

# **Request a Court Order to get a copy of a DEATH CERTIFICATE**

(Instructions and Forms)

## Request for Order to Get a Copy of a Death Certificate

### Checklist

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

- ✓ The person whose death certificate you need died in Maricopa County; AND
- ✓ You are not a person eligible to receive a copy of a death certificate without a court order\*; AND/OR
- ✓ Maricopa County Vital Records has told you that you need a court order to get a copy of the death certificate.

\*The following people or entities are eligible to receive a copy without a court order. See Arizona Administrative Code R9-19-314:

1. A funeral director representing one of the following in a final disposition of the deceased individual's human remains, within 12 months after the registration of the deceased individual's death:
  - a. The deceased individual through a prearranged funeral agreement, as defined in A.R.S. § 32-1301;
  - b. The deceased individual's spouse;
  - c. The deceased individual's parent, grandparent, or adult child, grandchild, brother, or sister; or
  - d. Another person who is responsible for the final disposition of the deceased individual's human remains according to A.R.S. § 36-831;
2. A designee of a funeral director in subsection (B)(1);
3. The surviving spouse of the deceased individual;
4. A parent or grandparent of the deceased individual;
5. An adult child, grandchild, brother, or sister of the deceased individual;
6. A person designated in a power of attorney, established by a person eligible according to subsection (B)(3), (4), or (5);

7. Another person who is responsible for the final disposition of the deceased individual's human remains according to A.R.S. § § 36-831;
8. A person named in the deceased individual's last will and testament as the executor of the deceased individual's estate;
9. A person named in the deceased individual's last will and testament as a beneficiary of the deceased individual's estate;
10. A person named as a beneficiary of a life insurance policy on the deceased individual;
11. A person designated in a court order to receive a certified copy of the deceased individual's certificate of death registration;
12. A person authorized in writing to receive a certified copy of the deceased individual's certificate of death registration by a person who is eligible to receive a certified copy of the deceased individual's certificate of death registration according to subsection (B)(3), (4), (5), or (6);
13. An insurance company with which the deceased individual had a policy;
14. A bank, a credit union a mortgage lender, or another financial institution with which the deceased individual had an account or other business relationship;
15. A hospital or other health care institution processing a claim against the deceased individual's estate;
16. Another person having a claim against the deceased individual's estate;
17. An attorney representing a person who is eligible to receive a certified copy of the deceased individual's certificate of death registration;
18. The consulate of a foreign government representing a person who:
  - a. Is eligible to receive a certified copy of the deceased individual's certificate of death registration, according to subsection (B)(3), (4), or (5), or (6);
  - b. Is a citizen of the foreign country; and
  - c. Resides in the foreign country; and
19. A governmental agency processing a financial claim, a governmental benefit application, or another form of compensation on behalf of the deceased individual or the deceased individual's estate or having another official purpose for a certified copy of the deceased individual's certificate of death registration.

**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 Law Library Resource Center website.

## Request for court order to get a copy of a death certificate

This packet contains court forms and instructions to file a request for court order to get a copy of a death certificate. 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	PBDC1k	Checklist: You may use these forms if . . .	2
2	PBDC1t	Table of Contents (this page)	1
3	PBDC10p	Instruction and Procedures: Request a court order to get a death certificate	3
4	PB10f	<b>Probate Cover Sheet</b>	2
5	PBDC10f	<b>Petition for Court Order to obtain Copy of Death Certificate</b>	4
6	PBDC30f	<b>Proof of Notice of Hearing</b>	3
7	PBDC41f	<b>Order to release Copy of Death Certificate</b>	2

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.

## Instruction and Procedures: Request a court order to get a death certificate

**Warning:** Read all of these instructions in their entirety. Failure to follow these instructions may result in your case being delayed and, in some cases, denied.

**STEP 1** Complete the Probate Cover Sheet and Petition.

**STEP 2** Make two (2) copies of the Petition.

**STEP 3** File the Probate Cover Sheet and provide all copies of the Petition to the Clerk of Superior Court.

- In Person.

The Clerk of Superior Court is open from 8:00a.m. – 5:00p.m., Monday-Friday. You should go at least two hours before closing time. The Clerk has filing counters at the following Superior Court locations:

Downtown Phoenix: Old Courthouse Filing Counter 125 W. Washington, 1st floor Phoenix, AZ 85003	Downtown Phoenix: Central Court Building 201 West Jefferson, 1st floor Phoenix, AZ 85003
Northeast Phoenix: Northeast Regional Court Facility 18380 North 40th Street Phoenix, AZ 85032	Surprise: Northwest Regional Court Facility 14264 West Tierra Buena Lane Surprise, AZ 85374
Mesa: Southeast Court Facility 222 East Javelina Avenue, 1st floor Mesa, AZ 85210	

Provide the Clerk with the originals and copies of your forms. The Clerk will stamp the copies and return them to you.

- By mail.

Clerk of the Superior Court – Probate Department  
Superior Court of Arizona in Maricopa County

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

When mailing, you must include a self-addressed stamped envelope to return your copies to you.

- Leave in external deposit box.

County Administration Building  
4<sup>th</sup> Avenue entrance  
301 West Jefferson Street  
Phoenix, AZ 85003

Southeast Court Facility  
North entrance  
222 East Javelina Avenue  
Mesa, AZ 85210

Northeast Regional Center  
Main entrance  
18380 North 40<sup>th</sup> Street  
Phoenix, AZ 85032

Northwest Regional Center  
Main entrance  
14264 West Tierra Buena Lane  
Surprise, AZ 85374

Fees: When you file the documents, the Clerk of Superior Court will charge you certain fees that are required by Arizona law. You may pay those fees by cash, credit card, or money order. If you cannot afford the fees, you may request a deferral (payment plan) or waiver of the fees. Deferral and waiver applications are available at no charge from the Law Library Resource Center. A list of current fees is available from the Clerk of Superior Court's website.

**STEP 4** Schedule a hearing. You may request a hearing in person or by phone.

To request a hearing in person, deliver one filed copy of the Petition to Probate Court Administration on the 1<sup>st</sup> floor of the Old Courthouse, 125 West Washington in Phoenix. Probate Court Administration will schedule a hearing and give you a Notice of Hearing.

To request a hearing by phone, wait at least 48 hours after filing your Petition before calling Probate Court Administration. Call (602) 506-5510 to schedule a hearing. Have your case number ready. Be prepared to provide your email address or confirm your mailing address so a Notice of Hearing can be sent to you.

**STEP 5** Provide notice to those entitled to notice.

You must provide a copy of your Petition and the Notice of Hearing to the following:

1. Deceased person's spouse, AND
2. all their living parents, AND
3. all their living adult children.

If none of these persons are living, then you must provide a copy to all living adult siblings of the deceased.

Provide notice at least 14 calendar days before the hearing.

You may provide notice by mailing, hand delivery, or by process server or sheriff.

Once you have provided notice, complete the Proof of Notice of Hearing form and file it with the Clerk of Superior Court. Bring a filed copy of the Proof of Notice of Hearing to your hearing.

#### STEP 6 Prepare for the hearing.

Complete the caption information in the Order to Obtain Copy of Death Certificate. Bring the Order to your hearing or provide the Order to the court as directed by Probate Court Administration staff.

Note: If the court grants your request, you will need a certified copy of the Order to provide to the Office of Vital Registration. You can purchase a certified copy from the Clerk of Superior Court. To obtain one free-certified copy of your court order you will need to present your Judge-signed copy to the Clerk of Superior Court's filing counter within 48 hours after your hearing. If you need additional copies after that time, you will need to go to the Court's Customer Service Center at 601 W. Jackson Street in Phoenix.

Once you have your court order, you must contact the Maricopa County Office of Vital Registration to get a copy of the death certificate. There will be a fee. You may call (602) 506-6805 to schedule an appointment or get information about mail and online requests at <https://www.maricopa.gov/1012/Death-Certificates>.

SUPERIOR COURT OF ARIZONA  
IN MARICOPA COUNTY

FOR CLERK'S USE ONLY

PROBATE COVER SHEET

Case Number: \_\_\_\_\_

A person needing a guardian or conservator is the “ward.” A person who died is the “decedent.”

Name(s) of the Ward(s), Decedent(s), Trust(s), or Individual(s):

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

The person who is filing this case is the “petitioner.”

Name(s), Address(es), Telephone Number(s), and Email Address(es) of the Petitioner(s):

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

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 Name(s) of) Person(s) 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 Domiciliary

**220 CONSERVATOR**

- ☐ 221 Minor
- ☐ 222 Adult Incapacitated Person

**230 GUARDIANSHIP**

- ☐ 231 Minor
- ☐ 232 Adult (including those with Dementia, Alzheimer's)
- ☐ 233 Adult Requiring Inpatient Psychiatric Treatment

**240 GUARDIANSHIP-CONSERVATOR COMBINATION**

- ☐ 241 Minor
- ☐ 242 Adult (including those with Dementia, Alzheimer's)
- ☐ 243 Adult Requiring Inpatient Psychiatric Treatment

Today's Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner or Petitioner's Attorney

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.

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

FOR CLERK'S USE ONLY

SUPERIOR COURT OF ARIZONA  
IN MARICOPA COUNTY

In the Matter of:

Case Number: \_\_\_\_\_

PETITION FOR COURT ORDER TO  
OBTAIN COPY OF DEATH CERTIFICATE

\_\_\_\_\_  
Name of Decedent / Deceased

I state the following under penalty of perjury:

1. Information about Decedent / Deceased (person who died)

Name on death record: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Date of Death: \_\_\_\_\_

Gender: \_\_\_\_\_

City where died: \_\_\_\_\_ County where died: \_\_\_\_\_

Place of death: \_\_\_\_\_

State File Number (if known): \_\_\_\_\_

2. Information about Petitioner

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City State, Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

3. I am requesting a court order to obtain a copy of the death certificate of Decedent / Deceased.

4. ☐ Venue is proper because the deceased died in Maricopa County, Arizona. (This statement must be true to file in this court.)

5. Did the deceased have a will? ☐ No ☐ Yes ☐ Unknown

If yes, has the will has been admitted to probate by a court? ☐ No ☐ Yes ☐ Unknown

If yes, provide the following information:

Name of court: \_\_\_\_\_

County: \_\_\_\_\_ State: \_\_\_\_\_

6. Petitioner's relationship to the deceased (explain how you are related to or your connection to the deceased):

\_\_\_\_\_  
\_\_\_\_\_

7. I need a copy of the death certificate because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. The following are surviving relatives of the deceased:  
(List spouse, all living parents and all living adult children. If none of these, list all living adult siblings.)

☐ Spouse. Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

☐ Adult Child. Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

☐ Parent. Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

☐ Other: \_\_\_\_\_ (relationship) Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

☐ Other: \_\_\_\_\_ (relationship) Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State Zip: \_\_\_\_\_

Case No. \_\_\_\_\_

Phone Number: \_\_\_\_\_

☐ Additional relatives are listed in the attached page(s) and incorporated by reference.

I swear or affirm 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

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

For Clerk's use only

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

In the Matter of

Case Number: \_\_\_\_\_

PROOF OF NOTICE OF HEARING

\_\_\_\_\_  
Name of Decedent / Deceased

I state the following under oath:

1. I provided copies of the following court documents: (List specifically each court document you provided.)

☒ Petition for Court Order to Obtain Copy of Death Certificate

☒ Notice of Hearing

Other: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. These are the people to whom I gave copies of all the documents listed in number 1 above.

A. Name: \_\_\_\_\_

Relationship to decedent/deceased: \_\_\_\_\_

Date documents were mailed or delivered: \_\_\_\_\_

How I gave the documents -- check at least one box and complete the information:

- ☐ Personal service (file affidavit of process server or sheriff)  
☐ 1st class mail, postage prepaid  
☐ Certified mail (returned green card, if any, is attached to this document)  
☐ Hand delivery by: (name) \_\_\_\_\_

B. Name: \_\_\_\_\_

Relationship to decedent/deceased: \_\_\_\_\_

Date documents were mailed or delivered: \_\_\_\_\_

How I gave the documents -- check at least one box and complete the information:

- ☐ Personal service (file affidavit of process server or sheriff)  
☐ 1st class mail, postage prepaid  
☐ Certified mail (returned green card, if any, is attached to this document)  
☐ Hand delivery by: (name) \_\_\_\_\_

C. Name: \_\_\_\_\_

Relationship to decedent/deceased: \_\_\_\_\_

Date documents were mailed or delivered: \_\_\_\_\_

How I gave the documents -- check at least one box and complete the information:

- ☐ Personal service (file affidavit of process server or sheriff)  
☐ 1st class mail, postage prepaid  
☐ Certified mail (returned green card, if any, is attached to this document)  
☐ Hand delivery by: (name) \_\_\_\_\_

D. Name: \_\_\_\_\_

Relationship to decedent/deceased: \_\_\_\_\_

Date documents were mailed or delivered: \_\_\_\_\_

How I gave the documents -- check at least one box and complete the information:

- ☐ Personal service (file affidavit of process server or sheriff)  
☐ 1st class mail, postage prepaid  
☐ Certified mail (returned green card, if any, is attached to this document)  
☐ Hand delivery by: (name) \_\_\_\_\_

Case Number: \_\_\_\_\_

☐ Additional relatives are listed in the attached page(s) and incorporated by reference.

I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

Petitioner's Signature: \_\_\_\_\_

Date: \_\_\_\_\_



FOR CLERK'S USE ONLY

SUPERIOR COURT OF ARIZONA  
IN MARICOPA COUNTY

In the Matter of:

Case Number: \_\_\_\_\_

ORDER TO RELEASE COPY OF DEATH  
CERTIFICATE

\_\_\_\_\_  
Name of Decedent / Deceased

THE COURT FINDS:

1. Information about Decedent / Deceased (person who died)

Name on death record: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Date of Death: \_\_\_\_\_

Gender: \_\_\_\_\_

City where died: \_\_\_\_\_ County where died: \_\_\_\_\_

Place of death: \_\_\_\_\_

State File Number (if known): \_\_\_\_\_

2. Petitioner, \_\_\_\_\_, has demonstrated a need for the death certificate and is not able to obtain it any other way.

3. Venue is proper.

IT IS ORDERED:

A. Office of Vital Registration shall release to Petitioner, \_\_\_\_\_, a  
copy of the death certificate of (name of deceased) \_\_\_\_\_.

Done in Open Court: \_\_\_\_\_  
Date

\_\_\_\_\_  
Judicial Officer

\_\_\_\_\_  
Judicial Officer Printed Name