

MAKING A CLAIM AGAINST AN ESTATE



PINAL COUNTY

**TELLING THE PERSONAL REPRESENTATIVE AND/OR THE
COURT THAT A DECEASED PERSON OWES YOU MONEY**

INSTRUCTION & FORMS

**Provided as a Public Service by
AMANDA STANFORD
Clerk of the Superior Court**

**PINAL COUNTY
CLERK OF SUPERIOR COURT**

MAKING A CLAIM AGAINST AN ESTATE

TABLE OF FORMS

How to assemble these documents

This packet contains court forms and instructions to make a Claim Against an Estate.

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**PINAL COUNTY
CLERK OF SUPERIOR COURT**

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CHECKLIST

USE THE FORMS AND INSTRUCTIONS in this packet only if the following facts apply to your situation:

- √ You received notice about a court case involving the property of a person who died (Formal or Informal Probate);

OR

- √ You believe a person who died owns you money, and you want to make a claim against the estate before all the property is transferred or distributed to others or sold;

AND

- √ The person had a will or did not have a will.

READ ME: It is very important for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document, or get involved with a court case, it is important that you a lawyer to make sure you are doing the right thing.

**PINAL COUNTY
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INFORMATION FOR MAKING A CLAIM AGAINST AN ESTATE

- 1. WHO CAN FILE A CLAIM:** Generally, you must 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 property of the person who died. But here is what the law currently provided as to creditors under A.R.S. § 14-3801, § 14-3802, and § 14-3803:

- √ 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 of Creditors, or the claims will be forever barred.
- √ All **persons known** to the Personal Representative to have 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.
- √ To present a claim you must deliver or mail 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 A.R.S. § 14-3804.

INSTRUCTION FOR FILING A CLAIM AGAINST AN ESTATE If you wish to file a Claim Against the Estate complete the attached form.

1. Fill in your name, address and daytime telephone number at the top form.
2. Fill in the name of the deceased person and mark whether he/she is an adult or minor.
3. Fill in the case number; PB_____. This number is on any document you received from the Personal Representative, or is obtainable from the Pinal County Clerk of Superior Court.
4. Fill in your name and address and the amount you believe the deceased person owes you. Items #1 and #2 on the form.
5. Explain why you believe the deceased person owes you money. Item #3 on the form.
6. If the amount owed is not yet due, fill in the date due in item #4.
7. If the amount owed is secured by property, describe it in item #5.
8. Item #6 states that you are mailing a copy of the Claim to Personal Representative, if one had been appointed. **YOU MUST DO THIS.** The Claim is deemed presented upon receipt of the written statement of claim by the Personal Representative.
9. Date, sign and print your name.

WHAT TO DO NEXT:

1. **FILING FEE:** There is a filing fee for filing the Claim Against The Estate. Inquire with the Clerk's office regarding the filing fee amount. Payment may be made by Cash, Money Order, Visa or MasterCard debit or credit.
2. Ask the Personal Representative for the names and addresses of any other persons who received notice of the court case. If no Personal Representative has been appointed, or if you do not wish to contact him/her, come into the Pinal County Clerk of Superior Court and look in the file at the PROOF OF NOTICE filed by the Personal Representative. This will give you the necessary information and to all the parties needing to receive copy of the Claim Against the Estate.
3. Make enough copies of your Claim to mail one to each of the persons above and the Personal Representative. **Bring copies with you at the time of filing or mail to the Clerk of the Superior Court with a self-addressed stamped envelope for the return of your copies. If you request copies to be returned to you by mail and you have not provided a self-addressed stamped envelope you will be assessed a fee of \$7.00 for postage and handling.**
4. Take the original Claim Against Estate and any copies, along with the filing fee to any of our locations.

Visit our website for office locations or feel free to give us a call.

Contact Information for all Offices

Toll Free: 888.431.1311 • Local: 520.509.3555 or 311 • Fax: 520.866.5320

www.coscpinalcountyaz.gov/office.html

5. Mail copy of the Claim Against the Estate to all other parties who received notice of the initial Probate filings.

Name of Person Filing Document: _____
 Your Mailing Address _____
 Your City, State, Zip Code: _____
 Your Telephone Number: _____
 Attorney Bar No. & Representing: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

In the Matter of Estate of _____)
 _____)
 _____)
 _____)
 _____)
 _____)

PB 2 _____
CLAIM AGAINST AN ESTATE [570]

[] an Adult or [] a Minor, deceased

1. My name and address are: _____

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 applies 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 an Estate to the Personal Representative, if one has been appointed.

DATED: _____

Signature

Print Name