

This is a **starter packet** containing the **bare minimum** amount of paperwork required.

Your specific case and situation may benefit from and necessitate the inclusion of additional documents.

For more information, please visit our website:



https://www.courts.state.co.us/Courts/County/Custom.cfm?County_ID=2&Page_ID=553

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: _____ <hr/> In the Matter of the Estate of: Deceased	
Attorney or Party Without Attorney (Name and Address): _____ Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	▲ COURT USE ONLY ▲ Case Number: _____ Division _____ Courtroom _____
PETITION FOR ADJUDICATION OF INTESTACY AND FORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE	

******* Use this form if the decedent did not leave a will *******

The petitioner, an interested person pursuant to § 15-10-201(27), C.R.S., makes the following statements:

1. Information about the petitioner:

Name: _____ Relationship to Decedent _____
 Street Address: _____
 City: _____ State: _____ Zip Code: _____
 Mailing Address, if different: _____
 City: _____ State: _____ Zip Code: _____
 Primary Phone: _____ Alternate Phone: _____
 Email Address: _____

2. The decedent, _____, died on _____ (date) at the age of ____ years. The decedent was domiciled or resided in the City of _____ County of _____, State of _____.

3. Venue for this proceeding is proper in this county because the decedent:
 had his or her domicile or residence in this county on the date of death.
 did not have his or her domicile or residence in Colorado, but had property located in this county on the date of death.

4. This petition is filed within the time period permitted by law. Three years or less have passed since the decedent's death, or circumstances described in § 15-12-108, C.R.S. authorize tardy probate or appointment.

5. The Petitioner:
 has not received a Demand for Notice of Filings or Orders and is unaware of any Demand for Notice of Filings or Orders concerning Decedent.
 has received or is aware of a Demand for Notice of Filings or Orders concerning Decedent. See attached Demand for Notice of Filings or Orders or explanation.

6. No court has appointed a personal representative and no such appointment proceeding is pending in this state or elsewhere.
- A court has appointed a personal representative or an appointment proceeding is pending in the State of _____. (Attach a statement explaining the circumstances and indicating the name and address of the personal representative. Attach a certified copy of the appointing document if the appointment has been finalized.)

7. Except as may be disclosed on an attached explanation and after the exercise of reasonable diligence, the petitioner is unaware of any unrevoked will relating to property located in Colorado.

8. Decedent's marital and family status:

- a) Did a spouse or partner in a civil union survive the decedent? Yes No
- b) Did the decedent have a surviving parent? Yes No
- c) Did the decedent have surviving children or other descendants? Yes No
- d) Does the decedent's surviving spouse or partner in a civil union have surviving descendants who are not descendants of the decedent? Yes No
- e) Are all of the decedent's surviving descendants also descendants of the surviving spouse or partner in a civil union? Yes No
- f) Are any of the decedent's children minors? Yes No

9. List names and addresses of the decedent's spouse, partner in a civil union, children, and other heirs as defined by the Colorado law of intestate succession. (§§ 15-11-101, C.R.S. through 15-11-114, C.R.S.)

- ◆ If a guardian or conservator has been appointed for one of the persons listed below, also provide the name and address of the guardian or conservator.
- ◆ If a minor child is listed, list the child's parent(s), guardian or conservator.
- ◆ If a spouse, partner in a civil union, or child has predeceased the decedent, include the date of death.
- ◆ A sample of this section is included in the Instructions - JDF 907.

Name	Address or Date of Death	Age, only if Minor	Relationship (e.g. spouse, partner in a civil union, child, brother, guardian for spouse, etc.)

10. Petitioner is 21 years of age or older and nominates himself or herself to be appointed as personal representative.

Or

Petitioner is 21 years of age or older and nominates himself/herself to be appointed as co-personal representative along with the following as a co-personal representative.

Name: _____ The Nominee is 21 years of age or older.
 Street Address: _____
 City: _____ State: _____ Zip Code: _____
 Mailing Address, if different: _____
 City: _____ State: _____ Zip Code: _____
 Primary Phone: _____ Alternate Phone: _____
 Email Address: _____

Or

Petitioner nominates the following person be appointed as personal representative.

Name: _____ The Nominee is 21 years of age or older.
 Street Address: _____
 City: _____ State: _____ Zip Code: _____
 Mailing Address, if different: _____
 City: _____ State: _____ Zip Code: _____
 Primary Phone: _____ Alternate Phone: _____
 Email Address: _____

11. The Nominee has priority for appointment because of:

- statutory priority. (§ 15-12-203, C.R.S.)
- reasons stated in the attached explanation.

Persons with prior or equal rights to appointment are as follows:

All person(s) (other than those identified in Paragraph 10 above) with prior or equal right to appointment have renounced their right to appointment (JDF 912SC). All required renuncements accompany this petition.

12. Bond is being demanded by an interested person. (Complete #13 below.)

- Bond in the amount of \$ _____ has been demanded.
- Bond is not being demanded. (Skip #13 below.)

13. Petitioner states the following regarding the decedent's estate, if required by § 15-12-604, C.R.S.

Estimated value of real estate	\$
Estimated value of personal property	\$
Annual income expected from all sources	\$
TOTAL	\$

14. The personal representative may receive compensation.

The hourly rates to be charged, any amounts to be charged pursuant to a published fee schedule, including the rates and basis for charging fees for any extraordinary services, and any other bases upon which a fee charged to the estate will be calculated, are as stated below or in an attachment to this petition. *

The basis of compensation has not yet been determined.

* There is a continuing obligation to disclose any material changes to the basis for charging fees. (§ 15-10-602 C.R.S.)

15. The personal representative may compensate his, her or its counsel.

The hourly rates to be charged, any amounts to be charged pursuant to a published fee schedule, including the rates and basis for charging fees for any extraordinary services, and any other bases upon which a fee charged to the estate will be calculated, are as stated below or in an attachment to this petition. *

The basis of compensation has not yet been determined.

* There is a continuing obligation to disclose any material changes to the basis for charging fees. (§ 15-10-602 C.R.S.)

16. Unsupervised administration is requested.

Supervised administration is requested (additional filing fee required). Terms of the requested supervision are as follows:

After notice and hearing, the petitioner requests that the court determine that the decedent died without a will, determine the heirs of the decedent and formally appoint the nominee as personal representative to serve:

without bond

with bond in the amount of \$ _____

in unsupervised administration

in supervised administration (additional filing fee required)

and that Letters of Administration be issued or that previously issued Letters be confirmed. Petitioner also requests:

a setting aside of prior informal findings as to testacy.

a setting aside of prior informal appointment of personal Representative.

other: _____

- By checking this box, I am acknowledging I am filling in the blanks and not changing anything else on the form.
- By checking this box, I am acknowledging that I have made a change to the original content of this form.

VERIFICATION

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the _____ day of
(date)

Executed on the _____ day of
(date)

_____, _____,
(month) (year)

_____, _____,
(month) (year)

at _____
(city or other location, and state OR country)

at _____
(city or other location, and state OR country)

(printed name)

(printed name)

(Signature of Petitioner)

(Signature of Co-Petitioner, if any)

Attorney Signature, (if any)

Date

Note:

- Please remember to add any AKA names in the caption, if applicable.

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: _____ <hr/> In the Matter of the Estate of: Deceased	 ▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): Phone Number: E-mail: FAX Number: Atty. Reg. #:	Case Number: Division Courtroom
ACCEPTANCE OF APPOINTMENT	

I accept appointment to, and agree to perform the duties and discharge the trust of, the office of:

- Personal Representative;
- Successor Personal Representative;
- Special Administrator; or
- Other: _____ .

I submit personally to the jurisdiction of this court in any proceeding relating to this matter.

VERIFICATION

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the _____ day of _____, _____,
 (date) (month) (year)

at _____
(city or other location, and state OR country)

(printed name)

(signature)

- Note:**
- This form is for decedent estate matters only.
 - For guardianships and conservatorships matters use the Acceptance of Office (JDF 805).

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address:	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
In the Matter of the Estate of: Deceased	
ORDER OF INTESTACY, DETERMINATION OF HEIRS AND FORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE	

Upon consideration of the Petition for Adjudication of Intestacy and Formal Appointment of Personal Representative filed by _____ (petitioner) on _____ (date),

THE COURT FINDS, DETERMINES, AND ORDERS:

1. The petitioner is an interested person and has filed a complete and verified petition.

2. The decedent died on _____ (date) and 120 hours have elapsed since the decedent's death.

3. The decedent was domiciled or resided in the City of _____ County of _____, State of _____.

4. Venue is proper in this county.

5. The petition was filed within the time period permitted by law.

6. Any required notices have been given or waived.

7. The decedent did not leave a will.
 The prior informal finding as to testacy is set aside.

8. The heirs of the decedent are:

Name	Relationship (e.g. spouse, partner in a civil union, child, brother, guardian for spouse, etc.)	Share/Percentage of Estate

9. The following person is qualified to serve and is appointed or confirmed as personal representative:

Name: _____ The Nominee is 21 years of age or older.
Street Address: _____
City: _____ State: _____ Zip Code: _____
Mailing Address, if different: _____
City: _____ State: _____ Zip Code: _____ Primary Phone: _____
Alternate Phone: _____
Email Address: _____

The prior informal appointment of _____ (name) is set aside and the Letters are revoked.

10. The personal representative will serve

- without bond.
- with bond in the amount of \$_____.
- in unsupervised administration.
- in supervised administration as described in an attachment to this order.

11. Letters of Administration will be issued or previously issued letters are confirmed.

Date: _____

 Judge Magistrate

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: <hr/> In the Matter of the Estate of: Deceased	▲ COURT USE ONLY ▲ <hr/> Case Number: Division Courtroom
LETTERS <input type="checkbox"/> TESTAMENTARY <input type="checkbox"/> OF ADMINISTRATION	

_____ (name) was appointed or qualified by this court or its registrar on _____
 _____ (date) as:

- Personal Representative; or
- Successor Personal Representative.

The decedent died on _____ (date).

These Letters are proof of the Personal Representative's authority to act pursuant to § 15-12-701, et. seq., C.R.S.

- The Personal Representative's authority is unrestricted; or
- The Personal Representative's authority is restricted as follows:

Date: _____

 Probate Registrar/(Deputy)Clerk of Court

CERTIFICATION

Certified to be a true copy of the original in my custody and to be in full force and effect as of
 _____ (date).

 Probate Registrar/(Deputy)Clerk of Court

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address:	
<input type="checkbox"/> In the Interest of: <input type="checkbox"/> In the Matter of the Estate of:	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	Case Number: Division _____ Courtroom _____
NOTICE OF HEARING WITHOUT APPEARANCE PURSUANT TO C.R.P.P. 24 ***** Attendance at this hearing is not required or expected. *****	

To all interested persons:

A hearing without appearance on _____ (name of motion/petition and proposed order) is set at the following date, time, and location:

Date: _____ (Select a future date no less than 14 days from service)

Time: 8:00 a.m.

Address: _____

******* IMPORTANT NOTICE*******

Any interested person wishing to object to the requested action set forth in the attached motion/petition and proposed order must file a written objection with the court on or before the hearing and must furnish a copy of the objection to the person requesting the court order. JDF 722 (Objection form) is available on the Colorado Judicial Branch website (www.courts.state.co.us). If no objection is filed, the court may take action on the motion/petition without further notice or hearing. If any objection is filed, the objecting party must, within 14 days after filing the objection, contact the court to set the objection for an appearance hearing. Failure to timely set the objection for an appearance hearing as required will result in further action as the court deems appropriate.

By checking this box, I am acknowledging I am filling in the blanks and not changing anything else on the form.

By checking this box, I am acknowledging that I have made a change to the original content of this form.

VERIFICATION

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the _____ day of _____, _____,
 (date) (month) (year)

at _____
 (city or other location, and state OR country)

 (printed name)

 (Signature of Person Giving Notice or Attorney for Person Giving Notice)

CERTIFICATE OF SERVICE

I certify that on _____ (date), a copy of this _____ notice along with the motion/petition was served as follows on each of the following:

Name and Address	Relationship to Decedent, Ward, or Protected Person	Manner of Service*

*Insert one of the following: hand delivery, first-class mail, certified mail, e-service , or fax.

Signature