

# INFORMAL PROBATE

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# 4

## Closing the Estate as Personal Representative

(Instruction Packet)

# INFORMAL PROBATE

## PART 4: CLOSING ESTATE

This packet contains general information and instructions about closing the estate as personal representative, whether there was a will or not. 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!

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## 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 form called Instructions: How to fill out the Closing Statement.
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 court or you can mail it.
  - In person. File the original Closing Statement with the Clerk of Superior Court at one of the following locations and bring a copy of the Closing Statement with you to have it conformed:

Downtown Phoenix:  
Central Court Building, 1<sup>st</sup> Floor  
201 West Jefferson  
Phoenix, AZ 85003

Northeast Phoenix:  
Northeast Regional Court Facility  
18380 North 40<sup>th</sup> Street  
Phoenix, AZ 85032

Surprise:  
Northwest Regional Court Facility  
14264 West Tierra Buena Lane  
Surprise, AZ 85374

Mesa:  
Southeast Court Facility, 1<sup>st</sup> Floor  
222 East Javelina Avenue  
Mesa, AZ 85210

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 Superior Court - Probate Department  
Superior Court of Arizona in Maricopa County  
Central Court Building, 1st Floor  
201 West Jefferson  
Phoenix, AZ 85003

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 Probate Court Clerk.

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. Then send a copy of your conformed Closing Statement along with a note requesting that the hearing be canceled to the Commissioner assigned to your case. Address the mailing to the Commissioner assigned to your case at the following address:

Commissioner \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_

Commissioner \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_

Mail or deliver the Closing Statement to the Commissioner 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. You may confirm in advance of the hearing that the copy has been received by the Commissioner and that your hearing has been canceled by calling the Commissioner's Judicial Assistant at the telephone number listed above. You will then receive a minute entry several days after the scheduled hearing 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 Commissioner's Judicial Assistant at the phone numbers listed above. At the hearing,
  - 1) The Personal Representative will be expected to tell the Commissioner the status of the administration of the estate including what tasks remain to be completed to complete the administration of the estate, And
  - 2) The court will 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:

## 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 Self-Service Center instruction form called **Procedures: How to Close the Estate**.