

REQUIRED TRAINING FOR PERSONAL REPRESENTATIVES

Before the court can appoint you personal representative, you must complete the online training about how to be a personal representative at:

<https://www.azcourts.gov/Portals/151/AOCPBPZ6.pdf>

If you don't have internet access, you can do the training at the Law Library.

The training takes about 45 minutes.

You'll get a Certificate of Completion when you finish the training.

You must file the Certificate of Completion with the court before the court can process your request to be appointed personal representative.

Please keep a copy for your records.

INFORMATION APPLICATION FOR APPOINTMENT (INFORMAL APPOINTMENT)

USE THIS PACKET IF:

- ✓ You want to apply to be the Personal Representative of the Estate of a person who died without a Will **OR**
- ✓ You want to apply to be the Personal Representative of the Estate of a person who died with a Will and you have the **original** Will to give to the Probate Registrar;
- ✓ The death of the person occurred more than 120 hours (5 days) ago. If that amount of time hasn't passed, you must wait until the 120 hours have passed.

WHAT TO DO BEFORE YOU COME TO COURT TO FILE ANYTHING:

1. Decide if you are asking for an appointment as Personal Representative when the person died without a Will or with a Will. If the person died with a Will, you will also be asking for the Will to be admitted into informal probate.
 - NOTE: [Non-licensed fiduciaries serving as guardians, conservators or personal representatives are required by Rule 27.1 of the Arizona Rules of Probate Procedure to complete training prescribed by the Supreme Court. The training shall be completed before letters to serve as guardian, conservator, or personal representative are issued unless the appointment was made pursuant to sections 14-5310(A), 14-5401.01(A) or 14-5207, or otherwise ordered by the court.] You can complete the training at this web site: <http://www.azcourts.gov/probate/probate.aspx>
2. Decide if you are an appropriate person to be the Personal Representative. To do this, read the Application and apply the information presented in the training noted above. It will help you know what the law requires. Also read the Application and all the other papers in this packet so that you have a good idea what kind of information you will need to file for the appointment as Personal Representative.
3. Decide:
 - a) who all the other people are who are entitled to be Personal Representative;
 - b) who are the likely persons who will inherit property under the Will or to whom property will pass by law if there is no Will; and
 - c) who are creditors of the Estate. If you are not sure about this, talk to a lawyer who can help you decide.
4. Complete the Application if you want to be appointed as Personal Representative.
5. Contact the people who could also be Personal Representatives. Ask them if they are willing to sign a Waiver of Appointment and will agree to your appointment. If they are, ask them to sign the Waiver of Right to Appointment document.
6. Estimate the total value of the Estate of the deceased person. Contact the people who are entitled to inherit the property under a Will, or to whom property will pass by law if there is no Will, and ask them if they are willing to have you act as Personal Representative without a bond. If they are willing, ask them to sign the Waiver of Bond document.

7. The court location you are required to file the Application in is determined by the residence of the decedent at the time of death. Decide in which court location you are required to file the Application and all the other court papers. If you are not sure where to file the Application, contact the Probate Registrar.
8. Complete the Statement of Informal Appointment, except for the part about the bond and the signature of the Probate Registrar.
9. Make at least one copy of each document. Now you are ready to file the application and to see if you will be appointed the Personal Representative.

FILE THE COURT PAPERS

1. Bring or mail the original and a copy of the following documents with you to the Probate Registrar at one of the court locations listed above. If filing by mail, send the original and a copy of the following documents along with a self addressed stamped envelope so that the Registrar can mail you court-stamped copies of the documents that are filed.
 - Probate Cover Sheet
 - Probate Information Form
 - Application for Appointment
 - Original Will, if person who died had a Will
 - Certificate of completion for the Unlicensed Fiduciary Overview (if non-licensed fiduciary)
 - Certificate of completion for Personal Representative Training (if non-licensed fiduciary)
 - Signed Waiver of Right to Appointment and Consent (if applicable)
 - Signed Waiver of Bond (if applicable)
 - Statement of Informal Appointment
 - Proposed Order to Personal Representative
 - Letters of Appointment and signed, notarized Acceptance of Appointment
2. There is a \$324 fee to file these papers. The Court accepts cash, cashier's checks, or money orders payable to "Clerk of Superior Court". If you are unable to pay, or if the Estate cannot afford to reimburse you, you may be entitled to have the fees waived or deferred. Ask for the Application for Deferral of Fees. If the application is approved for deferral, there will be an additional fee (which may also be deferred/waived) assessed at the time of filing.
3. The Registrar will open a file. The Registrar will court-stamp (conform) your copies of the documents that are filed so you have a record of when and what documents were filed.
4. The Registrar will enter the case into the docket (court record). He/she will review the papers to determine if they comply with the law. If all is in order, the Registrar will sign the Statement admitting the Will (if there is one) and the Order to Personal Representative, and will issue the Letters of Personal Representative. This process may take up to two days. If you have provided a self addressed, stamped envelope, the conformed copy of the Statement, the Order to Personal Representative and the Letters of Appointment will be mailed to you OR you can make arrangements to pick them up after they are signed.
5. If the Registrar requires you to post a bond, you will need to get a surety bond or provide cash in the amount required. When the bond is filed with the court, the Registrar will issue the Letters of Appointment.

6. Ask the Registrar for a certified copy of the Letters of Appointment to prove you were appointed as the Personal Representative of the Estate. There is a fee for certification, plus a charge for copying each page. To check out the current fees go online to <https://coconino.az.gov/614/Superior-Court-Filing-Fees>.

WHAT TO DO NEXT

Now you are ready to give Notice of the Appointment, complete the Inventory of Property, and proceed to conduct the administration of the Estate.

Name of Person Filing Document: _____
Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Representing Self or Attorney for: _____
Attorney Bar No. (if applicable): _____
Licensed Fiduciary No. (if applicable): _____



SUPERIOR COURT OF ARIZONA
IN COCONINO COUNTY

In the Matter of the Estate of:

Case Number: _____

_____,
Deceased.

**PROBATE INFORMATION FORM
FOR DECEDENT'S ESTATE**

Updated (Check this box if this is an updated form.)

INSTRUCTIONS:

1. Complete this form to the best of your knowledge and ability and then file it with your application or petition.
2. If you later learn of additional information that you omitted or if you later learn that any information in this form is incorrect, you must file an updated probate information form.
3. For purposes of this form, "Financial Institution" means a national banking association, a holder of a banking permit under Arizona law, a savings and loan association authorized to conduct trust business in Arizona, a title insurance company qualified to do business in Arizona, or a trust company holding a certificate to engage in trust business from the superintendent of financial institutions.
4. Items designated with an asterisk (*) constitute "contact information" under Rule 13, Arizona Rules of Probate Procedure. If contact information changes, you must file a notice of change of contact information.

5. This form is filed as a confidential document, so it is *not* available to the general public. In addition, you are *not* required to provide anyone with this form, other than the court.

A. INFORMATION ABOUT THE NOMINATED PERSONAL REPRESENTATIVE / SPECIAL ADMINISTRATOR:

Name: _____

Is this person or entity an Arizona Licensed Fiduciary? [] Yes [] No

If Yes, write that person or entity's Licensed Fiduciary Number on the line below:

Mailing Address:* _____

Physical Address:* _____

Work Telephone Number:* _____

Email Address:* _____

If the nominated personal representative/special administrator is an Arizona Licensed Fiduciary or a Financial Institution, proceed to section **B** below. Otherwise, complete the remainder of section **A**.

Home Telephone Number:* _____

Cellular Phone Number:* _____

Date of Birth: _____ Social Security Number: _____

Race: _____ Height: _____ Weight: _____

Eye Color: _____ Hair Color: _____ Sex: _____

B. INFORMATION ABOUT THE DECEDENT:

Name: _____

Date of Birth: _____ Date of Death: _____

Social Security Number: _____

I, _____ (your name), under the penalty of perjury, do hereby swear that the foregoing information is true and correct to the best of my knowledge and belief.

Date

Signature

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

FOR CLERK'S USE ONLY

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN COCONINO COUNTY

In the Matter of the Estate of:

Case Number: PB _____

 an Adult a Minor, deceased

WAIVER OF RIGHT TO APPOINTMENT AS PERSONAL REPRESENTATIVE AND CONSENT TO APPOINTMENT OF PERSONAL REPRESENTATIVE

THE UNDERSIGNED PERSON STATES AS FOLLOWS:

1. I am: (check one box)
 - (Check only if there is NO Will)** an heir of the decedent's estate without a Will or
 - (Check only if there IS a Will)** a person named in the decedent's Will.

2. I have priority for appointment as Personal Representative of this estate under A.R.S. 14-3203 because: (check which box applies)
 - (Check only if there IS a Will)** I am named as Personal Representative in the Will of the person who died;
 - (Check only if there IS a Will)** I am the surviving spouse of the person who died and I am named in the Will;
 - (Check only if there IS a Will)** I am another person named in the Will of the person who died;
 - I am the surviving spouse of the person who died;

I am another person entitled to inherit the property of the person who died because (explain)

3. I waive and want to give up any right I have to appointment as the Personal Representative of this estate.

4. I consent to the appointment of (name) _____ as
Personal Representative of the estate.

Signature

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

Deputy Clerk or Notary Public

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

FOR CLERK'S USE ONLY

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN COCONINO COUNTY

In the Matter of the Estate of:

Case No: _____

WAIVER OF BOND

an Adult a Minor, deceased

THE UNDERSIGNED PERSON STATES AS FOLLOWS:

1. I am: (check one box)

- (only if there is no Will) an heir of the decedent's estate without a Will or
 (only if there is a Will) person named in the decedent's Will.

2. The person who is applying to be the Personal Representative of the estate

(name) _____

has estimated that the total value of the estate of the person who died is \$ _____.

3. I waive any and all bond in connection with his or her appointment as Personal Representative. I ask that the court not require any bond in this proceeding.

Signature

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

(notary seal)

Deputy Clerk or Notary Public

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____

Licensed Fiduciary Number: _____

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

FOR CLERK'S USE ONLY

SUPERIOR COURT OF ARIZONA IN COCONINO COUNTY

In the Matter of the Estate of:

Case No: PB _____

_____ an Adult or a Minor, deceased

APPLICATION FOR INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE
(Person Died Without a Will - "Intestate Estate")

OR

APPLICATION FOR INFORMAL PROBATE OF WILL and FOR INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE
(Person Died With a Will - "Testate Estate")

1. This is an application for: (check one box)

Informal Appointment of Personal Representative because the person died without a Will
("Intestate Estate")

OR

Informal Probate of Will and for Informal Appointment of Personal Representative because the person died with a Will ("Testate Estate").

2. I live in _____ (County) _____ (State), and I am entitled to file this Application under A.R.S. 14-3301 because I am: (check the box that applies)

- The surviving spouse of the person who died;
- An adult child of the person who died;
- A parent of the person who died;
- A brother or sister of the person who died;
- (Check the box only if there is not a Will) A person entitled to property of the person who died under Arizona law;

(Check the box only if there is a Will) A person who was nominated/named as Personal Representative by a Will;

At least 45 days have passed since the person died, and I am a creditor.

3. **The name of the person who died is:** _____.

This person died on _____, (date of death) **at the age of** _____ **years.**

At the time of death, the person who died lived in the following county and state: _____
_____ **and 120 hours or more have passed since the time of death.**

4. **There is a Will and the original of the Will of the person who died, dated** _____, **is filed with this Application.**

5. **The person who died left behind the following persons who are the surviving spouse, children and others entitled to take property under Arizona law:** (if you need more space, attach a separate page):

Name	Age	Relationship	Address

6. **This is the correct county in which to file the probate because the person who died was a resident of this county or owned property in this county at the time of death.**

7. **To the best of my knowledge,** (check one box)

no personal representative for the estate has been appointed in this state or elsewhere

OR

a personal representative for the estate has been appointed in this state or elsewhere:

_____ (name of the person)

_____ (name of state)

8. I have **OR** I have not received a demand for notice from any interested person, **and**

I am **OR** I am not aware of any demand for notice by any interested person or any proceedings concerning the person who died, in this state or elsewhere.

9. I believe that the person who died had no Will. (Check the box only if there is not a Will.)

I exercised reasonable diligence, and I am not aware of any unrevoked Will, amendment to a Will, or a trust signed by the person who died that relates to property in this state.

OR

- I believe that the Will dated _____ was validly executed and is the last Will of the person who died. I exercised reasonable diligence, and I am not aware of any document that revokes the Will, or any amendment to the Will signed by the person who died.

10. **I have priority for appointment as Personal Representative because there is a will and:**
(Check boxes that apply – *if* there is a will)

- I am named as personal representative in the Will of the person who died;
- I am the surviving spouse of the person who died and am named in the Will;
- I am another person named in the Will of the person who died;
- I am the surviving spouse of the person who died;
- I am another person entitled to inherit the property of the person who died because (explain):

11. **The names, relationships and addresses of all parties who have a prior or equal right to appointment under A.R.S. 14-3203 are** (if you need more space, attach a separate page):

Name	Relationship	Address
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12. **BOND INFORMATION:** (Check one box)

- A bond is not required** of the Personal Representative under A.R.S. 14-3603 because all the legal heirs have filed written waivers of bond. **I request to be appointed Personal Representative to administer the estate without bond,**

OR

- A bond is not required because the Will waives the bond** for the Personal Representative. **I request to be appointed Personal Representative to administer the estate without bond,**

OR

- A bond is required of the Personal Representative under A.R.S. 14-3603 because all the legal heirs have not filed written waivers of bond** and my best estimate of the fair market value of all the property owned by the person who died and subject to the probate jurisdiction of the Court is as follows:

Personal Property	\$ _____
Real Property (less encumbrances)	\$ _____
Expected annual income of Estate	\$ _____
TOTAL	\$ _____

I request to be appointed Personal Representative to administer the estate with a bond as might be required.

13. **The time for informal appointment has not expired under A.R.S. 14-3108 because:**
(check which box is true)

Two years have not passed since the death of the person; OR

Other (Explain) (See a lawyer to help with this, if more than 2 years have passed):

OATH or AFFIRMATION AND VERIFICATION OF APPLICANT

The Applicant states under oath or affirms that the statements in the Application are accurate and complete to the best of his or her knowledge and belief.

Signature of Applicant

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

Deputy Clerk or Notary Public

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____

Licensed Fiduciary Number: _____

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent



SUPERIOR COURT OF ARIZONA IN COCONINO COUNTY

In the Matter of the Estate of _____

Case No.: PB _____

NOTICE OF APPLICATION IN INFORMAL PROCEEDING

An Adult OR a Minor, deceased

NOTICE IS GIVEN that _____ (Name of Personal Representative) has filed an informal proceeding relating to this Estate as follows (check one box):

An Application for Appointment of Personal Representative Without a Will. (Check the box only if there is no will.) OR

An Application for Informal Probate of a Will and for Appointment of Personal Representative. (Check the box only if there is a will).

The Probate Registrar will consider the Application on _____ (date and time _____ Personal Representative will go to court to file the Application) at the office of the Probate Registrar, Superior Court of Arizona in Coconino County, at 200 N. San Francisco St., Flagstaff, AZ 86001.

DATED: _____

Signature

Print Name

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

FOR CLERK'S USE ONLY

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN COCONINO COUNTY

In the Matter of the Estate of _____

Case Number: _____

PROOF OF DELIVERY OR MAILING NOTICE OF APPLICATION IN INFORMAL PROCEEDING

an Adult OR a Minor, deceased

1. I delivered or mailed by first class mail, postage prepaid a copy of the **Notice of Application in Informal Proceeding** on _____ (date) according to the requirements of law as follows:
 - A. To any person who filed a written demand for notice with the court as required by A.R.S. 14-3306.
 - B. To any person who has a prior or equal right to appointment, unless he or she waived notice in writing and it is filed with this court.

2. I delivered or mailed the **Notice of Application in Informal Proceedings** to the following people on the following dates:

NAME	ADDRESS	DATE MAILED OR DELIVERED

Signature _____

Print Name _____

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____



Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN COCONINO COUNTY

In the Matter of: _____ Case Number: PB _____

DECLARATION SUPPORTING PUBLICATION

 An Adult A Minor Deceased

UNDER PENALTY OF PERJURY, I STATE THESE FACTS:

1. I am the Petitioner or Applicant and make these statements to show the circumstances why notice by Publication was used, and to show how service by publication was done.

2. Here are the names of people entitled to notice of this matter to whom I gave notice by publication:

- Name: _____
Last Known Address: _____
Last Date I Tried to Find Person: _____
Relationship to Protected or Deceased person: _____
- Name: _____
Last Known Address: _____
Last Date I Tried to Find Person: _____
Relationship to Protected or Deceased person: _____
- Name: _____
Last Known Address: _____
Last Date I Tried to Find Person: _____
Relationship to Protected or Deceased person: _____
- Name: _____
Last Known Address: _____
Last Date I Tried to Find Person: _____
Relationship to Protected or Deceased person: _____

- 3. I made a diligent search to find out the residence and whereabouts of all persons entitled to notice but failed to find any information concerning the residence or whereabouts of one or more of those persons.
- 4. I contacted the persons listed below to find out the location of the persons entitled to notice. (Note: There is no exact minimum number of persons you must contact. It may be more or less than five as required to satisfy the Court you have made every reasonable effort to locate every person entitled to notice.). Attach additional pages as necessary to show all the persons you contacted.

Name of Person Entitled to Notice: _____

Name of Person I Contacted: _____

Address of Person I Contacted: _____

Name of Person Entitled to Notice: _____

Name of Person I Contacted: _____

Address of Person I Contacted: _____

Name of Person Entitled to Notice: _____

Name of Person I Contacted: _____

Address of Person I Contacted: _____

Name of Person Entitled to Notice: _____

Name of Person I Contacted: _____

Address of Person I Contacted: _____

Name of Person I am Looking for: _____

Name of Person I Contacted: _____

Address of Person I Contacted: _____

5. ABOUT THE PUBLICATION.

NOTICE OF HEARING was published in a newspaper in this County on the following dates.

A. _____, B. _____, C. _____ .

PROOF OF PUBLICATION IS ATTACHED. (REQUIRED)
(Attach an "Affidavit of Publication" supplied by the newspaper that published the notice.)

By signing this document, I state to the Court, under penalty of perjury that the information presented is true and correct to the best of my knowledge and belief.

Date Signed

Petitioner's Signature

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

Representing Self, without a Lawyer or Attorney for Petitioner OR
 Respondent

FOR CLERK'S USE ONLY

SUPERIOR COURT OF ARIZONA IN COCONINO COUNTY

In the Matter of the Estate of:

Case No: PB _____

_____ an Adult or a Minor, deceased

- STATEMENT OF INFORMAL APPOINTMENT
OF PERSONAL REPRESENTATIVE
(Person Died Without a Will - "Intestate Estate")**
OR
 **STATEMENT OF INFORMAL PROBATE
OF A WILL AND INFORMAL APPOINTMENT
OF A PERSONAL REPRESENTATIVE
(Person died With a Will - "Testate Estate")**

THE PROBATE REGISTRAR FINDS:

1. An Application for Informal Appointment of a Personal Representative has been submitted by _____, requesting the following:
 (Check the box only if there is no Will) The appointment of _____ as the Personal Representative to administer the estate of the person who died without a Will,
 (Check the box only if there is a Will) The admission to probate of the Will of the person who died dated _____,
 (Check the box only if there is a Will) The appointment of _____ as the Personal Representative to administer the estate of the person who died with a Will.
2. The Probate Registrar has found compliance with A.R.S. 14-3303 and is satisfied that the Will is entitled to probate.
 The Probate Registrar has found compliance with A.R.S. 14-3308 and is satisfied that the person named below is entitled to appointment as Personal Representative under Arizona law.

THEREFORE:

1. (Name) _____, is appointed as Personal Representative of the estate of the person who died.
2. **(Check the box only if there is a Will)** The Will of the person who died, dated _____ is admitted to informal probate.
3. No bond is required OR the Personal Representative shall post a bond in the amount of \$ _____ with this Court. Letters will be issued to the Personal Representative upon accepting and posting a bond (if required).
4. The Personal Representative shall immediately notify the Court in these proceedings of any change in his or her address and shall be responsible for the costs resulting from his or her failure to do so.

DATED: _____

Probate Registrar

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

FOR CLERK'S USE ONLY

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

**SUPERIOR COURT OF
ARIZONA IN COCONINO
COUNTY**

In the Matter of the Estate of:

Case No.: PB _____

_____ an Adult OR a Minor, deceased

**LETTERS OF APPOINTMENT OF
PERSONAL REPRESENTATIVE AND
ACCEPTANCE OF APPOINTMENT AS
PERSONAL REPRESENTATIVE**

LETTERS OF PERSONAL REPRESENTATIVE

_____ (name) is appointed as Personal Representative of this Estate without restriction except as follows:

WITNESS: _____ (date)

CLERK OF SUPERIOR COURT

By _____
Deputy Clerk

ACCEPTANCE OF APPOINTMENT

I accept the duties of Personal Representative of the Estate of the above-named person who has died and do solemnly swear or affirm that I will perform the duties as Personal Representative according to law.

DATED: _____

Signature of Personal Representative

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

Deputy Clerk or Notary Public

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

FOR CLERK'S USE ONLY

SUPERIOR COURT OF ARIZONA IN COCONINO COUNTY

In the Matter of the Estate of:

Case Number: PB _____

an Adult OR a Minor, deceased

ORDER TO PERSONAL REPRESENTATIVE AND ACKNOWLEDGMENT AND INFORMATION TO HEIRS/DEVISEES

The best interest of this estate is of great concern to this Court. As Personal Representative, you are subject to the power of the Court. Therefore, to help avoid problems and to assist you in your duties, this Order is entered. You are required to be guided by this Order and to obey it.

This Court will not review or supervise your actions as Personal Representative unless an interested party files a written request to the Court. In Arizona, if you are a beneficiary of an estate, you are expected to protect your own interests in the estate. The Personal Representative is required to provide sufficient information to the beneficiary to permit the beneficiary to protect his or her interests. The Court may hold a Personal Representative personally liable and responsible for any damage or loss to the estate resulting from a violation of the Personal Representative's duties. The following is an outline of some of your duties as Personal Representative:

DUTIES OF THE PERSONAL REPRESENTATIVE: The duties of the Personal Representative are found in Chapter 3, Title 14 of the Arizona Revised Statutes (from now on called "A.R.S."). You are responsible for knowing and doing your duties according to these statutes. Some of the duties are as follows:

- 1. GATHER, CONTROL AND MANAGE ESTATE ASSETS.** As Personal Representative you have the duty to gather and control all assets that belonged to the decedent (the person who has died) at the time of his or her death. After the valid debts and expenses are paid, you have the duty to distribute any remaining assets according to the decedent's Will or, if there is no Will, to the intestate heirs of the decedent. As Personal Representative, you have the authority to manage the estate assets, but you must manage the estate assets for the benefit of those interested in the estate.

2. **FIDUCIARY DUTIES.** As Personal Representative you are a fiduciary. This means you have a legal duty of fairness and impartiality to the beneficiaries and the creditors of the estate. You must be cautious and prudent in dealing with estate assets. As Personal Representative, the estate assets do not belong to you and must never be used for your benefit or mixed with your assets or anyone else's assets. Arizona law prohibits a Personal Representative from participating in transactions that are a conflict of interest between you, as Personal Representative, and you as an individual. Other than receiving reasonable compensation for your services as Personal Representative, you may not profit from dealing with estate assets.
3. **PROVIDE NOTICE OF APPOINTMENT.** Within **30 (thirty)** days after your Appointment as Personal Representative are issued, you must mail notice of your appointment to the Arizona Department of Revenue and to the heirs and devisees whose addresses are reasonably available to you. If your appointment is made in a formal proceeding, you need not give notice to those persons previously noticed of a formal appointment proceeding. See A.R.S. §14-3705.
4. **PROVIDE NOTICE OF ADMISSION OF WILL TO PROBATE.** Within 30 days of the admission of the Will to informal probate, you must give written notice to all heirs and devisees of the admission of the Will to probate, together with a copy of the Will. You must notify the heirs and devisees that they have four (4) months from receipt of the Notice to start a formal testacy proceeding if the heir or devisee wishes to contest the probate. See A.R.S. §14-3306.
5. **MAIL COPIES of this ORDER TO PERSONAL REPRESENTATIVE.** WITHIN 30 DAYS AFTER YOUR LETTERS OF PERSONAL REPRESENTATIVE ARE ISSUED, YOU MUST MAIL A COPY OF THIS *ORDER TO PERSONAL REPRESENTATIVE AND ACKNOWLEDGMENT AND INFORMATION TO HEIRS/DEVISEES*, to all the heirs or devisees of the estate and to any other persons who have filed a demand for notice. See A.R.S. §14-3705.
6. **FILE PROOF OF COMPLIANCE.** Within **45 days** after your Letters of Appointment as Personal Representative are issued, you must file with the Court a notarized statement swearing or affirming that a copy of this Order was mailed to each devisee, to each heir in intestate (no will) estates and to any other persons who have filed a demand for notice.
7. **PUBLISH NOTICE.** Unless a predecessor personal representative already has fulfilled this duty or you were appointed more than two years after the decedent's date of death, you must publish a notice once a week for three (3) consecutive weeks in _____ County in a newspaper of general circulation that announces your appointment as Personal Representative and tells creditors of the estate that, unless they present their claims against the estate within the prescribed time limit, the claims will not be paid. In addition, you must mail a similar notice to all persons you know are creditors of the estate. See A.R.S. § 14-3801.
8. **PROTECT ASSETS.** You must immediately find, identify, and take possession of all the estate assets and make proper arrangements to protect them. See A.R.S. §14-3709. All property must be re-titled to show ownership in the name of the estate - such as "Estate of (decedent's name), by (your name) as Personal Representative." **Do not** put the estate assets into your name, anyone else's name, joint accounts, trust accounts ("in trust for"), or payable on death ("POD") accounts. **Do not** list yourself or any other person as joint owner or beneficiary on any bank accounts or other assets belonging to the estate. Do not mix any estate assets with your own assets or anyone else's assets.

If your authority as Personal Representative has been limited by the Court, you must promptly protect the estate assets as ordered, and file a Proof of Restricted Assets with the Court. You may not sell, encumber, distribute, withdraw or otherwise transfer restricted assets without first obtaining permission from the Court.

- 9. DETERMINE STATUTORY ALLOWANCES.** It is your responsibility to determine whether any individuals are entitled to statutory allowances under A.R.S. §14-2402, 2403, and 2404. Statutory allowances include a homestead allowance, exempt property allowance, and a family allowance.
- 10. INVENTORY ASSETS.** Unless a predecessor personal representative already has fulfilled this duty, within 90 days after your Letters of Appointment as Personal Representative are issued, you must prepare an inventory or list of the decedent's probate assets and their values as of the date of death. See A.R.S. § 14-3706. The inventory must be either (1) filed with the Court and mailed to all interested persons who request it, or (2) not filed with the Court, but mailed or delivered to: (a) each of the heirs if the decedent died intestate or to each of the devisees if the decedent's will was admitted to probate; and (b) to any other interested person who requests a copy of the inventory.
- 11. STANDARD OF CARE.** In administering estate assets, you must observe the standards of care applicable to a trustee, including the prudent investor rules. See A.R.S. §§14-10801 et. seq. and 14-10901 et seq.
- 12. KEEP DETAILED RECORDS.** You must keep detailed records of all receipts and expenses of the estate. You are required to provide an account of your administration of the estate to all persons affected by the administration. See A.R.S. §14-3933.
- 13. PAY VALID DEBTS AND EXPENSES.** You must determine which claims and expenses of the estate are valid and should be paid. You must provide to any creditor whose claims are not allowed prompt written notification that they will not be paid or will not be paid in full. See A.R.S. §14-3806. To the extent there are enough assets in the estate, you are responsible for the payment of any estate debts and/or expenses you know about or can find out about. If there are not enough estate assets to pay all debts and expenses, you must determine which debts and expenses should be paid according to the law. See A.R.S. §14-3805. You may be personally liable if you pay a debt or expense that should not be paid.
- 14. PAY TAXES.** It is your responsibility to determine that all taxes are paid and that all tax returns for the decedent and the estate are prepared and filed.

- 15. DISTRIBUTE REMAINING ASSETS.** After payment of all debts and expenses of the estate, you must distribute estate assets as directed in the Will or, if there is not a Will, to the intestate heirs. If there are not enough assets in the estate to make the gifts as set forth in the Will, it is your responsibility to determine how the distributions should be made as required by law. See A.R.S. § 14-3902 and 14-3907. You may be personally liable if you make an improper distribution of estate assets.
- 16. CHANGE OF ADDRESS.** Until the probate is closed and you are discharged as Personal Representative, you must notify the Court in writing if you change your home or mailing address.
- 17. PAYMENT AS PERSONAL REPRESENTATIVE.** As Personal Representative, you are entitled to reasonable compensation. See A.R.S. §14-3719. Arizona statutes do not designate percentage fees for your work or say how much a Personal Representative should be paid. You must keep receipts to prove out-of-pocket expenses. In determining whether a fee is reasonable, the Court will consider the following factors:
- a. The time required (as supported by detailed time records), the novelty and difficulty of the issues involved, and the skill required to do the service properly;
 - b. The likelihood that your acceptance as Personal Representative will preclude other employment;
 - c. The fee normally charged in the area for similar services;
 - d. The nature and value of estate assets, the income earned by the estate, and the responsibilities and potential liability assumed by you as Personal Representative;
 - e. The results obtained for the estate;
 - f. The time limitations imposed by the circumstances;
 - g. The experience, reputation, diligence and ability of the person performing the services;
 - h. The reasonableness of the time spent and service performed under the circumstances; and,
 - i. Any other relevant factors.
- 18. COURT INVOLVEMENT.** Usually, to reduce estate expenses, estates are administered and estate claims and expenses are paid, including the fees to the attorney and Personal Representative, with little Court involvement. The Court does not supervise informal probates or the conduct of a Personal Representative. However, if any interested party believes that the estate has not been properly handled or that the fees charged by the attorney or Personal Representative are not reasonable under the circumstances, that party may request that the Court review the accounting for the Personal Representative's administration of the estate. Any additional Court involvement may result in additional delay and expenses. If appropriate, the Court may assess the additional expense against the estate or the non-prevailing party.

19. CLOSE THE ESTATE. After you have administered the estate and all the assets of the estate have been distributed, the estate must be closed, either formally or informally. In an informal closing, a copy of the Closing Statement is filed with the Court and must be sent to all persons receiving a distribution from the estate. See A.R.S. §14-3933. For a formal closing, see A.R.S. §§14-3931 and 14-3932. ***Usually, the estate should be completely administered and closed within two (2) years of the initial appointment of the Personal Representative.***

This is only a general outline of some of your duties as Personal Representative. This Order does not describe all of your duties and is not a substitute for obtaining professional legal advice. This is a general outline of your duties only. If you have any questions as Personal Representative, before taking any action you should contact an attorney who handles probate estates to find out what to do.

WARNING. Failure to obey a Court Order and the statutory provisions relating to this estate may result in your removal as Personal Representative and other penalties. In some circumstances, you may be held in contempt of court, punished by confinement in jail, fine or both. In addition, if you violate any of your fiduciary duties, you could be held personally liable for any losses for which you are responsible.

DATED: this ____ day of _____, 20____.

Judge / Special Commissioner
Superior Court of Arizona in Coconino County

In the matter of the estate of _____ :
Name of the deceased

ACKNOWLEDGMENT OF ORDER TO PERSONAL REPRESENTATIVE AND INFORMATION TO HEIRS/DEVISEES

I, the undersigned, acknowledge receiving a copy of this order and agree to be bound by its provisions, whether or not read before signing, as long as I am Personal Representative.

Date Signed

Signature of Personal Representative

Printed Name

Date Signed

Signature of Personal Representative

Printed Name