the Decedent, this Personal Representative must publish notice to creditors in a local newspaper once a week for three consecutive (in a row) weeks. |
| Decedent's Estate Inventory Address for the Attorney General: Office of the Attorney General Ralph L. Carr Colorado Judicial Center 1300 Broadway, 10 th Floor Denver, CO 80203 | 941 | <ul style="list-style-type: none"> • This form must be completed to identify all assets and encumbrances (mortgages, liens, claims, unpaid property taxes, easements, etc.). • Send a copy of the inventory to interested persons who request it and send a copy to the Attorney General, if heirs are unknown. • <u>The inventory does not need to be filed with the Court, unless Personal Representative will be requesting a formal closing vs informal closing.</u> |
| Interim/Final Accounting | 942 | <ul style="list-style-type: none"> • Send the completed form to interested persons who request it. • <u>This form does not need to be filed with the Court, unless Personal Representative will be requesting a formal closing vs informal closing.</u> |

STEP 4: Closing the Estate (Informal)

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| Unless prohibited by Order of the Court and except for estates being administered in supervised administration (supervised by court), the Personal Representative may file a closing statement (Statement of Personal Representative Closing Administration) six months after appointment or one year from date of death of deceased whichever occurs first. | 965 | <ul style="list-style-type: none"> • The estate should be fully administered including making payment, settlement or other disposition of claims, expenses of administration, taxes, and distribution. • Closing the estate doesn't result in court approval of the actions of the Personal Representative or a court discharge of the Personal Representative of any liability or claim. It is just the statement of the Personal Representative indicating their belief that the administration of the estate is complete. • The Estate is considered closed one year after filing the Statement. |