

YAVAPAI COUNTY
Self-Service Center

**CHECKLIST AND INFORMATION REGARDING DISTRIBUTION OF ESTATE ASSETS
DURING ESTATE ADMINISTRATION, BEFORE CLOSING THE ESTATE**

You may use the forms described below if the following factors apply to your situation:

- ✓ You have been appointed the Personal Representative of the estate of a person who died; **AND**
- ✓ The person either did or did not have a Will; **AND**
- ✓ You want to transfer property (either to comply with an approved Proposal for Distribution or pursuant to the terms of a Will); **AND**
- ✓ File the final account of the estate of the person who died because you are ready to close the estate. **(You do not need to file a final account unless you want to do a formal closing, which means you want the Court to review the account or there are some account issues that you want the Court to resolve.)**

1. **Proposal for Distribution:** If the deceased person did not have a Will, or if circumstances require the estate to be distributed in a manner other than the way the decedent's Will directs, before distribution of remaining Estate assets prior to closing the Estate, you should prepare and file a Proposal for Distribution. A copy of the Proposal for Distribution must be provided to each person whose interest is affected by distribution of the Estate's assets, and you must file a Proof of Mailing/Delivering the Proposal for Distribution. If within the time permitted by law (30 days after mailing or delivery of the proposal), the heirs and distributees do not file written objections to the Proposal for Distribution (or if each heir and/or distributee has provided you written, signed approval of the proposal which you will file with the court), you may proceed to distribute and close the Estate.
2. **Instrument or Deed of Distribution:** The Instrument or Deed of Distribution **must** be used to transfer title to real estate/real property, "titled" personal property (mobile homes, motor vehicles, etc.), or securities (stocks and bond), and may be used to evidence conveyance of other assets. After all claims have been settled and you are ready to transfer property to the person(s) entitled, you need to fill out an Instrument or Deed of Distribution that sufficiently describes the item(s) of property being transferred to each person to receive that property. File the original document(s) with the Probate Registrar; obtain two copies (one certified) of each, one for your records and the certified copy to be recorded with County Recorder for the county in which real estate being transferred is located (the Recorder is to be instructed to mail the recorded document to the recipient); if the Instrument is for "titled" personal property (motor vehicle or mobile home) or securities, the certified copy shall be provided directly to the distributee, together with a properly executed certificate of title.
3. **Receipt:** A form of Receipt should be provided to each distributee when you distribute the Estate, to be signed and returned to you and filed with the court. The Receipt will describe the property (or amount of money) distributed to the person entitled.

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.