

INSTRUCTIONS FOR CLOSING AN ESTATE INFORMALLY

These standard instructions are for informational purposes only and do not constitute legal advice about your case. If you choose to represent yourself, you are bound by the same rules and procedures as you would be if you were an attorney.

GENERAL INFORMATION

- ◆ Unless prohibited by order of the court and except for estates being administered in supervised administration the Personal Representative may file to close an estate informally six months after appointment or one year from date of death of the decedent whichever occurs first.
- ◆ The estate should have been fully administered including making payment, settlement or other disposition of claims, expenses of administration, taxes, and distribution.
- ◆ Closing an estate informally does not result in court approval of the actions of the Personal Representative nor a court discharge. It is merely the statement of the Personal Representative indicating their belief that the administration is completed.
- ◆ If no proceedings involving the Personal Representative are pending in the court one year after the closing statement is filed, the appointment of the Personal Representative is terminated. The Registrar takes no further action and no decree is issued.
- ◆ For additional information, please review §15-12-1001 through 1009, C.R.S.
- ◆ If you have a disability and need a reasonable accommodation to access the courts, please contact your local ADA Coordinator. Contact information can be obtained from the following website:
http://www.courts.state.co.us/Administration/HR/ADA/Coordinator_List.cfm

COMMON TERMS

- ☒ Estate: All of the property (real or personal) owned by a person on the date of death that is subject to probate.
- ☒ Formal: A court proceeding conducted before a Judge or Magistrate with notice to Interested Persons.
- ☒ Heir: Person(s) entitled to the property of the Decedent under statutes of Intestate Succession.
- ☒ Informal: A proceeding without a hearing by an officer of the court acting as a Probate Registrar.
- ☒ Intestate: Estate in which the Decedent **did not leave a Will**.
- ☒ Interested Persons: Persons identified by Colorado Law who must be given notice of a court proceeding. This term may include heirs, children, spouse, devisees, beneficiaries, creditors, claimants, and persons having priority to serve as Personal Representative, depending on the circumstances.
- ☒ Letters: A document issued by the court, identifying the authority of a Personal Representative.
- ☒ Personal Representative: A person at least 21, resident or non-resident of Colorado, who has been appointed to administer the estate of the Decedent; previously referred to as Executer/Executrix.
- ☒ Testate: Estate in which the Decedent **left a Will**.

If you do not understand this information, please contact an attorney.

FEES

No filing fee is required. Other fees that a party to the case may encounter are:

- Certification of Orders and Letters \$20.00
- Copy of Documents \$.75 per page

FORMS

To access a form online go to www.courts.state.co.us and click on the “Forms” tab. The forms are available in PDF or WORD by selecting “Trusts, Will, Estates” – “Closing and Estate Informally.” Complete the forms online or print them and type or print legibly in black ink.

Read these instructions carefully to determine what forms you may need, as you may need all or some of the listed forms. Check with the Court where you plan to file your case to determine if they have any special requirements.

- JDF 965 Statement of Personal Representative Closing Administration
- JDF 941 Decedent’s Estate Inventory
- JDF 942 Interim/Final Accounting

STEPS TO CLOSING THE ESTATE

Step 1: Ensure that the following documents have been completed.

1. Information of Appointment - **JDF 940**. You may have already completed this document with the Court, as it must be completed within 30 days from appointment. **This document must be on file with the Court.**
2. Decedent’s Estate Inventory - **JDF 941** and Interim/Final Accounting - **JDF 942** are not required to be filed with the Court.
3. Copies of the completed Decedent’s Estate Inventory **MUST** be sent to all Interested Persons who request it. In addition, if there are unknown intestate heirs or unknown devisees, a copy of the Decedent’s Estate Inventory - **JDF 941 MUST** be sent to the Attorney General. (§15-12-706(3), C.R.S.)

Step 2: Complete Forms.

Selecting these instructions indicates that you plan to informally close administration of an estate. The caption below must be completed on all forms filed. **Be sure to make a copy for your own records of all forms you file with the Court.**

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address:	▲ COURT USE ONLY ▲
In the Matter of the Estate of: Deceased	
Attorney or Party Without Attorney (Name and Address): Phone Number: Email: FAX Number: Atty. Reg. #:	Case Number: Division: Courtroom:
NAME OF FORM	

- Statement of Personal Representative Closing Administration (JDF 965).**
 - This form can be completed by the Personal Representative or Successor Personal Representative.
 - Complete **all** sections on the form.

Step 3: File your Papers with the Court:

- Provide the Court with the completed Statement, as described in **Step 2** above.
- Complete the Certificate of Service section on **JDF 965** listing the names and addresses of all interested persons to whom the Statement was sent and the date sent.

Step 4: The Estate is deemed closed one year after filing the Statement.