

# Everything You Need Is Right Here

## Arizona Personal Representative CHECKLIST

Being appointed as the personal representative of an estate (executor or administrator) can be a daunting task that comes fraught with a complicated array of duties, heartaches, and headaches. It's also detrimental to the grieving process.

People are counting on you, and you can count on us. This personal representative checklist is just a free tool we offer Arizonans to help clarify and simplify their role. Our goal is to save you time and money while reducing stress and uncertainty by being a trusted guide and taking a huge burden off your shoulders.

# Step 1. Immediate Arrangements

## GOAL

Arrange for funeral

## WHEN

Immediately after death

## DURATION

5 to 10 days

- ☐ Find estate planning documents, such as will or trust, if available.
- ☐ Search for instructions regarding burial and anatomical gifts, if any.
- ☐ Arrange for organ donation, if applicable.
- ☐ Make funeral arrangements.
- ☐ Obtain certified copies of death certificate (typically one for each real estate property and bank account).
- ☐ Coordinate care for dependents and pets.
- ☐ Notify Social Security Administration and pension administrators of death.
- ☐ Coordinate with family members to notify friends and family of the passing.

ClearEstate can help with all the following steps of the estate settlement process. We offer a [free 30-minute consultation](#) to guide you through the process and answer any questions you may have. **Completely free of charge.**

## Step 2. Secure Decedent's Assets

### GOAL

Create an inventory of all the decedent's assets and liabilities

### WHEN

10 to 45 days after the funeral

### DURATION

1–3 weeks

- ☐ Find and secure all assets: home, contents of the home, other real estate.
- ☐ Notify all service providers: utility companies, landlord, property maintenance, alarm company.
- ☐ Obtain insurance for any vacant real estate.
- ☐ Manage "digital assets" (like online accounts, photos and documents stored online, etc.).
- ☐ Find and review all asset-related documents: deeds, property insurance, mortgage, lease, business, investment, etc.
- ☐ Notify post office to forward decedent's mail to personal representative.
- ☐ Review all documents relating to financial obligations: contracts, divorce or separation agreement, court orders.
- ☐ Secure personal property, business, vehicle, perishable goods, safety deposit box.
- ☐ Find out about ongoing expenses and debts.

- Stop all unnecessary expenses: subscriptions (magazine, newspaper), health care (home care), memberships (gym, club, sports, auto, professional, etc), entertainment (cable, satellite, websites), communication (telephone, cell phone, Internet).
- Notify all holders of assets: bank, broker, investment advisor, insurer.
- Send copies of the death certificate to the three major credit reporting agencies: Equifax, Experian, and TransUnion
- Cancel credit and debit cards.

ClearEstate's Estate Settlement Solution helps create the inventory of assets, automatically aggregates all financial assets in a few clicks, prepares the petition for probate for the proper Superior Court, and has it reviewed by a licensed estate attorney to ensure minimal delays for probate processing

## Step 3. Determine Whether Probate is Required

### GOAL

Determine whether probate is required, as many property interests may be transferred without a probate proceeding.

### WHEN

0 to 30 days after the funeral

### DURATION

2-3 weeks

### **Probate is not required to transfer certain types of property, including:**

- joint tenancy assets;
- revocable transfer on death deed for real property;
- assets held in trust;
- community property and separate property assets passing free of trust to surviving spouse or domestic partner;
- retirement plans with beneficiaries designated;
- life insurance on decedent's life with designated beneficiaries; and
- Social Security death and survivor benefits



## Step 4. Determine Which Type of Estate Administration is Required

### GOAL

Determine which type of estate administration is required. There are several different types of estate administration processes in the state of Arizona.

### WHEN

0 to 30 days after the funeral

### DURATION

2-3 weeks

#### **Small Estate Affidavit:**

- For estates consisting of only personal property with a total value that does not exceed \$75,000; or
- For estates with real property with a value that does not exceed \$100,000.

#### **Informal Probate:**

Process when there is no challenge to the administration of the estate.

#### **Formal Probate, either Supervised or Unsupervised:**

Probate process when the court is required to resolve the estate's issues such as a will contest or dispute over who will serve as the personal representative of the estate.

If you have any questions regarding estate administration, please contact ClearEstate to speak with an estate professional for your [free 30-minute consultation](#).

# Step 5. Prepare Small Estate Affidavit

## GOAL

Marshal the assets of the estate with this simplified process for estates that consist of personal property and the value does not exceed \$75,000 or estates that consist of real estate with a total value that does not exceed \$100,000.

## WHEN

Personal property: At least 30 days after the death.  
Real estate: 6 months after the date of death

## DURATION

1-2 weeks

- ☐ Seek support from an estate professional: estate attorney or ClearEstate.
- ☐ If you have not done so already, collect information regarding the decedent's estate (be sure to be as specific as possible when describing the assets).
- ☐ Claimant must be entitled to payment or delivery of the property.
- ☐ Funeral expenses and expenses of last illness of the decedent must be paid.
- ☐ Complete the affidavit of entitlement and pay close attention to detail (we can help with this step!).
- ☐ Have the affidavit of entitlement notarized.
- ☐ Attach the completed and notarized affidavit to a certified copy of the decedent's death certificate.
- ☐ Bring the documents to the holder of the property and obtain ownership of the asset.
- ☐ File sworn statement with the court to close the estate

As discussed above, the claimant may use the Affidavit procedure to collect the estate's real property so long as the value does not exceed \$100,000. To use this method:

- ☐ No other person has a right to the interest of the decedent in the described property.
- ☐ No other application or petition for the appointment of a personal representative is pending.
- ☐ Funeral expenses and expenses of last illness of the decedent must be paid.
- ☐ No federal estate tax is due on the decedent's estate.
- ☐ Six months have elapsed since the death of the decedent.
- ☐ Complete the affidavit and pay close attention to detail (we can help with this step!).
- ☐ Have the affidavit of entitlement notarized.
- ☐ Attach the completed and notarized affidavit to a certified copy of the decedent's death certificate.
- ☐ Bring the documents to the holder of the property and obtain ownership of the asset.
- ☐ File sworn statement with the court to close the estate.



## Step 6. Informal Probate Process

### GOAL

An Informal Probate is the procedure for estates when there is no will contest or no objections by the heirs/beneficiaries of the estate.

### WHEN

From 120 hours after death, up to 2 years since date of death

### DURATION

6 to 8 months

- ☐ Seek support from an estate professional: estate attorney or ClearEstate.
- ☐ The petition should be filed by the person named in the decedent's will (if applicable) or the person with the highest priority of intestacy (speak with one of our experts to discuss intestate succession in Arizona).
- ☐ Obtain addresses of all decedent's heirs and persons named in decedent's will (if applicable).
- ☐ Ensure that the Notice to Creditors, If applicable, is published for 3 consecutive weeks.
- ☐ If bond is required, research surety company to issue the bond in the specified amount.
- ☐ For non-state licensed fiduciaries, a free online training session is required by the Arizona Supreme Court prior to the issuance of letters of appointment. The program can be accessed using the following link:  
[www.azcourts.gov/probate/Training.aspx](http://www.azcourts.gov/probate/Training.aspx)

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- Include the following required documents with your probate application:
    - Probate Information Cover sheet;
    - Informal Checklist;
    - Application for Appointment;
    - Original Will (if applicable);
    - Notice of Application;
    - Proof of Mailing;
    - Declaration Supporting Publication;
    - Statement of Informal Appointment;
    - Letters and Acceptance of Appointment;
    - Order to Personal Representative;
    - A list of any known debts.
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- Prepare a Notice of Hearing and serve on all heirs and persons named in the Will within 10 days of your appointment.
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- Once reviewed by the Probate Registrar, you will be notified of any defects in the application or you will receive notification that the order is ready for pick up.
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「 The personal representative should review the Arizona Revised Statutes to ensure that proper publication and notice requirements are met, or have a ClearEstate expert assist you throughout the process. 」



The grant of the probate petition unlocks your ability to do the following steps. You cannot start on the following steps without receipt of the court order and letters of administration or letters testamentary.

## Step 7. Post-Appointment as Personal Representative

### GOAL

As the personal representative, you will collect and manage the decedent's assets.

### WHEN

Immediately after letters are issued

### DURATION

2 to 8 months

- ☐ File Notice of Fiduciary Relationship with the IRS (IRS Form 56).
- ☐ Safeguard real and personal property.
- ☐ Obtain appraisals of any real estate or other unique items.
- ☐ Obtain employer identification number (EIN) from the IRS.
- ☐ Open estate bank account using newly acquired EIN.
- ☐ Transfer all decedent's bank accounts to the estate account (obtain copies of the bank statements covering the date of death to closure of account).
- ☐ After bank account statements have been obtained and the estate account has been established, close the decedent's accounts.

- ☐ Deposit all the proceeds from safes and safety deposit boxes in the estate account.
- ☐ Transfer any brokerage accounts to the name of the estate and consider liquidating stocks and bonds.
- ☐ Collect any money owed to the deceased (including life insurance proceeds).
- ☐ Inform insurance companies of decedent's death so policies can be endorsed to show you as the personal representative as the insured.
- ☐ Gather any tax documents and obtain copies of state and federal income and gift tax returns for prior years.

ClearEstate estate professionals can help when it comes to managing the assets of the estate.

We offer a [free 30-minute consultation](#) to guide you through the process and answer any questions you may have. **Completely free of charge.**

## Step 8. Prepare Inventory of the Estate

### GOAL

Complete an Inventory of the estate

### WHEN

Deadline for filing the inventory is 90 days from the date of appointment

### DURATION

2 to several weeks

- ☐ File an inventory of the estate, including:
  - Real and personal property;
  - Statement of receivables, partnerships, bonds, mortgages;
  - Identification of character of the property (separate or community property);
  - An account of all money belonging to the decedent that is in the personal representative's possession.
- ☐ You may file the inventory with the Court.
- ☐ Mail a copy of the inventory to any interested person who requests it.
- ☐ Complete a Certificate of Mailing and file with the Court.

## Step 9. Settle All Debts and Address Tax Issues

### GOAL

Ready the estate for distribution by settling the debts and addressing any lingering tax issues

### WHEN

Approximately 4 months after the date of the first publication of the notice to creditors

### DURATION

2-3 weeks

- ☐ Review outstanding creditors claims filed, if any.
- ☐ Schedule payment of all valid debts.
- ☐ Make an appointment with an accountant, or your ClearEstate professional.
- ☐ If estate tax return must be filed, the federal return is due 9 months after death (unless an extension is filed within the 9 month period).
- ☐ Have ClearEstate or your accountant prepare and file federal and state income tax returns for the decedent's final tax year. It may also be necessary to prepare and file income tax returns for prior years if the decedent failed to do so.
- ☐ Have ClearEstate or your accountant prepare and file income tax returns for the estate for each year through the year of final distribution. The estate is a separate entity for federal and state income tax purposes, and it will be necessary for you to file using the estate's EIN.

# **Step 10. Petition for Approval of Accounting and Closing the Estate**

## GOAL






Prepare the Petition for Approval of Accounting and begin closing the estate

## WHEN

4 months after your appointment as the Personal Representative

## DURATION

2-4 weeks

-  Although not required, you may file a petition requesting the court to approve how the estate was managed. The petition should:
  - List date of death value of estate's assets;
  - Include if the current bond amount is sufficient;
  - Inform court of actions taken regarding creditor's claims, if any;
  - Describe any disbursements during the account period and any losses that occurred during the period;
  - List property on hand for distribution and proposed distribution to beneficiaries;
  - State whether you intend to take your compensation as the personal representative and include calculation of the fees;
  - Determine if there is a need to hold a reserve for any closing expenses (such as estate taxes, costs of transferring securities to distributees, cost of storage and shipping to distributees, etc.).
-  File the petition with the court and obtain hearing date (review filing fees for the county).
-  Give Notice of Hearing to all interested parties and file certificate of mailing with the court.
-  Transfer any remaining assets to the distributees.
-  Obtain and file receipts for all items except real property.

- ☐ For real property, complete the Deed of Distribution and record it with county recorder.
- ☐ Complete the Closing Statement.
- ☐ Deliver a certified copy of discharge to surety on the personal representative's bond.
- ☐ Send a certified copy of discharge to the IRS.



*Working with ClearEstate has helped me so much. I felt at a complete loss when it came to all the paperwork and they accompanied me through it and made it feel easy.*

*- Kimberley J., Executrix*



## Step 11. Plan Ahead By Handling Your Own Affairs

### GOAL

You've just completed the MasterClass in estate settlement. Apply what you learned throughout the process and create your own estate plan to avoid probate

### WHEN

As soon as possible

### DURATION

2 to 4 weeks

- ☐ Prepare an estate plan with ClearEstate.
- ☐ Complete your funeral pre-arrangements, which can be paid over several years.
- ☐ Name designated beneficiaries on your assets, when applicable.
- ☐ Contact your financial advisor to get information about life insurance products.
- ☐ Adopt and use a password vault.
- ☐ Store a file with all the information, will and passwords. Inform your loved ones of its location.

Schedule your free consultation

Settling an estate means  
lawyers, accountants,  
repetitive paperwork, a lot of  
time and a lot of money.  
**Or, ClearEstate.**