

INFORMAL PROBATE

3

Do not copy
or file this page

**CLAIM AGAINST
THE ESTATE**

And/Or

**OBJECTION TO ESTATE
ADMINISTRATION**

SELF-SERVICE CENTER

Forms and Instructions

INFORMAL PROBATE TRANSFER OF PROPERTY WHEN A PERSON HAS DIED

1) CLAIM AGAINST THE ESTATE

Use the forms and instructions in this portion of the packet if the following factors apply to your situation:

- ✓ You received notice about a court case involving the property of a person who died (informal probate), OR
- ✓ You believe a person who died owes you money, AND
- ✓ You want to make a claim in the estate case filed with the court before all the property is transferred to others.

And / Or

2) OBJECTION to ESTATE ADMINISTRATION

Use the forms and instructions in this portion of the packet if the following factors apply to your situation:

- ✓ You received notice about a court case involving the property of a person who died (informal probate), OR
- ✓ You believe a person who died owes you money, AND
- ✓ You OBJECT to the way the estate is being administered.

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.

SELF-SERVICE CENTER

INFORMAL PROBATE

**CLAIM AGAINST THE ESTATE
AND/OR
OBJECTION to ESTATE ADMINISTRATION**

This packet contains court forms and instructions to file a claim against the estate and/or objection to estate administration. 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 | PBIP3k | Checklist: <i>You may use this packet if . . .</i> | 1 |
| 2 | PBIP3t | Table of Contents (this page) | 1 |
| 3 | PBIP32p | INSTRUCTIONS: How to File a Claim Against the Estate | 1 |
| 4 | PBIP32f | “Claim Against the Estate” | 1 |
| 5 | PBIP31p | INSTRUCTIONS: How to File an Objection | 1 |
| 6 | PBIP31f | “Objection to Estate Administration” | 1 |

The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

SELF-SERVICE CENTER

INSTRUCTIONS: HOW TO FILE A CLAIM AGAINST THE ESTATE

- 1. WHO CAN FILE A CLAIM:** Generally, you must reasonably believe that the person who died owes you money.
- 2. WHEN A CLAIM MUST BE FILED:** You are not required to file a claim against the estate if the Personal Representative has paid you or is making arrangements with you to pay what is owed from the decedent's property. But here is what the law currently provides as to Creditors:
 - All **persons unknown** to the Personal Representative, having claims against the Estate are required to present their claims **within four months** after the date of the **first publication** of the NOTICE TO CREDITORS or the claims will be **forever barred**.
 - All **persons known** to the Personal Representative, having claims against the Estate are required to present their claims **within four months** after receipt of the NOTICE TO CREDITORS by mail or the claims will be **forever barred**.
 - Claims must be presented by **delivering or mailing** a written statement of the claim to the Personal Representative at his or her address; you do **not** need to file the claim in court, unless you want to.
- 3. HOW TO FILE A CLAIM AGAINST THE ESTATE WITH THE COURT:** If you are a person to whom the estate owes money, and you want to file the claim with the court, complete a CLAIM AGAINST THE ESTATE, which is included in this packet. File the **original** with the Probate Registrar, at the court location where you filed the Application, which is one of the 2 locations listed below.

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
Mesa, AZ 85210-6201

- 4. CHARGE TO FILE THE CLAIM IN COURT:** A list of current fees is available from the Self Service Center website or from the Clerk of Court's website. You do not need to pay anything to mail the claim to the Personal Representative.

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 MARICOPA COUNTY

In the Matter of the Estate of:

Case Number PB: _____

an Adult a Minor, deceased

CLAIM AGAINST ESTATE

1. My name and address is: _____

2. The Estate is indebted to me in the amount of \$_____.
3. The basis of my claim is: _____

(NOTE: Complete number 4 or 5 only if either apply to your claim.)

4. The claim is not yet due. It will become due on (date) _____
5. The claim is secured by the following property (describe): _____

6. I am mailing a copy of the Claim against Estate to the Personal Representative, if one has been appointed.

DATED this _____ day of _____ 20____

Signature

Print Name

SELF-SERVICE CENTER

INSTRUCTIONS: HOW TO FILE AN OBJECTION TO ESTATE ADMINISTRATION

- 1. WHO CAN FILE AN OBJECTION:** Generally, you must have some valid interest in the case to be allowed to file an Objection to some part of an Informal Probate of an estate. If you received copies of the papers relating to the probate from the Personal Representative or his/her attorney, you will probably be allowed to file the objection.
- 2. WHEN AN OBJECTION MUST BE FILED:** File the Objection immediately after you get the document or notice that you are objecting to.
- 3. WHAT TO SAY IN THE OBJECTION:** Tell the court as simply as you can what you object to, and why. Write neatly, and be sure you give enough detail about what your points are.
- 4. WHERE TO FILE and pay fee:** To confirm the filing fee, go online to the Clerk of the Court Webpage.

File the original with the Probate Registrar, at the address listed below. Then, mail copies to everyone listed in number 6 below.

- 5. ASK FOR A FORMAL HEARING:** If you file the Objection, you must also call or go to court to arrange for a formal hearing to be scheduled, and then you must give **everyone** who is interested in the matter notice about the hearing date, time, and place. Call the main Probate filing counter at 602-506-3763 or visit Probate Court Administration to learn how to do this:

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

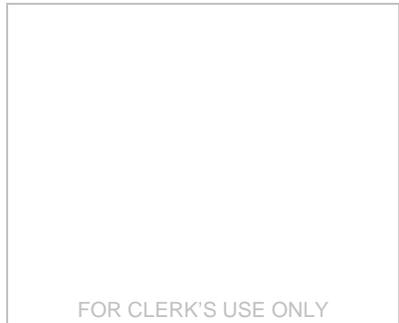
NORTHEAST PHOENIX: Probate Court Administration
18380 N. 40th St.
Phoenix, AZ 85032

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
Mesa, AZ 85210-6201

- 6. WHO GETS COPIES OF THE OBJECTION:** Mail or hand-deliver a copy of the Objection at least to the Personal Representative or his/her attorney. You should also mail or hand-deliver copies to everyone else to whom the Personal Representative gave notice of the court matter. Ask the Personal representative for the names and address of these people, or come the clerk's office and look at the copy of the PROOF OF NOTICE filed by the Personal Representative that will have all the information.

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 MARICOPA COUNTY

In the Matter of the Estate of:

Case Number PB: _____

OBJECTION AND REQUEST FOR FORMAL PROCEEDING

an Adult a Minor, deceased

I want to tell the Court the following in response to what is written in the document or notice I received about the administration of this estate:

1. The name of the document or notice I object to is (name of document here)
2. My relationship to the person who died, the estate, or the personal representative is: (describe why you are interested in this case): _____

3. What I want the court to do, and what I want to say about the statements made in the document or notice: (use additional sheets of paper) _____

4. Because I object to what is in the document or notice, I am asking the court to set a formal proceeding on this case to listen to my objection.
5. I am mailing a copy of this Objection when it is complete to: the Personal Representative or his/her attorney, and everyone to whom Personal Representative gave notice to, as indicated in the Proof of Notice filed by the Personal Representative with the court.

Date

Signature