

YAVAPAI COUNTY
Self Service Center

INFORMATION
APPLICATION FOR APPOINTMENT
(INFORMAL APPOINTMENT)

USE THIS PACKET IF:

- ✓ You want to apply to be the Personal Representative of the Estate of a person who died without a Will **OR**
- ✓ You want to apply to be the Personal Representative of the Estate of a person who died with a Will and you have the **original** Will to give to the Probate Registrar;
- ✓ The death of the person occurred more than 120 hours (5 days) ago. If that amount of time hasn't passed, you must wait until the 120 hours have passed.

WHAT TO DO BEFORE YOU COME TO COURT TO FILE ANYTHING:

1. Decide if you are asking for an appointment as Personal Representative when the person died without a Will or with a Will. If the person died with a Will, you will also be asking for the Will to be admitted into informal probate.
 - NOTE: [Non-licensed fiduciaries serving as guardians, conservators or personal representatives are required by Rule 27.1 of the Arizona Rules of Probate Procedure to complete training prescribed by the Supreme Court. The training shall be completed before letters to serve as guardian, conservator, or personal representative are issued unless the appointment was made pursuant to sections 14-5310(A), 14-5401.01(A) or 14-5207, or otherwise ordered by the court.] You can complete the training at this web site: <http://www.azcourts.gov/probate/probate.aspx>
2. Decide if you are an appropriate person to be the Personal Representative. To do this, read the Application and apply the information presented in the training noted above. It will help you know what the law requires. Also read the Application and all the other papers in this packet so that you have a good idea what kind of information you will need to file for the appointment as Personal Representative.
3. Decide:
 - a) who all the other people are who are entitled to be Personal Representative;
 - b) who are the likely persons who will inherit property under the Will or to whom property will pass by law if there is no Will; and
 - c) who are creditors of the Estate. If you are not sure about this, talk to a lawyer who can help you decide.
4. Complete the Application if you want to be appointed as Personal Representative.
5. Contact the people who could also be Personal Representatives. Ask them if they are willing to sign a Waiver of Appointment and will agree to your appointment. If they are, ask them to sign the Waiver of Right to Appointment document.
6. Estimate the total value of the Estate of the deceased person. Contact the people who are entitled to inherit the property under a Will, or to whom property will pass by law if there is no Will, and ask them if they are willing to have you act as Personal Representative without a bond. If they are willing, ask them to sign the Waiver of Bond document.

7. The court location you are required to file the Application in is determined by the residence of the decedent at the time of death. Decide in which court location you are required to file the Application and all the other court papers. If you are not sure where to file the Application, contact the Probate Registrar.

Yavapai County Courthouse
120 S. Cortez Street
Prescott, Arizona 86303
928/771-3312 ext. 4322

Yavapai County Superior Court
2840 N. Commonwealth Drive
Camp Verde, Arizona 86322
928/567-7741

8. Complete the Statement of Informal Appointment, except for the part about the bond and the signature of the Probate Registrar.
9. Make at least one copy of each document. Now you are ready to file the application and to see if you will be appointed the Personal Representative.

FILE THE COURT PAPERS

- Bring or mail the original and a copy of the following documents with you to the Probate Registrar at one of the court locations listed above. If filing by mail, send the original and a copy of the following documents along with a self addressed stamped envelope so that the Registrar can mail you court-stamped copies of the documents that are filed.
 - Probate Cover Sheet
 - Probate Information Form
 - Application for Appointment
 - Original Will, if person who died had a Will
 - Certificate of completion for the Unlicensed Fiduciary Overview (if non-licensed fiduciary)
 - Certificate of completion for Personal Representative Training (if non-licensed fiduciary)
 - Signed Waiver of Right to Appointment and Consent (if applicable)
 - Signed Waiver of Bond (if applicable)
 - Statement of Informal Appointment
 - Proposed Order to Personal Representative
 - Letters of Appointment and signed, notarized Acceptance of Appointment
- There is a fee to file these papers. If you are unable to pay, or if the Estate cannot afford to reimburse you, you may be entitled to have the fees waived or deferred. Ask for the Application for Deferral of Fees. If the application is approved for deferral, there will be an additional fee (which may also be deferred/waived) assessed at the time of filing.
- The Registrar will open a file. The Registrar will court-stamp (conform) your copies of the documents that are filed so you have a record of when and what documents were filed.
- The Registrar will enter the case into the docket (court record). He/she will review the papers to determine if they comply with the law. If all is in order, the Registrar will sign the Statement admitting the Will (if there is one) and the Order to Personal Representative, and will issue the Letters of Personal Representative. This process may take up to two days. If you have provided a self addressed, stamped envelope, the conformed copy of the Statement, the Order to Personal Representative and the Letters of Appointment will be mailed to you OR you can make arrangements to pick them up after they are signed.
- If the Registrar requires you to post a bond, you will need to get a surety bond or provide cash in the amount required. When the bond is filed with the court, the Registrar will issue the Letters of Appointment.

6. Ask the Registrar for a certified copy of the Letters of Appointment to prove you were appointed as the Personal Representative of the Estate. There is a fee for certification, plus a charge for copying each page. To check out the current fees go online to <http://courts.yavapai.us/clerk/fee-schedule/> or call the Clerk's Office in either Prescott at (928) 771-3312, or Camp Verde at (928) 567-7741.

WHAT TO DO NEXT

Now you are ready to give Notice of the Appointment, complete the Inventory of Property, and proceed to conduct the administration of the Estate.