

CLOSING THE ESTATE



PINAL COUNTY

CLOSING THE ESTATE AS PERSONAL REPRESENTATIVE

INSTRUCTIONS AND FORMS

**Provided as a Public Service by
Rebecca Padilla
Clerk of the Superior Court**

**INFORMAL PROBATE
CLOSING THE ESTATE OF THE PERSON WHO DIED
CHECKLIST**

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

- ✓ You have been appointed the Personal Representative of the estate of a person who died (with or without a will);

AND

- ✓ You have filed the final Accounting and Deed of Distribution;

AND

- ✓ You want to close the estate and close the court case;

AND

- ✓ At least four (4) months have passed since you were appointed Personal Representative, and at least four months have passed since the date of the first publication to the Notice to Creditors.

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 see a lawyer to make sure you are doing the right thing.

INFORMAL PROBATE CLOSING THE ESTATE

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How to assemble these documents:

This packet contains general information and instructions to file and give notice for closing an estate, whether there was a Will or not. Be sure this packet contains the following documents:

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The documents you have received are copyrighted by the Superior Court of Arizona in Pinal 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. It is strongly recommended that you contact an attorney to assist you in completing these forms if you have any questions. You should contact an attorney that handles Probate Estates to find out what to do.

PROCEDURES

HOW TO CLOSE THE ESTATE

USE THIS PACKET if:

- √ You have been appointed the Personal Representative of the Estate, whether or not there is a Will, more than **four months ago**.
- √ You have published the NOTICE TO CREDITORS according to law more than **four months ago**.
- √ The Estate has been fully administered and you want to close the Estate.

CLOSING THE ESTATE: After you have paid all the claims and distributed all of the property of the Estate, you are ready to close the Estate. **You must do the following:**

1. COMPLETE THE CLOSING STATEMENT:

See the instruction form called **Instructions: How to fill out the CLOSING STATEMENT**. (Included in this packet)

2. MAIL A COPY OF THE CLOSING STATEMENT:

Mail a **copy** of the **CLOSING STATEMENT** to each beneficiary/heir to the estate, any creditors that have filed any claims and any other person who filed a Demand for Notice of the proceedings. Keep a record of when you mailed the **CLOSING STATEMENT** and to whom you mailed the **CLOSING STATEMENT**.

3. FILE THE ORIGINAL CLOSING STATEMENT:

You can bring the **CLOSING STATEMENT** to the Court or you can mail it to the Court.

- **In person.** File the **original CLOSING STATEMENT** with the Clerk of the Court **and bring a copy of the CLOSING STATEMENT with you to have it conformed, OR**
- **By mail.** **Mail the original and one copy of the completed and signed CLOSING STATEMENT along with a self-addressed, stamped return envelope to:**

CLERK OF THE SUPERIOR COURT

**P.O. BOX 2730
FLORENCE AZ 85132**

Also request that a copy of the **CLOSING STATEMENT** be conformed (date-stamped) and mailed back to you. This will assure that your file contains a copy of the **CLOSING STATEMENT** reflecting the date it was filed with the Clerk of the Court.

4. ORDER TO APPEAR HEARING:

In most informal probate cases, a hearing will not be set. However, if an Order to Appear Hearing has been set in your case because a **CLOSING STATEMENT** has not been filed, you have 2 options:

- If the Estate has been fully administered and it is ready to be closed, file the **original CLOSING STATEMENT** according to the instructions above. Mail it to the address listed in Paragraph 3. Include a copy of the **CLOSING STATEMENT** for the Judge, before whom the Order to Appear Hearing is set, early enough so that he/she receives it at least **5 days** prior to the hearing, along with a note requesting that the hearing be canceled.

You may confirm in advance of the hearing, that the hearing has been vacated by calling the Probate Judge's Judicial Assistant or the Probate Records Management Clerk at (520) 509-3555. You will receive a minute entry confirming that the hearing was vacated.

Note: The Court cannot return long distance telephone calls.

OR

- If the estate has not been fully administered and it is not ready to be closed, do not file the **CLOSING STATEMENT**. The **Personal Representative** should appear at the hearing or, if the **Personal Representative** resides outside of Arizona, arrange to appear at the hearing by telephone. Telephonic hearings can be arranged by calling the assigned Judge's Judicial Assistant

AT THE HEARING

1. The **Personal Representative** will be expected to tell the Judge the status of the administration of the estate including what tasks remain so that the administration of the estate can be completed, **AND**
2. The Court may set deadlines for completing the tasks and for filing the **CLOSING STATEMENT**.

INSTRUCTIONS

HOW TO FILL OUT THE CLOSING STATEMENT

The Personal Representative of the Estate must complete the CLOSING STATEMENT to close the Estate. Follow these steps to do so: **Use only black ink.**

STEP 1

- Caption** Write your name, address, city, state, zip code, and telephone number. Next write the name of the person who died, and the court case number.
- Paragraph 1** **Appointment as Personal Representative:** Write the date you were appointed to be the Personal Representative of the Estate.
- Paragraph 2** **Notice to Creditors:** Write the date of the first publication to the Creditors.
- Paragraph 3** **Administration of Estate:** List the names of any creditors or other claimants whose claims against the Estate are not barred or who were not paid. If there were none, write in "none" in the space provided.
- Paragraph 4** **Distribution of Assets:** This statement tells the court that you have distributed all of the assets of the Estate to the Persons entitled to distribution.
- Paragraph 5** **Mailing the Closing Statement:** Make sure you mail a copy of the CLOSING STATEMENT to all of the people you distributed property of this Estate, to all people whose interests were affected by the administration of the Estate, **AND** to all creditors or claimants whose claims against the Estate are not barred or who were not paid.
- Paragraph 6** **Accounting:** Make sure you have mailed or delivered a copy of the accounting to the people whose interests were affected by the administration of the Estate.
- Paragraph 7** **Claims:** If you wrote "none" in **Paragraph 3**, fill in "none" in this space too. If you listed creditors or other claimants in **Paragraph 3**, specify the arrangement made to pay each creditor or claimant.
- Signatures** You must sign the CLOSING STATEMENT in front of a Notary Public. The Notary Public must sign and date the CLOSING STATEMENT too. Remember to take a valid picture identification with you to the Notary.

STEP 2

See the form called **Procedures: *How to Close the Estate***, included in this packet.

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

In the Matter of the Estate of

CASE NUMBER: PB _____

**CLOSING STATEMENT and
 PROOF OF MAILING/DELIVERY
 CLOSING STATEMENT**

_____ an Adult a Minor (deceased)

I am the Personal Representative of this Estate, and I make these statements under oath.

1. **Appointment as Personal Representative.** I was appointed as the Personal Representative of this Estate on _____ (date), more than four months before the date of this Closing Statement.
2. **Notice to Creditors.** The Notice to Creditors was published according to law. The first publication occurred on _____ (date), more than four months before the date of this Closing Statement.
3. **Administration of Estate.** The Estate has been fully administered by making payment, settlement or other disposition of all expenses of administration, and all taxes and claims that have accrued against the Estate with the following exceptions: (List the exceptions.)

4. **Distribution of Assets.** I have distributed all of the assets of the Estate to the persons entitled to distribution.
5. **Mailing Closing Statement.** I am sending a copy of this Closing Statement to all of the people to whom I distributed property of this Estate, to all people whose interests are affected by the administration of the Estate, and to all creditors or other claimants whose claims against the Estate are not barred or were not paid.
6. **Accounting.** I have mailed or delivered a copy of the full written accounting of the Estate to the people whose interests are affected by the administration of the Estate, including guardians ad litem, conservators and guardians.

7. **Claims.** With respect to any claim listed above in paragraph 3 that has not been paid and that is not barred, I have distributed the Estate subject to possible liability, with the agreement of the distributees, or the following arrangements have been made to accommodate outstanding liabilities: (List arrangements.)

(Signature)

STATE OF ARIZONA)
COUNTY OF PINAL)ss.

I, being duly sworn, state that I am the Personal Representative for the above Estate, and that the statements in the Closing Statement are accurate and complete to the best of my knowledge and belief.
I also state that a copy of this closing statement was mailed to the following individuals on the date(s) and at the address(es) listed below.

Name	Address	Date Mailed/Delivered
_____	_____	_____
_____	_____	_____
_____	_____	_____

(Signature)

SUBSCRIBED AND SWORN TO before me this day of _____

My Commission Expires: _____
By _____
(Deputy Clerk/Notary Public)

Copy Of The Closing Statement Was Mailed To The Following Individuals:

Name	Address	Date Mailed/Delivered
_____	_____	_____
_____	_____	_____
_____	_____	_____

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

In the Matter of the Estate of

CASE NUMBER: PB _____

**APPLICATION FOR CERTIFICATE
OF REGISTRAR**

 an Adult a Minor (deceased)

THE UNDERSIGNED APPLICANT STATES:

The appointment of the Personal Representative of this Estate has terminated and, so far as is known by Applicant, no action concerning this Estate is pending in any court.

Applicant requests a Certificate of Registrar pursuant to A.R.S. §14-3937.

Dated this day of _____

(Name)

STATE OF ARIZONA)
COUNTY OF PINAL)ss.

I, being duly sworn, state that I am the former Personal Representative for the above Estate and that the statements in the Application are accurate and complete to the best of my knowledge and belief.

(Signature)

SUBSCRIBED AND SWORN TO before me this day of _____

My Commission Expires: _____
By _____
(Deputy Clerk/Notary Public)

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

In the Matter of the Estate of

CASE NUMBER: PB _____

CERTIFICATE OF REGISTRAR

 an Adult a Minor (deceased)

THE PROBATE REGISTRAR FINDS:

_____, the former Personal Representative of this Estate, having filed a verified Application stating that the appointment of the Personal Representative of this Estate has terminated and, so far as is known by Applicant, no action concerning this Estate is pending in any court, the undersigned Registrar hereby certifies that the Personal Representative appears to have fully administered this Estate.

This Certificate evidences discharge of any lien on any property given to secure the obligation of the Personal Representative in lieu of bond or any surety, but does not preclude action against the Personal Representative or the surety.

Dated this day of _____

(Registrar)