INFORMAL PROBATE

Do not copy or file this page

1

Application for Appointment as Personal Representative

(known in other states as "executor")

Part 1: The Application and Notice

(Forms Packet)

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PBIP1f – 5270 - 072516

SELF-SERVICE CENTER

INFORMAL PROBATE
APPOINTMENT OF PERSONAL REPRESENTATIVE
AND ADMISSION OF WILL (if applicable)

CHECKLIST

Do not copy or file this page

You may use the forms and instructions in this packet only if the following factors apply to your situation:

- ✓ You are related to a person who died or you have a legal interest in the person's property.
- ✓ The person had a will *or did not* have a will.
- ✓ If the person did have a will, you have the original will, AND
- ✓ The person died more than 120 hours ago, *but less than 2 years ago*.*
- ✓ You want to file court papers to be appointed the Personal Representative of the estate.

***There are certain limited exceptions to the two-year limitation for informal probate listed in Arizona Revised Statutes (A.R.S.) Title 14 § 3108. An attorney may be of assistance in determining whether your situation qualifies for one of the exceptions or in handling the more complex "formal" probate process for which forms and instructions are not available from the court.**

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Self-Service Center website

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SELF-SERVICE CENTER

INFORMAL PROBATE
APPLICATION FOR APPOINTMENT AS PERSONAL REPRESENTATIVE

PART 1: The Application and Notice

FORMS

Do not copy or file this page

This packet contains court forms and instructions to file informal probate application for appointment as personal representative. Items in **BOLD** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

Order	File Number	Title	# pages
1	PBIP1k	Checklist for using this packet	1
2	PBIP1ft	Table of Contents (this page)	1
3	PB10f	***"Probate Cover Sheet"***	2
4	PBT10f	***"Declaration of Completion of Training" **** *See Instructions packet. View training material ***before*** you file to avoid delays.	1
5	PBIP11f	***"Waiver* of Right to Appointment and Consent"**	1
6	PBIP12f	***"Waiver of Bond"***	1
7	PBIP13f	***"Application for Appointment"***	3
8	PBIP14f	***"Notice of Application"***	1
9	PBIP15f	***"Proof of Mailing Notice of Application"***	1
10	PB25f	***"Declaration Supporting Publication"***	2
11	PBIP16f	***"Statement of Informal Appointment"***	1
12	PBIP17f	***"Letters of Appointment and Acceptance of Appointment"***	1
13	PBIP18f	***"Order to Personal Representative and Acknowledgment and Information to Heirs/Devisees"***	5
14	PBPRTM1	***"Personal Representative Training Manual"***	13
15	PBCAT1	***"Conservator's Account Forms Tutorial"***	16

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SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

PROBATE INFORMATION COVER SHEET

FOR CLERK'S USE ONLY

Case Number: PB _____

A person needing a guardian or conservator is the "**ward**". A person who died is the "**decedent**".

INFORMATION ABOUT THE WARD or THE DECEDENT

NAME: _____ **DATE OF BIRTH:** _____
MAILING ADDRESS : _____
STREET ADDRESS (if different)**:** _____
TELEPHONE (Home): _____ **SSN:** _____
TELEPHONE (Cellular): _____ **EMAIL:** _____
☐ **ADDITIONAL WARDS ARE INVOLVED. Information listed separately.**

INFORMATION ABOUT THE PETITIONER, the person filing these papers.

NAME: _____
MAILING ADDRESS: _____
TELEPHONE: _____ **EMAIL:** _____

INFORMATION ABOUT PETITIONER'S ATTORNEY: ☐ **Petitioner is not represented by an attorney, *or***
NAME: _____ **BAR #** _____
TELEPHONE: **EMAIL:**

☐ **An INTERPRETER IS NEEDED for this language:** _____

(List Names of) **Persons who need interpreter:** **Name:** _____
Name: _____ **Name:** _____

STAFF USE ONLY: REASON FEES NOT PAID: ☐ Government Charge ☐ Deferred ☐ Waived

NATURE OF ACTION: Place an "X" next to number which describes the nature of the case. Check only **ONE**.

200 ESTATE
____ 201 Formal Appointment of Personal Representative
____ 202 Informal Appointment of Personal Representative
____ 203 Ancillary Administration
____ 204 Affidavit of Succession to Realty
____ 205 Trust Administration
____ 206 Formal Probate of Will
____ 207 Informal Probate of Will
____ 208 Proof of Authority
____ 210 Other _____
Specify
____ 211 Single Transaction/Limited Conservatorship
____ 212 Foreign Domicilliary

220 CONSERVATOR
____ 221 Minor
____ 222 Adult Incapacitated Person

230 GUARDIANSHIP
____ 231 Minor
____ 232 Adult (including those with Dementia, Alzheimer's)
____ 233 Adult Requiring In-Hospital Mental Health Treatment

240 GUARDIANSHIP-CONSERVATOR COMBINATION
____ 241 Minor
____ 242 Adult (including those with Dementia, Alzheimer's)
____ 243 Adult Requiring In-Hospital Mental Health Treatment

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Case No. _____

INFORMATION ABOUT THE FIDUCIARY, **the person to serve as guardian, conservator, or personal representative** (executor) **of the Estate of someone who died.**

NAME:			**DATE OF BIRTH:**		
MAILING ADDRESS:					
STREET ADDRESS: (if different)					
TELEPHONE (Home):			**SSN:**		
TELEPHONE (Cellular):			**EMAIL:**		
TELEPHONE (Work):			**CERTIFICATION #** (for State-Licensed Fiduciaries ONLY)		
RELATIONSHIP TO THE WARD OR (if an estate matter) **THE DECEDENT:**					
PHYSICAL DESCRIPTION:	**RACE:**		**HEIGHT**		**WEIGHT:**
	EYE COLOR:			**HAIR COLOR:**	

By signing below, I state to the Court under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

_____
Petitioner or Attorney Signature

NOTICE

SUBMIT THIS FORM WITH NEW CASES ONLY.
If there is already a (Maricopa County) Probate Court case number and you are filing in an existing Superior Court case in Maricopa County, **DO NOT SUBMIT THIS FORM**.

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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 MARICOPA COUNTY

In the Matter of the Estate of

_____

A ☐ Deceased or ☐ Protected Person

Case Number PB: _____

DECLARATION OF COMPLETION OF TRAINING for NON-LICENSED FIDUCIARIES

Rule 27.1 of the Arizona Rules of Probate Procedure requires that a person to be appointed guardian, conservator, or personal representative of an estate, who is neither a state-licensed fiduciary nor a corporation, complete a training program approved by the Supreme Court of this state before permanent **Letters of Appointment** are issued.

UNDER PENALTY OF PERJURY

I state to the Court that in accord with Rule 27.1 of the Arizona Rules of Probate Procedure, I have completed the required training for non-licensed, non-corporate fiduciaries, as indicated below: (Check all that apply and provide applicable information.)

☐ Unlicensed Fiduciary Date completed: _____

☐ Conservatorship Date completed: _____

☐ Personal Representative Date completed: _____

☐ Guardianship Date completed: _____

Date: _____

_____
Signature

_____
Printed Name

INSTRUCTIONS: Fill out this Declaration completely and provide accurate information. Make at least one copy. You will need to file the original with the Clerk of Court and provide a copy to the Probate Registrar before receiving any *permanent* letters of appointment.

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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 MARICOPA COUNTY

In the Matter of the Estate of:

_____

☐ an Adult ☐ a Minor, deceased

Case Number: PB_____

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;

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WAV

Case No._____

☐ 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

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FOR CLERK'S USE ONLY

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 MARICOPA 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

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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 MARICOPA COUNTY

In the Matter of the Estate of:

_____
☐ an Adult or ☐ a Minor, deceased

Case No: PB_____

☐ **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 <u>without</u> a Will** ("Intestate Estate")

OR

☐ **Informal Probate of Will and for Informal Appointment of Personal Representative because the person died <u>with</u> 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 <u>not</u> a Will) A person entitled to property of the person who died under Arizona law;

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☐ (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.

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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

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:

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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 <u>not</u> 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

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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 MARICOPA 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 Maricopa County, at (check one box)

☐ **DOWNTOWN PHOENIX:** Probate Court Administration
Old Courthouse, 1st Floor
125 West Washington
Phoenix, AZ 85003-2205

☐ **NORTHEAST PHOENIX:** Probate Court Administration
18380 N. 40th St.
Phoenix, AZ 85032

☐ **SURPRISE:** Probate Court Administration
Northwest Court Facility
14264 West Tierra Buena Lane
Surprise, Arizona 85374

☐ **MESA:** Probate Court Administration
222 East Javelina Avenue
1st Floor, Suite 1350
Mesa, AZ 85210-6201

DATED: _____

_____
Signature

_____
Print Name

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

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

SUPERIOR COURT OF ARIZONA
IN MARICOPA 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 _____

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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 MARICOPA 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: _____

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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

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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 MARICOPA COUNTY

In the Matter of the Estate of:

_____

☐ an Adult or ☐ a Minor, deceased

Case No: PB _____

☐ **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

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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 MARICOPA COUNTY

In the Matter of the Estate of:

_____

☐ an Adult OR ☐ a Minor, deceased

Case No.: PB_____

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)

Michael Jeanes
Clerk of the 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

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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 MARICOPA COUNTY

In the Matter of the Estate of:

_____
A deceased ☐ Adult OR ☐ Minor

Case Number: PB _____

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.

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3. PROVIDE NOTICE OF APPOINTMENT. Within **30 (thirty)** days after your Letters of 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 that they have 4 (four) months 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.

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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 and Maricopa County Local Rule 5.7. 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; (continues on next page)

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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 account 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 Maricopa County

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Case No. _____

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

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PERSONAL REPRESENTATIVE TRAINING MANUAL

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IMPORTANT NOTICE

TRAINING REQUIREMENT

Effective September 1, 2012

The Arizona Supreme Court requires that any person who is not a state-licensed fiduciary (or a financial institution) must complete a training program approved by the Supreme Court **before** Letters of Appointment to serve as a guardian, conservator, or personal representative can be issued by the Clerk of the Court.

TRAINING SHOULD BE COMPLETED BEFORE THE COURT HEARING.

The fiduciary may for good reason request additional time to complete the training.

You may access and complete the training FREE online at:
http://www.azcourts.gov/probate/Training.aspx

Go to the section for **"Non-licensed Fiduciaries"** and click on the link to access a narrated slide-show presentation of the materials applicable to your situation.

AFTER reviewing the materials, you will need to inform the Court that you have completed the training by filing either the Certificate available at the end of the online training, or the Declaration of Completion form available at the end of this training manual, or from either the Probate Filing Counter or the Self-Service Center. If you have questions about the training, contact the Probate Clerk at 602-506-3668.

Personal Representative Training Manual

After viewing the contents of this manual you will be able to:

- Summarize the role of the Personal Representative
- Compare and contrast supervised vs. unsupervised probate administration
- Explain how handling an intestate differs from an estate with a Last Will and Testament
- Discuss the process for closing the estate

Supervised Administration v. Non-Supervised Administration

The intent of the probate court is to stay out of the affairs of a decedent (the deceased individual) estate as much as possible. The probate courts in Arizona take the position that the heirs, beneficiaries or devisees of an estate likely have the ability to protect their own interest in the estate and therefore, do not need the court monitoring the activities of a personal representative as they would for a guardianship or conservatorship.

➢ Unsupervised Personal Representative

Most probate administrations are not supervised by the court. This means the personal representative has the ability to liquidate property or make distributions without first seeking approval of the court. Any interested party may request the court "supervise" the activities of the personal representative. This can happen for a number of reasons. The interested party may be concerned that the personal representative is not acting for the benefit of the estate or the heirs, or one of the heirs or beneficiaries may be a minor or incapacitated, so the interested party believes additional court oversight is necessary.

➢ Supervised Personal Representative

When the court orders that a personal representative's appointment is supervised this means the personal representative must petition the court for approval to take most actions. For example, the personal representative would need to seek the court's approval before liquidating property, distributing property/cash, or closing the estate.

Intestate and Heirs

➢ If the estate is intestate, how do you determine heirs?

Arizona Revised Statutes §14-2103 outlines who should inherit the estate of the decedent if the person dies without leaving a will. According to this statute there is a prescribed order in which an estate passes on to the heirs. The order of inheritance is shown below:

Surviving spouse

If no surviving spouse:
The decedent's children or their children,

If no children:
The decedent's surviving parent(s),

If no parents:
The decedent's sibling(s) or their children

If no sibling(s) or nieces/nephews:
The decedent's grandparents – one-half to the maternal side and one-half to the paternal side

If there are no relatives:
The State of Arizona

- **Determining Heirs**

Determining who may be the heirs and in what percentage can be complicated. You should seek the advice of legal counsel to ensure that you have identified all potential heirs. It is best to seek a professional who will conduct an heir search and provide you with a report as to who may be entitled to inherit from the estate. Once you have determined who you believe to be the heirs of the intestate estate, you will want to file a petition for determination of heirs with the court so that the court may confirm the heirs of the estate.

Providing Notice to Interested Parties

Interested parties are individuals or companies who may have a financial interest in the estate such as an heir, beneficiary or devisee. An interested party may also be an individual who has filed a demand for notice, such as a creditor. If you are dealing with an intestate estate, you will need to provide notice to the Arizona Attorney General as they may receive the estate proceeds if no relatives can be located.

Filing Informal Probate

If you are filing an informal probate you shall give notice to interested parties, of the fact that you were appointed as the personal representative, within thirty days from the date of appointment. You shall notify the parties of the court where the Will was filed or where the petition for appointment was filed. You shall also provide them with a copy of the Order to Personal Representative which outlines your duties and responsibilities as the personal representative.

Filing Formal Probate

If you are filing a formal probate proceeding, you shall give notice of the date and time of the hearing to all interested parties at least 14 days prior to the hearing.

Providing Notice to Creditors

Once you are appointed as the personal representative, you must give notice to all known and unknown creditors. A creditor is any individual or entity which may have been owed money by the decedent before their death or as a result of their death. Examples include mortgage companies, physicians, credit card companies, and tax authorities, among others.

➢ Unknown Creditors

In order to ensure you have notified all unknown creditors, you shall publish notice in a newspaper of general circulation in the county where you were appointed. The notification shall state that you were appointed as the personal representative and provide the address where creditor's claims may be sent. You shall publish this one time per week for three successive weeks.

➢ Known Creditors

A known creditor is some person or company you know the decedent owed money to before death, such as a personal physician or credit card company. You shall provide actual notice to all known creditors by providing them with a copy of the Notice to Creditors that you file with the court.

➢ Creditor's Claim

Once a potential creditor has been notified of the death, the creditor has 120 days to present a bill to the estate for payment. Some creditors will file a creditor's claim directly with the court; others will simply send you the bill. Both methods are acceptable for presenting the claim to the estate.

➢ Time Frame for Claim

The time frame for presentation of the creditor's claim is calculated in one of two ways:

For unknown creditors the 120 day countdown begins on the date of first publication. As an example, if the first date that the creditor's notice is published in the newspaper is February 1, the creditor has until May 31 to present their claim.

For known creditors who receive actual notice, the 120 day countdown begins on the day you sent out the notification.

➢ When Creditor's Period Expires

If you receive a creditor's claim after the creditor's period has expired you have an obligation to deny the claim. The notice to creditors notifies the creditor that if they do not present their claim with 120 days, their claim is barred. A creditor may petition the court to argue against the fact that you denied the claim. The court will then determine whether the creditor should be paid or if the claim should be denied.

Order of Payment

➢ Who gets paid in what order?

The state statutes outline how creditor's claims are to be paid in the order as follows.

Costs and expenses of administration. This means your fees and expenses as the personal representative and those of your attorney; Funeral expenses; Debts and taxes under federal law (Internal Revenue Service); Medical and hospital expenses related to the last illness of the decedent, including compensation to individuals providing care; Debts and taxes with preference under state law (Arizona Department of Revenue); all other claims. This means that all other debts of the decedent fall into the same category. If there is more than one creditor in a particular category, they are all treated equally and no one has priority over the other for payment.

Pro Rata Share

➢ What if the estate is not large enough to cover all debts?

If the estate is not large enough to cover all of the debts, the debts are paid in the order outlined in the state statute. If all creditors with the exception of creditors in the final category have been paid, the remaining creditors get a pro rata share of the remaining cash. A pro rata share is the percentage of debt the creditor represents in comparison to the entire value of the debt owed.

➢ Debt Example

As an example, there are 10 creditors with a total debt owing of $100,000. Creditor 1 submitted a claim worth $50,000. This means that Creditor 1 represents 50% of the total debt owed by the decedent. If there is only $25,000 available to pay the remaining creditors, Creditor 1 would receive $12,500 toward their bill as they represent 50% of the claims.

Marshal and Secure All Assets

As a personal representative, your first priority is to marshal and protect the assets of the decedent's estate. When the court tells you to marshal an asset, do you know what they mean? The court wants you to take control of the assets, on behalf and for the benefit of, the estate. There are a number of different ways that you can do this.

➢ "Certified" Letter

One of the first things you need to do is obtain a current "certified" copy of your letter of appointment. A certified copy is a copy issued by the Clerk of the Court in the county where your letter was issued. The certified copy states that it is a true and complete copy of the original letter on file with the issuing court, and that the letters of personal representative are currently in effect.

➢ Record Your Letter

Once you have obtained the certified copy of your letters of appointment (or letters of personal representative) you will need to record these with the county recorder in every county where the decedent owned property. By recording your letters of appointment you are putting the public on notice of your appointment. You are also creating a record should someone attempt to sell real property belonging to the estate that you are the only person entitled to transfer property on behalf of the estate.

➢ Notice of Filing

Once you have received the recorded copy of your letters of appointment back from the recorder's office (there will be a marking on the document that reflects it has been recorded and where that record can be found for future reference), you will need to file a Notice of Filing with the court to show that you have recorded the letters of appointment.

➢ Marshal an Account

In order to marshal a bank or brokerage account, you will need to notify the financial institution of your appointment. When you first meet with the financial institution be sure to bring the original, stamped letter or the certified copy of your letter of appointment with you. Most banks' legal department will want to see a certified copy of your letter of appointment in order to allow you access to the account. You should also have a copy of the decedent's death certificate and a copy of the letter from the Internal Revenue Service assigning the employer identification number of the estate.

How Should Assets Be Titled?

Once you have presented your letter of appointment, the account(s) will be re-titled to the name of the estate. The way the account is titled depends on the organization you are working with. Some will title it as "Estate of Jane Doe, by John Doe, Personal Representative"; others will title it as "John Doe, Personal Representative for the Estate of Jane Doe." The purpose of this is to notify the organization (bank, brokerage firm, Department of Motor Vehicles) that you are the only person who should be dictating how the asset is held, spent, or managed.

Recording Transactions

You should be very careful not to let any other individual have access to any bank accounts you manage. While there is no law that prohibits you from using a debit card or cash to transact business on behalf of the estate, it is best to avoid using a debit card or cash whenever possible. Debit cards can be easily accessed by another individual and it is difficult to prove that a cash transaction was used for the benefit of the estate. If it is necessary to use cash for a purchase be sure to keep all receipts to prove the purchase was for the benefit of the estate.

Re-Title Vehicles

You may also re-title vehicles in the name of the estate. In order to transfer the title of vehicles into the estate you will need to bring your letters of appointment with you. The Motor Vehicle Division typically requires a certified copy dated within 60 days from the date of the re-title request. Vehicles may be cars, motorcycles, boats, recreational vehicles or motor homes.

Obtain an EIN

An EIN is an employer identification number. This is similar to a Social Security Number and is the number that is used to report the estate income to the Internal Revenue Service. You may obtain an EIN online from the Internal Revenue Service's website at www.irs.gov

Inventory and Appraisement

Unlike a conservatorship that requires you file the Inventory and Appraisement with the court AND provide a copy to interested parties, in a probate proceeding you can choose. You may file

the inventory and appraisement with the court and notify the interested parties that you filed it and they may request a copy from the court. Alternatively, you are not required to file it with the court (unless the court has ordered you to do so) and you can mail a copy of the inventory and appraisement directly to the interested parties. You must do one or the other within 90 days from the date of your appointment.

Assets of the Estate

All assets of the probate estate should be listed on the inventory and appraisement. Assets to be included, but not limited to, are shown below:

- Bank accounts
- Brokerage accounts
- Annuities
- Life insurance policies (the cash surrender value)
- Real property (homes, vacant land, and burial plots)
- Automobiles
- Jewelry/Artwork/Antiques
- Household items
- Cash/Coins

How Much Detail

➢ How much detail should you include?

You should include as much detail as is necessary to reasonably identify the asset. For example, if the protected person has a checking account at Bank of America, you would document it as "Bank of America Checking" and provide the Account number.

➢ Documenting Assets

When documenting an automobile, you should include the make, model, year and vehicle identification number (VIN). You should include the address and parcel number for real estate.

Documenting household items on an inventory is a little more difficult. Some will include a lump sum value of miscellaneous household property and others will include details such as one sofa, one end table and one coffee table. No matter the amount of detail you choose to include for household items, you should always photograph or video tape the personal property.

➢ Date and Valuation of Assets

When dealing with a probate estate, the value of an asset on the inventory and appraisement is determined by its value on the date of death of the decedent. When listing a bank account, brokerage account or annuity, you will want to list the value as of the date of death. A reliable way to determine the value of an automobile would be to use the Kelley Blue Book valuation.

➢ Provide a Reasonable Estimate

Determining the value of other assets may be a little more difficult. Appraisals may be obtained for homes, jewelry, artwork or antiques. Appraisals can be very costly so if it is not your intent to

liquidate the asset in the very near future, it may be best to provide a reasonable estimate of the asset's value as the value can change significantly in a very short period of time, such as with real estate. If you provide an estimate for the value be sure to make note of this on the inventory.

➢ In-Kind Distribution

Additionally, some assets may be distributed to a beneficiary as an "in-kind" distribution. An in-kind distribution is when you give the individual the property just as it is, such as a ring. Instead of selling the ring and giving the individual the cash, you are giving them the actual asset. The statute requires that the personal representative obtain an appraisal of any property given "in-kind" within 30 days of distributing the property. This is another reason it may be best to wait on an appraisal as you do not want to waste estate assets getting multiple appraisals for the same piece of property.

Payable/Transfer on Death

➢ What if you discover assets are "payable on death" or "transfer on death"?

If you discover that an asset is "payable on death" or "transfer on death" you should notify the individual(s) named as the beneficiary and provide them with the information necessary for them to take possession of the asset. As the personal representative you do not have the authority to marshal a payable on death asset because it no longer belongs to the decedent or his estate after his death; the interest in the asset now belongs directly to the beneficiary.

Record Keeping

➢ What types of records should you keep?

You are required to keep records of all income and expenses you manage as the personal representative of the estate. You will need to keep copies of all bank statements, brokerage statements, invoices, receipts, and any other record you need to support your efforts as personal representative.

Invoices

One good practice is to attach a copy of a check used to pay an invoice to the copy of that invoice. This ensures all parties that the expenses you are making are for the benefit of the protected person.

Original Papers

You should maintain the original papers for all important documents, such as deeds, titles, birth certificates, death certificates.

Maintaining Records

The amount of time you maintain records can depend on a number of factors. It is recommended that you keep all records regarding your activities as personal representative for, at a minimum, as long as you are acting as personal representative. Keep in mind, other laws may recommend you keep records for longer periods of time.

The typical recommendation is to follow the record retention requirements outlined by the Internal Revenue Service. The most recent information from the IRS indicates you should keep records according to the following conditions shown on this page.

1. If you owe additional tax and situations (2), (3), and (4), below, do not apply to you; keep records for 3 years.
2. If you do not report income that you should report, and it is more than 25% of the gross income shown on your return; keep records for 6 years.
3. If you file a fraudulent return; keep records indefinitely.
4. If you do not file a return; keep records indefinitely.
5. If you file a claim for credit or refund* after you file your return; keep records for 3 years from the date you filed your original return or 2 years from the date you paid the tax, whichever is later.
6. If you file a claim for a loss from worthless securities or bad debt deduction; keep records for 7 years.
7. Keep all employment tax records for at least 4 years after the date that the tax becomes due or is paid, whichever is later.

Payment for Personal Representative

You are entitled to payment for your time as the personal representative. The court may review your fees at the time you close the estate. You are also entitled to reimbursement from the estate for any money you pay out of pocket for the estate's benefit. For example, if you pay for a filing fee with the court, you would be entitled to be reimbursed for that expense.

Attorney's Fees

➢ Can You Hire An Attorney?

You may hire an attorney and are entitled to have the fees for that attorney paid for by the estate as long as the court determines that the fees are reasonable and necessary.

Closing the Estate

Upon expiration of the creditor's claims period, you should be able to close the estate. If the assets of the estate are sufficient to pay all claims, then all claims should be paid. If you have reason to believe a claim on the estate is not valid you may deny that claim. However, if you do so, you will need to allow time for the creditor to challenge the denial.

➢ Final Tax Return

You may want to meet with a CPA to discuss the timing and process for filing the final estate tax return. To file the final return you will need to obtain an Internal Revenue Service Form W-9 from each heir, beneficiary or devisee. At the time of filing the final tax return, the CPA will prepare a document called a Form K-1 which will be provided to each beneficiary, heir or devisee.

➢ Supervised Personal Representative

You may close the estate in one of two ways depending on your appointment type. If you are operating under a supervised administration, you will be required to file a formal account with the court which outlines the starting value of assets (the inventory value), the income and expenses, the ending value of the estate and a proposal as to how you plan to distribute those funds to the individuals /entities who are to receive them.

➢ Non-Supervised Personal Representative

If you are not operating under a supervised administration, you may still choose to file a formal account with the court but you are not required to do so. Instead, you may provide the interested parties with a copy of your accounting and obtain a waiver and release from them. The waiver and release will typically indicate that they acknowledge receipt of the account, they have no issues with its contents, they agree to the distribution plan and waive you filing the account with the court.

Distributions to Heirs

Upon approval of the distribution plan by the court or receipt of all waivers and receipts from the heirs, beneficiaries or devisees, you may distribute the assets of the estate according to law, the terms of the Last Will and Testament and/or the distribution plan.

Distribution Receipts

It is good practice to send a receipt to the individual/entity receiving the distribution as you will want to supply a copy of the signed receipt to the court to prove that you have distributed the assets of the estate. It can be difficult sometimes to get beneficiaries, heirs or devisees to return the receipt. It is suggested to send the distribution via certified mail/return receipt requested. If you are unable to obtain the receipt back, you will at least have the certified mail receipt to show the court that you delivered the distribution.

Closing the Estate

Upon filing of the final tax return, providing an account to all interested parties, and receiving proof of distribution, you may close the estate.

➢ Formal Closing of the Estate

As with the account, you can do this in one of two ways. If you are operating under a supervised administration, you will be required to petition the court for permission to close the probate estate. If you are not operating under a supervised administration, you may still choose to file a formal petition for discharge with the court. The benefit to filing the formal petition is that, if you have a bond, you are able to obtain exoneration of the bond immediately.

➢ Informal Closing of the Estate

Keep in mind, any time a formal closing procedure is used, the costs to the estate are typically higher. This is why the court recommends an “informal” closing. With an informal closing you will file a closing statement with the registrar (Clerk of the Court) which will include the waivers and receipts you obtained from the heirs, beneficiaries or devisees. The registrar will then sign the closing statement which indicates that if no objections are filed within one year, the estate is closed and the bond may be exonerated.

Thank you for viewing this training manual. The welfare of the ward and/or protected person is of utmost importance to the court.
For more information about Probate please visit the Judicial Branch website devoted to Probate at www.azcourts.gov/probate.

Your Name: _____
Your Address: _____
Your City, Zip Code: _____
Your Telephone No. _____
Represents ☐ **Self OR** ☐ **Attorney for:** _____
State Bar Number (if applicable): _____

FOR CLERK'S USE ONLY

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

In the Matter of the Estate of

_____

A ☐ Deceased or ☐ Protected Person

Case Number PB: _____

DECLARATION OF COMPLETION OF TRAINING for NON-LICENSED FIDUCIARIES

Rule 27.1 of the Arizona Rules of Probate Procedure requires that a person to be appointed guardian, conservator, or personal representative of an estate, who is neither a state-licensed fiduciary nor a corporation, complete a training program approved by the Supreme Court of this state before permanent **Letters of Appointment** are issued.

UNDER PENALTY OF PERJURY

I state to the Court that in accord with Rule 27.1 of the Arizona Rules of Probate Procedure, I have completed the required training for non-licensed, non-corporate fiduciaries, as indicated below: (Check all that apply and provide applicable information.)

☐ Unlicensed Fiduciary Date completed: _____

☐ Conservatorship Date completed: _____

☐ Personal Representative Date completed: _____

☐ Guardianship Date completed: _____

Date: _____

_____
Signature

_____
Printed Name

INSTRUCTIONS: Fill out this Declaration completely and provide accurate information. Make at least one copy. You will need to file the original with the Clerk of Court and provide a copy to the Probate Registrar before receiving any *permanent* letters of appointment.

CONSERVATOR'S ACCOUNT FORMS TUTORIAL

This program was developed under grant number SJI-11-E-008 from the State Justice Institute. The points of view expressed are those of the faculty and do not necessarily represent the official position or policies of the State Justice Institute.

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PBCAT1-062016

ABOUT THE
CONSERVATOR'S ACCOUNT FORMS TUTORIAL

This tutorial contains valuable information useful to anyone serving as a court-appointed conservator in Arizona. The responsibilities of a conservator include submitting a variety of financial reports known as "Conservator Accounts" to the court as well as a number of other documents and worksheets over the term of the conservatorship.

Review of this material is highly recommended and may be ordered by the judicial officer assigned to your case, but is not part of the mandatory training required to be completed before your Letters of Appointment can be issued by the Clerk of the Court.

You may access and complete the training free online at:
www.azcourts.gov/probate/Training.aspx

If you were specifically ordered to review the *Conservatorship Account Forms Tutorial* by the judicial officer assigned to your case, after you have completed your review you will need to file either the Certificate of Completion available at the end of the online version, or the Declaration of Completion form at the back of this packet.

If you have questions about the conservator account forms, contact the Probate Clerk at 602-506-3668.

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Conservator's Account Forms Tutorial

After viewing the contents of this tutorial you will be able to determine:

- **Which forms are required of the fiduciary by the courts**
- **How each form is used to report different financial information**
- **Where to obtain the forms, and**
- **How to submit the forms**

Annual Reporting

By state statute and Supreme Court rule, a conservator is required to file an annual report to the court that provides an account of the status of the protected person's finances. Until recently, courts across the state have required varying formats for providing this information.

Standardized Forms

In June 2011, the Committee on Improving Judicial Oversight and Processing of Probate Matters recommended standardized conservator account forms to bring uniformity and comparability to judicial oversight of conservatorships.

Financial Status

These standardized forms will give the judge and other interested parties a financial status of the conservatorship; they allow the court to view, in one document, last year's account information, this year's account information and the plan for the coming year.

Standardized Forms Start Date

Starting on September 1, 2012, all new conservatorship cases are required to use the standardized forms. If you are an existing conservator as of September 1, 2012, you should receive an order from the court after you file your next account indicating when you will be required to begin using the standard forms.

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Filing the Form

The form the conservator needs to file depends on the phase of the conservatorship. The form technically is just a cover sheet providing information such as the case number, the name of the conservator and protected person, and a listing of the specific documents the conservator is required to file which comprises the conservator's account to the court.

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

IN THE MATTER OF THE CONSERVATORSHIP FOR

_____
(Protected Person's Name)

☐ a Minor ☐ an Adult

_____

Case No.: PB_____

SUBMISSION OF AND PETITION FOR APPROVAL OF CONSERVATOR'S FIRST ACCOUNT (FORM 6)
☐ with BUDGET
☐ with Budget Amendment
☐ with Fee Statement

(Assigned to the Honorable:
_____)

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

In the Matter of the Conservatorship for

_____
Name of Protected Person
☐ Minor (or)
☐ Adult (or person age 17.5 or older)

Case No. PB _____

SUBMISSION OF AND PETITION FOR APPROVAL OF CONSERVATOR'S ACCOUNT (FORM 7)
☐ with BUDGET
☐ with BUDGET AMENDMENT
☐ with Fee Statement

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

In the Matter of the Conservatorship for:

_____
Name of Protected Person

☐ a Minor
☐ an Adult

Case No. PB: _____

SUBMISSION OF AND PETITION FOR APPROVAL OF CONSERVATOR'S FINAL ACCOUNT
(Form 8)

☐ with Fee Statement

Assigned to the Honorable:
_____

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Form 5: Conservatorship Estate Budget

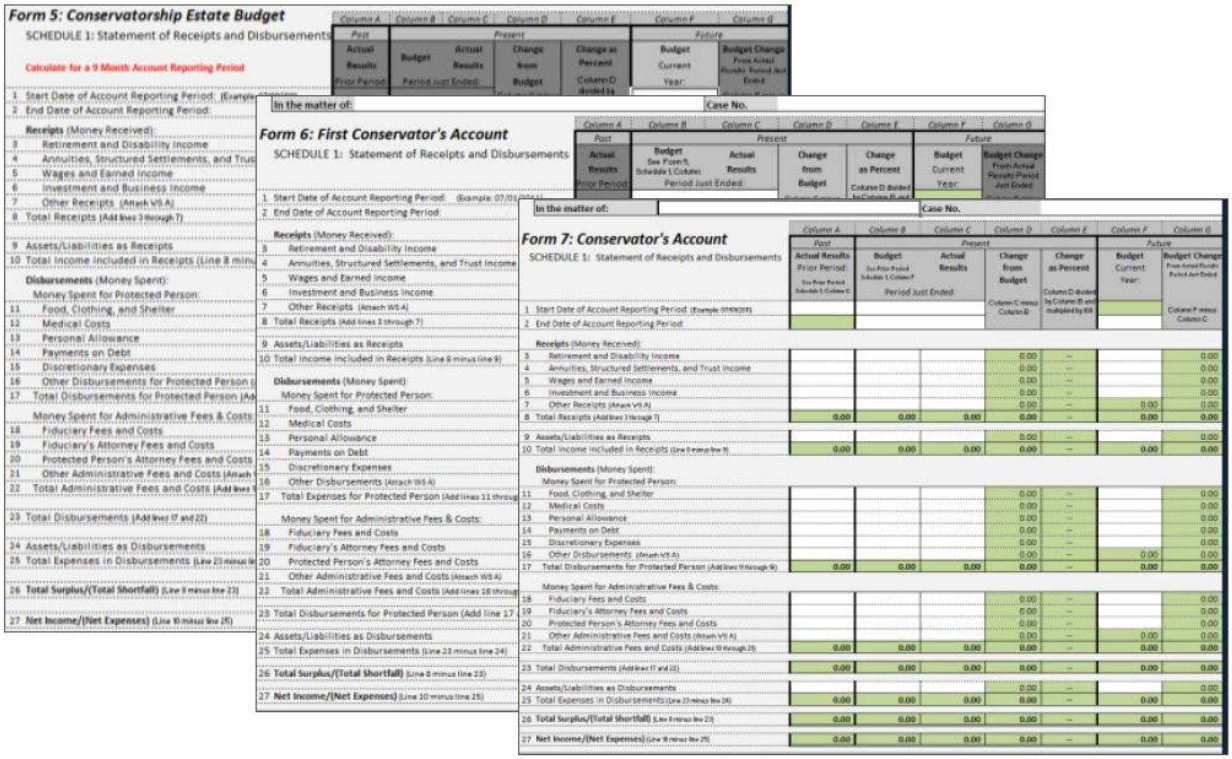
Unless the court waives the requirement, every conservator is required to file the Conservatorship Estate Budget, Form 5, at the beginning of their appointment. This first budget covers only the first nine months of the conservatorship. In subsequent accounts, the conservatorship estate budget will include a full 12-month period.

Form 6: First Conservator's Account

After the completion of the first account reporting period, the conservator will file Form 6, the First Conservator's Account. This account covers the first 9 months of the conservatorship.

Form 7: Conservator's Account

For the second and subsequent account reporting periods, the conservator will file Form 7, the Conservator's Account. The conservator will continue to use Form 7 until the conservatorship ends.



Form 8: Final Conservator's Account

When the conservatorship terminates, the conservator will be required to file one last account, known as Form 8, the Final Conservator's Account.

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Form 9: Simplified Conservator'sAccount

In certain situations, the Court may allow the conservator to use a simplified form, known as Form 9, the Simplified Conservator's Account. This form does not require as much information as the typical conservator's account, and is designed for smaller estates or estates with limited financial transactions.

In the matter of:	Case No.	
Form 9: Simplified Conservator's Account	*Column A*	*Column B*
	Past	*Present*
SCHEDULE 1: Statement of Receipts and Disbursements	**Actual Results** Prior Period: See Prior Period Form 9, Schedule 1, Column B	**Actual Results** Period Just Ended:
1 Start Date of Account Reporting Period: (Example: 07/01/2011)		
2 End Date of Account Reporting Period:		
Receipts (Money Received):		
3 Retirement and Disability Income		
4 Annuities, Structured Settlements, and Trust Income		
5 Wages and Earned Income		
6 Investment and Business Income		
7 Other Receipts		
8 Total Receipts (Add lines 3 through 7)	0	0
Disbursements (Money Spent):		
Money Spent for Protected Person:		
9 Food, Clothing, and Shelter		
10 Medical Costs		
11 Personal Allowance		
12 Payments on Debt		
13 Discretionary Expenses		
14 Other Disbursements		
15 Total Disbursements for Protected Person (Add lines 9 through 14)	0	0
Money Spent for Administrative Fees & Costs:		
16 Fiduciary Fees and Costs		
17 Fiduciary's Attorney Fees and Costs		
18 Protected Person's Attorney Fees and Costs		
19 Other Administrative Fees and Costs		
20 Total Administrative Fees and Costs (Add lines 16 through 19)	0	0
21 Total Disbursements (Add lines 15 and 20)	0	0
22 **Total Surplus/(Total Shortfall)** (Line 8 minus line 21)	0	0

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USING PROBATE FORMS

Forms and Schedules

Even though the account forms are given a distinct form number, the actual schedules and worksheets the conservator must complete for each account reporting period are essentially the same. The only difference is that certain columns within each schedule may not need to be filled out, depending on which account you are filing with the court. The schedules are formatted so you know which columns you need to complete.

Supporting Schedules

With each account, you will be required to complete up to three supporting schedules. Each schedule represents different aspects of the conservatorship.

Schedule 1: Statement of Receipts and Disbursements
The first schedule, Schedule 1: Statement of Receipts and Disbursements, summarizes the receipts and disbursements of the conservatorship. With this schedule, you are informing the court what money came into the estate and what money went out during the account reporting period.

Schedule 2: Statement of Net Assets & Reconciliation
The second schedule, Schedule 2: Statement of Net Assets & Reconciliation, provides the court a summary of the value of the estate. For this form you will summarize the information you initially provided in the inventory. In subsequent accounts, you will be required to update certain inventory values.

Schedule 3: Statement of Sustainability of Conservatorship
The last schedule, Schedule 3: Statement of Sustainability of Conservatorship provides information to the court about how long the protected person's estate will last before it runs out of money to support the protected person's needs. In other words, you are indicating to the court whether or not the estate is sufficient to cover the protected person's expenses for the duration of the conservatorship.

Sustainability

If, after calculating the estimated years of sustainability, you find the protected person's assets do not cover the total cost of care and services, the conservatorship is considered not sustainable. You must report this to the court on Schedule 3, along with your management plan going forward. This management plan must explain how you will protect and preserve the protected person's estate for as long as possible.

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Worksheets

As you complete the schedules, you may have information that does not fit into any of the specified line items. If so, you need to report that information as an "other" item on the schedule. Any time you have to report an "other" item (such as other receipts, other disbursements for the protected person, or other general assets), you must complete a worksheet to list the item(s). For each schedule, there is a separate worksheet to provide this additional information.

Schedule 1 / Worksheet A

For Schedule 1, you would complete Worksheet A to show supporting detail for any other receipts, other disbursements for the protected person, or other administrative fees and costs.

In the matter of: | Case No.

Start Date of Account Reporting Period Just Ended:

WORKSHEET A

Supporting Detail for Form 7, Schedule 1:

Other Receipts; Other Disbursements; Other Administrative Fees and Costs

Category	*Column F:* Total (For Page)
Line 7: Other Receipts	0.00
Line 16: Other Disbursements	0.00
Line 21: Other Administrative Fees and Costs	0.00

Other Receipts (Line 7)		Other Disbursements (Line 16)		Other Administrative Fees and Costs (Line 21)	
Description	*Column F:* Budget Current Year Amount	Description	*Column F:* Budget Current Year Amount	Description	*Column F:* Budget Current Year Amount

Schedule 2 / Worksheet B

For Schedule 2, you would complete Worksheet B if you have other general assets or other money denominated assets to report. You would also use Worksheet B to list any bills and payables more than 30 days old, as well as any other debts owed by the protected person.

In the matter of: | Case No.

Start Date of Account Reporting Period Just Ended:

WORKSHEET B

Supporting Detail for Form 7, Schedule 2:

Other General Assets; Other Money-Denominated Assets; Bills and Payables More Than 30 Days Old; Other Debts

Category	*Column B:* Total (For Page)
Line 8: Other General Assets	0
Line 13: Other Money-Denominated Assets	0
Line 16: Bills and Payables More Than 30 Days Old	0
Line 17: Other Debts	0

Other General Assets (Line 8)		Other Money-Denominated Assets (Line 13)		Bills and Payables More Than 30 Days Old (Line 16)		Other Debts (Line 17)	
Description/ Explanation of Change	*Column B:* Updated Inventory Value	Description/ Explanation of Change	*Column B:* Updated Inventory Value	Description/ Explanation of Change	*Column B:* Updated Inventory Value	Description/ Explanation of Change	*Column B:* Updated Inventory Value

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Schedule 3 / Worksheet C

For Schedule 3, you would complete Worksheet C if there are any adjustments to the value of net assets, or adjustments to net income, or expenses that impact the value of the estate going forward. For example, you would enter as a positive value any new and significant assets that you expect to come into the conservatorship in the next account reporting period, such as an inheritance or a personal injury award. You would enter as a negative value any assets that need to be used to satisfy any planned, one-time, significant expense such as a one-time medical cost or a large repair to the protected person's home.

In the matter of:		Case No.	
Start Date of Account Reporting Period Just Ended:			

WORKSHEET C

Supporting Detail for Form 7, Schedule 3:

Adjustments to Net Assets Available to Conservatorship;
Adjustments to Recurring Net Income/(Net Expenses)

Category	*Column B:* Total (For Page)
Line 3: Adjustments to Net Assets Available to Conservatorship	0
Line 6: Adjustments to Recurring Net Income/(Net Expenses)	0

*Note: If change is negative, place ( ) around the amount or a minus sign in front of the amount

Adjustments to Net Assets Available to Conservatorship (Line 3)		Adjustments to Recurring Net Income/(Net Expenses) (Line 6)	
Description/ Explanation of Adjustment	*Column B:* Updated Sustainability Estimated Adjustment Amount	Description/ Explanation of Adjustment	*Column B:* Updated Sustainability Estimated Adjustment Amount

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FILING PROCEDURE

Print or Electronic

Excel and PDF

- **Available to complete by hand**
  OR
- **Complete electronically**
  - **Automatically calculates**
  - **Carries information over**

The forms will be available in Excel format and as fillable PDF documents. If you complete the schedules and worksheets electronically, using either format, formulas are included to perform the required calculations and to automatically enter some information. If you do not complete the forms electronically, you can print either the Excel version of PDF version to complete the form by hand.

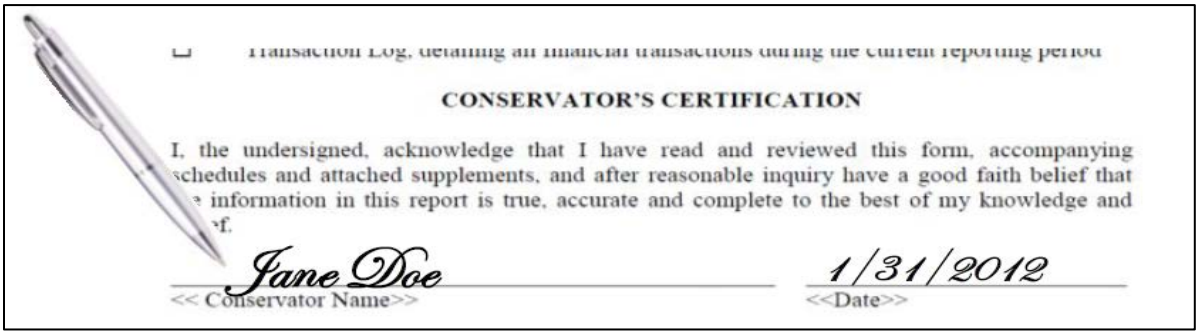
Review Your Work

After you have completed the required schedules and worksheets, review all the documentation to ensure you have not left out any information. Remember, if you do not have any information to report in a certain category, enter a 0 on that line.

After you have completed the required schedules and worksheets, review all the documentation to ensure you have not left out any information. Remember, if you do not have any information to report in a certain category, enter a 0 on that line.

Sign the Conservator Certification Page

Once you have double checked your documentation, complete the form cover sheet and sign the conservator's certification at the bottom of the coversheet page. By signing the certification, you are acknowledging to the court that you have read and reviewed the accompanying schedules, worksheets and any other supporting details you are providing, and that you have a good faith belief the information is true, accurate and complete to the best of your knowledge.



CONSERVATOR'S CERTIFICATION

I, the undersigned, acknowledge that I have read and reviewed this form, accompanying schedules and attached supplements, and after reasonable inquiry have a good faith belief that information in this report is true, accurate and complete to the best of my knowledge and

Jane Doe — 1/31/2012

<< Conservator Name>> — <<Date>>

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File the Form

You will file the account form with the Clerk of the Court or Probate Registrar of the court that appointed you as conservator. You must also provide copies of the account to all interested parties.

Other Tools

Form 10: Proof of Restricted Account

With each account, you will be required to provide other documentation in addition to the required schedules and worksheets. For example, a Form 10 may also be required if the court orders a restriction on the use of the protected person's bank account or accounts. Form 10 is known as the Proof of Restricted Account form. This is a mandatory form that must follow the format prescribed by the Arizona Supreme Court.

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 MARICOPA COUNTY

IN THE MATTER OF THE CONSERVATORSHIP FOR:

_____
(Protected Person's Name)
☐ a Minor ☐ an Adult

Case No.: PB_____
PROOF OF RESTRICTED ACCOUNT from FINANCIAL INSTITUTION

NAME OF FINANCIAL INSTITUTION: _____

BRANCH ADDRESS: _____

PHONE: _____

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Inventory

When you file Form 5 (the Conservator's Estate Budget) you will need to also file an Inventory.

In the matter of: _____ Case No. _____

INVENTORY
(Use additional sheets if necessary)

Inventory Date: _____

CHECKING ACCOUNTS, SAVINGS ACCOUNTS, MONEY MARKET ACCOUNTS
Include both Restricted and Unrestricted Bank Accounts

Name of Bank	Bank Address	Account Type	Name Account is Under	Account Number	Value

STOCKS, BONDS, MUTUAL FUNDS AND OTHER INVESTMENTS
Include Other Money-Denominated Assets, and Tax Deferred Assets

Company Name	Company Address	Number of Shares or Units	Value Per Unit	Actual Value

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Statement of Asset Distribution

When you file your final account, Form 8, you will need to file a Statement of Asset Distribution.

In the matter of: _____ Case No. _____

Statement of Asset Distribution

(Use additional sheets if necessary)

End Date of Account Reporting Period: _____

CHECKING ACCOUNTS, SAVINGS ACCOUNTS, MONEY MARKET ACCOUNTS

Include both Restricted and Unrestricted Bank Accounts

Name of Bank	Account Number	Value	Who Received Asset and Why

STOCKS, BONDS, MUTUAL FUNDS AND OTHER INVESTMENTS

Include Other Money-Denominated Assets, and Tax Deferred Assets

Company Name	Actual Value	Who Received Asset and Why

Transaction Log

Once the court issues your letters of conservatorship you should begin recording receipts and disbursements (income and spending). A good practice for doing this is to use a Transaction Log. Additionally, a new transaction log should be started for each account reporting period the day following the prior account reporting's closing. This will also make completing Schedule 1 much easier if you already have the transaction information documented. The form and format shown below is optional. A report printed from financial software or even a legible copy of a detailed check register that provides the same information may also be acceptable.

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In the matter of: _____ Case No. _____

Transaction Log
(Use additional sheets if necessary)

End Date of Account Reporting Period: _____

Transaction Category	Date	Account No. (include last 4 digits of account number)	Transaction Type	Check number	Payer/Payee	Purpose/Description	Income Amount	Expense Amount

Filing an Amended Budget

There may also be occasions when you will have to file an amended budget. The Rules of Probate Procedure require that a conservator file an amended budget within 30 days of projecting that any expense for any budget category will exceed 10 percent or $2,000 of the original budgeted amount, whichever is greater.

In the matter of:		Case No:	
Date of Amended Budget:			

AMENDED BUDGET *Complete Only if Necessary*	Column A Previously Filed Budget (Schedule 1 , Column F OR Prior Amended Budget, Column B) Current Year	Column B Amended Budget	Column C Explanation of Change
1 Start Date of Account Period (See SCHEDULE 1, Column F, Line 1):			
2 End Date of Account Period (See SCHEDULE 1 Column F, Line 2):			
Receipts (Money Received):			
3 Retirement and Disability Income			
4 Annuities, Structured Settlements, and Trust Income			
5 Wages and Earned Income			
6 Investment and Business Income			
7 Other Receipts (Attach WS A)		0.00	
8 Total Receipts (Add lines 3 through 7)	0.00	0.00	
9 Assets/Liabilities as Receipts			
10 Total Income Included in Receipts (Line 8 minus line 9)	0.00	0.00	
Disbursements (Money Spent):			
Money Spent for Protected Person:			

While these documents are required to be filed with the court, their format is not mandated. However, for your convenience there are optional forms provided for these reports on the Judicial Branch website at www.azcourts.gov/probate.

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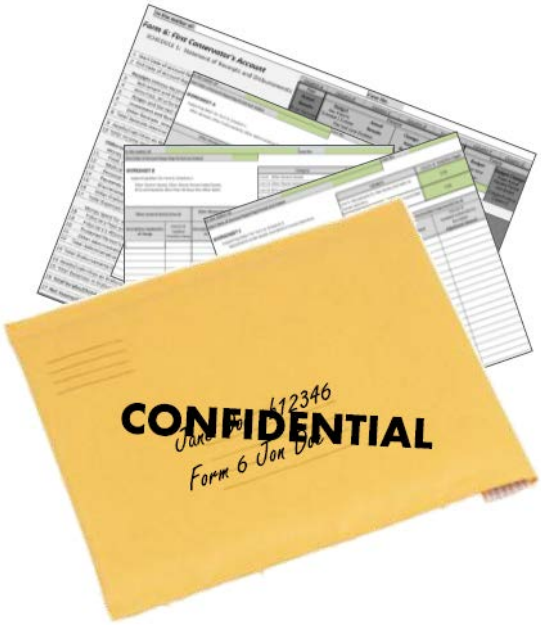
Important Reminders

Here are some good practices to keep in mind during your Conservatorship.

Keep Your Records - As conservator, you must maintain accurate and complete records of the financial activity for the protected person. It is important to save copies of all the forms, schedules and other required documentation you file with the court. You may need to refer to this information later if the court has a question about the information you provided, and you will need to use most of the information again in future accounts.

Remember Confidentiality. Except for the form coversheet, please remember that all other account documentation is considered confidential and not available for public inspection. When filing confidential documents, place the original document in an envelope that bears the case name and number, the name of the document being filed, the name of the party filing the document, and the label "**Confidential Document**."



Refer to Instructions - If this is your first time serving as a conservator, we understand there is a lot of information you have to familiarize yourself with. Remember to refer to your instructions when completing the account forms. You may also find it helpful to review the definitions contained in the first section of your instruction booklet.

Probate Website

In addition to the instructions on the probate website at www.azcourts.gov/probate, you will find additional useful information to assist you in learning more about your role and responsibilities as conservator. From this site you can select the specific form you need to complete, along with the instructions associated with that particular form.

Thank you for viewing this information. The welfare of the protected person is of utmost importance to the court. Please remember to view the page on the Judicial Branch website devoted to Probate for additional information and resources.

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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 MARICOPA COUNTY

In the Matter of the Estate of:

_____

A ☐ Deceased or ☐ Protected Person

Case Number PB: _____

DECLARATION OF COMPLETION OF TRAINING for NON-LICENSED FIDUCIARIES

Rule 27.1 of the Arizona Rules of Probate Procedure requires that a person to be appointed guardian, conservator, or personal representative of an estate, who is neither a state-licensed fiduciary nor a corporation, complete a training program approved by the Supreme Court of this state before permanent **Letters of Appointment** are issued, or within 30 days of a temporary or emergency appointment.

UNDER PENALTY OF PERJURY

I state to the Court that in accord with Rule 27.1 of the Arizona Rules of Probate Procedure, I have completed the required training for non-licensed, non-corporate fiduciaries, as indicated below: (Check all that apply and provide applicable information.)

☐ Unlicensed Fiduciary Date completed: _____

☐ Conservatorship Date completed: _____

☐ Personal Representative Date completed: _____

☐ Guardianship Date completed: _____

Date: _____

_____
Signature

_____
Printed Name

INSTRUCTIONS: Fill out this Declaration completely and provide accurate information. Make at least one copy. You will need to file the original with the Clerk of Court and provide a copy to the Probate Registrar before receiving any *permanent* letters of appointment.

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