

**YAVAPAI COUNTY**  
**Self-Service Center**

**OBJECTION**

**CHECKLIST**

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

- ✓ You have a valid interest in the Estate (you are a creditor, heir or devisee, or other entitled person), and you have an objection to the content of a document (pleading or notice) filed in this case that may affect your interest in the Estate.
- ✓ You want to appear in the court case and file an Objection to an aspect of the administration of the Estate and have a formal hearing scheduled before the Judge. A filing fee will be due to the Clerk of the Superior Court at the time you file the Objection.

**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.

**INFORMATION AND INSTRUCTIONS TO FILE AN OBJECTION**

1. **WHO CAN FILE AN OBJECTION:** Generally, you must have some valid interest in the case to be allowed to file an objection to some part of an informal probate of an estate. If you receive copies of the papers relating to the probate from the Personal Representative or his/her attorney, you will probably be allowed to file the objection. **If you have not previously filed any pleadings in the probate case, you will be required to pay to the Clerk of Superior Court an appearance fee at the time you file the Objection.**
2. **WHEN AN OBJECTION MUST BE FILED:** A written objection to a petition must be filed at least three days before the hearing on the petition. If a written objection has not been filed at least three days before the hearing, the objecting party should appear at the hearing and make his or her presence and objection known to ensure that the judicial officer is aware of the objections. If the person objecting to the relief requested in the petition does not file an objection or motion with the court before the hearing date but instead orally objects to the petition at the hearing, the person objecting shall subsequently file a written objection or motion, as directed by the court or agreed to by the parties.

3. Fill in your name, mailing address, and daytime telephone number at the top, left corner of the Objection and Request for Formal Proceeding; enter the decedent's name and the case number (1300PB).
4. In Paragraph 1, enter the name of the document or notice to which you object.
5. In Paragraph 2, fill in your relationship to the deceased person and/or other information that describes your interest in the estate.
6. **WHAT TO SAY IN THE OBJECTION:** In Paragraph 3, tell the Court as simply as you can what you object to, and why. Write neatly, and be sure you give enough detail about what your points are. Attach additional sheets of paper if necessary.
7. **ASK FOR A FORMAL HEARING:** The original Objection is filed with the Clerk of the Superior Court at least three days before the hearing on the petition. **IF no hearing has been scheduled on the petition that you are objecting to**, when you file the Objection, you will also be requesting that a formal hearing be scheduled. After the hearing is scheduled, you must give everyone who is entitled to notice, a copy of the Notice of Hearing and of your Objection. **(Instructions and forms of Notice of Hearing and Proof of Notice of Hearing are included in this packet.)**

Clerk of Superior Court  
 Yavapai County Courthouse  
 120 S. Cortez Street  
 Prescott, AZ 86303  
 928-771-3312 x 4322

Clerk of Superior Court  
 Yavapai County Superior Court  
 2840 N. Commonwealth Drive  
 Camp Verde, AZ 86322  
 928-567-7741

8. **COPY AND FILE THE ORIGINAL OBJECTION.** When you have completed the Objection, make a copy to bring with your when you file the original Objection with the Clerk of Superior Court. The Clerk will conform stamp the copy and return it to you. If you are mailing the Objection, include a self addressed, stamped envelope for the Clerk to return your conform stamped copy to you. At the same time, submit the original and a copy of the Notice of Hearing. After the hearing is set by judicial staff, the Notice of Hearing will be completed and filed with the Clerk. The Clerk will return the conform stamped copy to you in the envelope you provided. Make copies of the conformed copies for all persons who are entitled to notice.
9. **WHO GETS COPIES OF THE OBJECTION:** Mail or hand-deliver a copy of the Objection to the Personal Representative or his/her attorney and to everyone else to whom the Personal Representative gave notice of the court matter. Come to the Clerk's office and look at the copy of the Proof of Notice filed by the Personal Representative which will give you all the necessary information.
10. **PROOF OF NOTICE:** You must complete and file a Proof of Notice regarding the name and address of each person to whom you provided copies of the Objection. **Instructions and a form of Proof of Notice are included in this packet.**