

IN THE INTEREST OF:

CASE NUMBER:

12TH JUDICIAL DISTRICT
ANCILLARY ESTATE
(DOMICILIARY FOREIGN PERSONAL REPRESENTATIVE)

C.R.S. §§ 15-13-101 THROUGH 401

ALL JDF FORMS AVAILABLE AT WWW.COURTS.STATE.CO.US : FORMS → ALL COURT FORMS & INSTRUCTIONS → TRUSTS, ESTATES, WILLS

BEFORE YOU FILE:

- **There must be a probate case open in another state.** Through an ancillary filing, the Colorado court acknowledges an appointment by another state and gives that person the authority to act in Colorado.
- **The person who was actually appointed as Personal Representative/Executor/Administrator by the other state must be the same person asking to be given authority to act in Colorado.**
- **If you are opening an ancillary estate in Colorado in order to transfer real property, you should know that you will need to file an ancillary estate proceeding in the court for every county where you need to transfer property.**
- **The court will need certified, authenticated, or exemplified copies of the documents from the court in the state where the original probate was filed, including the will, if there is one. (Mail or bring these directly to the court; e-filing and electronic copies not accepted.) The certification must have been done within the last 60 days. If the court does not get the correct documents, an ancillary estate will not be opened in Colorado. Some common problems/issues with out-of-state court documents submitted are:**
 - **The documents are not certified, exemplified, or authenticated.** Check with the court for the issuing state on what they do, but this usually will mean the clerk places an extra seal on the document. This seal must be dated within the last 60 days. There is typically a charge for these copies as well.
 - **The documents are not signed by a judge.** In order to approve an ancillary filing in Colorado, the court needs a document stating that you have been appointed as Personal Representative/Executor/Administrator—and this document must have been signed by a judge. Each state has its own laws about probate and some states have procedures for administering estates that do not involve appointment by a judge. If this is what you did in another state, you may not be able to file an ancillary estate in Colorado.
 - **The case in the other state has been closed.** The Colorado court can only approve the ancillary estate here if the probate case in the other state is still open. If you have closed the probate case in the other state, you may have to ask to have it re-opened before you file an ancillary in Colorado.
 - **Another person was appointed as Personal Representative in the first state.** The person applying for an ancillary estate in Colorado must be the same person who was appointed as personal representative/executor/administrator in the first state.

It is up to the Judge to approve the documents submitted from another state for an ancillary filing. Before the documents have been filed, the clerks or self-help personnel cannot guarantee whether they will be accepted.

STEP 1: INITIAL FILING

X	PLEADINGS/ACTIONS	JDF #	ADDITIONAL INFORMATION
	Pay filing fee		
	Domiciliary Foreign Personal Representative	929	
	Certificate of Ancillary Filing—Decedent Estate	930	Do not sign signature lines
	Certified, exemplified, or authenticated copies of court order in original state appointing personal representative/executor/administrator		See list of common issues above. Judge must approve the documents submitted from another state. Send or bring these directly to the court; e-filing or electronic copies not accepted.
	Certified, exemplified, or authenticated copies of Letters of Administration/Letters Testamentary from original state		(If any)

These standard checklists 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. Please consult with an attorney if you have specific questions. If you choose to represent yourself, you are bound by the same rules and procedures as you would be if you were an attorney.

IN THE INTEREST OF: <input type="text"/>		CASE NUMBER: <input type="text"/>	
<input type="checkbox"/>	Certified, exemplified, or authenticated copy of the original will	<input type="checkbox"/>	(If any)

STEP 2: AFTER FILING

If your documents are approved by the court, you will receive a signed JDF 930. The court then closes the case and is not involved further in the administration of the estate.

For questions regarding this document or any of the actions/forms described above,
contact:

12th Judicial District Probate Registrar

Bandy Lucero

Telephone: (719) 657-3394

12th Judicial District Self-Help Coordinator

Kim Cortez

Telephone: (719) 589-7652

Email: 12SelfHelp@judicial.state.co.us

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