

District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: _____		
In the Matter of the Estate of: Deceased		▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): _____ Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____		Case Number: _____ Division _____ Courtroom _____
PETITION FOR FORMAL PROBATE OF WILL AND FORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE		

***** Use this form if the decedent left a will *****

The petitioner, an interested person pursuant to § 15-10-201(27), C.R.S., makes the following statements:

1. Information about the petitioner:

Name: _____ Relationship to Decedent _____
 Street Address: _____
 City: _____ State: _____ Zip Code: _____
 Mailing Address, if different: _____
 City: _____ State: _____ Zip Code: _____
 Primary Phone: _____ Alternate Phone: _____
 Email Address: _____

2. The decedent, _____, died on _____ (date) at the age of ____ years. The decedent was domiciled or resided in the City of _____ County of _____, State of _____.

3. Venue for this proceeding is proper in this county because the decedent:
 had his or her domicile or residence in this county on the date of death.
 did not have his or her domicile or residence in Colorado, but had property located in this county on the date of death.

4. This petition is filed within the time period permitted by law. Three years or less have passed since the decedent's death, or circumstances described in § 15-12-108, C.R.S. authorize tardy probate or appointment.

5. The Petitioner:
 has not received a Demand for Notice of Filings or Orders and is unaware of any Demand for Notice of Filings or Orders concerning Decedent.
 has received or is aware of a Demand for Notice of Filings or Orders concerning Decedent. See attached Demand for Notice of Filings or Orders or explanation.

6. No court has appointed a personal representative and no such appointment proceeding is pending in this state or elsewhere.

A court has appointed a personal representative, or an appointment proceeding is pending in the State of _____ (Attach a statement explaining the circumstances and indicating the name and address of the personal representative. Attach a certified copy of the appointing document if the appointment has been finalized.)

7. Except as may be disclosed in an attached explanation and after the exercise of reasonable diligence, the petitioner is unaware of any instrument revoking the will and is unaware of any prior wills relating to property in Colorado that have not been expressly revoked by a later instrument.

Or

The date of the decedent's last will is _____.

The dates of all codicils are _____.

The will and any codicils are collectively referred to as "the will". The petitioner believes that it is the decedent's last will and that it was validly executed.

8. The original will:

Was deposited with this court before the decedent's death (§ 15-11-515, C.R.S.)

Has been delivered to this court since the decedent's death (§ 15-11-516, C.R.S.)

Is filed with this petition.

Other: _____

An e-filed copy of the will is filed with this petition.

The original will be delivered to the court forthwith.

The will is an electronic will executed in compliance with § 15-11-1305, C.R.S. and an e-filed copy of the will is filed with this application.

The will is an electronic will executed in compliance with § 15-11-1305, C.R.S. and a certified paper copy of the will pursuant to § 15-11-1309, C.R.S. is filed with this application.

The will is a certified copy of the original will that has been certified by the State Court Administrator under § 15-23-116, C.R.S.

The will has been probated in the State of _____. Authenticated copies of the will and of the statement probating it are filed with this petition. (§ 15-12-402, C.R.S.)

9. Decedent's marital and family status:

a) Did a spouse or partner in a civil union survive the decedent? Yes No

b) Did the decedent have a surviving parent? Yes No

c) Did the decedent have surviving children or other descendants? Yes No

d) Does the decedent's surviving spouse or partner in a civil union have surviving descendants who are not descendants of the decedent? Yes No

e) Are all of the decedent's surviving descendants also descendants of the surviving spouse or partner in a civil union? Yes No

f) Are any of the decedent's children minors? Yes No

10. The names and addresses of the decedent's spouse, partner in a civil union, children, other heirs, and devisees are as follows:

◆ If a guardian or conservator has been appointed for one of the persons listed below, also provide the name and address of the guardian or conservator.

◆ If a minor child is listed, list the child's parent(s), guardian, or conservator.

◆ If a spouse, partner in a civil union, or child has predeceased the Decedent, include the date of death.

◆ A sample of this section is included in the Instructions - JDF 906.

Name	Address or Date of Death	Age, only if Minor	Relationship (e.g. spouse, partner in a civil union, child, brother, guardian for spouse, etc.)

11. Petitioner is 21 years of age or older and nominates himself or herself to be appointed as personal representative.

Or

Petitioner is 21 years of age or older and nominates himself/herself to be appointed as co-personal representative along with the following as a co-personal representative.

Name: _____ The Nominee is 21 years of age or older.
 Street Address: _____
 City: _____ State: _____ Zip Code: _____
 Mailing Address, if different: _____
 City: _____ State: _____ Zip Code: _____
 Primary Phone: _____ Alternate Phone: _____
 Email Address: _____

Or

Petitioner nominates the following person be appointed as Personal Representative.

Name: _____ The Nominee is 21 years of age or older.
 Street Address: _____
 City: _____ State: _____ Zip Code: _____
 Mailing Address, if different: _____
 City: _____ State: _____ Zip Code: _____
 Primary Phone: _____ Alternate Phone: _____
 Email Address: _____

12. The nominee has priority for appointment because of:

- Statutory priority. (§ 15-12-203, C.R.S.)
- Reasons stated in the attached explanation.

Persons with prior or equal right to appointment are as follows:

All person(s) (other than those identified in Paragraph 11 above) with prior or equal right to appointment have renounced their right to appointment (JDF 912SC). All required renuncements accompany this petition.

13. Bond is not required by the will and no interested person demanded that bond be filed. (Skip #14 below.)
- Bond is required by will or is being demanded by an interested person. (Complete #14 below.)
- Bond in the amount of \$ _____ has been demanded.

14. Petitioner states the following regarding the decedent's estate, if required by § 15-12-604, C.R.S.

Estimated value of real estate	\$
Estimated value of personal property	\$
Annual income expected from all sources	\$
TOTAL	\$

15. The personal representative may receive compensation.

- The hourly rates to be charged, any amounts to be charged pursuant to a published fee schedule, including the rates and basis for charging fees for any extraordinary services, and any other bases upon which a fee charged to the estate will be calculated, are as stated below or in an attachment to this petition. *

- The basis of compensation has not yet been determined.

* There is a continuing obligation to disclose any material changes to the basis for charging fees. (§ 15-10-602 C.R.S.)

16. The personal representative may compensate his, her, or its counsel.

- The hourly rates to be charged, any amounts to be charged pursuant to a published fee schedule, including the rates and basis for charging fees for any extraordinary services, and any other bases upon which a fee charged to the estate will be calculated, are as stated below or in an attachment to this petition. *

- The basis of compensation has not yet been determined.

* There is a continuing obligation to disclose any material changes to the basis for charging fees. (§ 15-10-602 C.R.S.)

17. Unsupervised administration is requested.

Supervised administration is requested (additional filing fee required). Terms of the requested supervision are as follows:

After notice and hearing, the petitioner requests that the court formally admit the decedent's will to probate, determine the heirs of the decedent and formally appoint the nominee as personal representative to serve:

without bond with bond in the amount of _____.

in unsupervised administration in supervised administration (additional filing fee required)

and that Letters Testamentary be issued to the personal representative or that previously issued Letters be confirmed. The petitioner also requests:

a setting aside of prior informal findings as to testacy.

a setting aside of prior informal appointment of personal representative.

other: _____

By checking this box, I am acknowledging I am filling in the blanks and not changing anything else on the form.

By checking this box, I am acknowledging that I have made a change to the original content of this form.

VERIFICATION

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the _____ day of
(date)

Executed on the _____ day of
(date)

_____, _____,
(month) (year)

_____, _____,
(month) (year)

at _____
(city or other location, and state OR country)

at _____
(city or other location, and state OR country)

(printed name)

(printed name)

(Signature of Petitioner)

(Signature of Co-Petitioner, if any)

Attorney Signature, (if any)

Date

Note:

- Please remember to add any AKA names in the caption, if applicable.