

Utah Judicial Council Committee on Court Forms

Administrative Office of the Courts
450 South State Street
Salt Lake City, Utah 84111

*The meeting is scheduled
in the Executive Dining room
1st floor – enter through the café

May 9, 2017
12:00 p.m. - 2:00 p.m.

Agenda

1. Welcome and approval of minutes Randy Dryer
2. Introduction of new members and the LPP Liaison Randy Dryer
3. Discuss adequacy of committee and subcommittee membership Randy Dryer
4. Subcommittee reports
 - a. Landlord/Tenant Kim Allard
 - b. Family Law Stewart Ralphs
 - c. Debt Collection Jessica Van Buren
5. Report on form collection Brent Johnson
6. Probate forms Jessica Van Buren
Mary Jane Ciccarello
7. New assignments Randy Dryer
8. Next steps Randy Dryer
9. Scheduling of future Committee meetings Randy Dryer
10. Other Business
11. Adjourn

MINUTES
Utah Judicial Council's Committee
Court Forms

Administrative Office of the Courts
450 South State Street
Salt Lake City, Utah 84114

April 7, 2017

ATTENDEES

Randy Dryer, Chair
Kim Allard
Commissioner T. Patrick Casey
Guy Galli
Stewart Ralphs
Judge James Taylor
Jessica Van Buren
Mary Westby

EXCUSED

Mary Jane Ciccarello
Judge Elizabeth Lindsley
Judge J.C. Ynchausti

STAFF

Brent Johnson
Jeni Wood, Recording secretary

GUESTS

Pleasy Wayas

I. WELCOME

Randy Dryer welcomed the committee members to the meeting. Mr. Dryer thanked the members for their willingness to serve on the committee. The committee members introduced themselves.

II. COMMITTEE CHARGE

Mr. Dryer stated his understanding that all court forms must be approved by this committee before they go to the Judicial Council for final adoption. Judge James Taylor asked whether forms that are unique to district or judges will go through this committee. Judge Taylor said he has forms he alone uses in his court. Mr. Dryer said even those forms should come through the committee. Mr. Dryer said the goal is to standardize forms. Commissioner Patrick Casey asked if this committee will create forms or just review them. Mr. Dryer said the committee will create, review, modify, and update forms. Judge Taylor said there are an incredibly large number of forms in use statewide. Judge Taylor said the Board of District Court Judges has been working through these but it is a significant task. Judge Taylor said the Board suspended their work so this committee could take over. Jessica Van Buren said there is a small subcommittee from the self-represented litigant committee that was reviewing forms then

sending them to the Board for review. Mr. Dryer said he will discuss with Brent Johnson the need for a written explanation of this committee's charge so that people from outside the committee will understand the process.

Mr. Dryer said the first set of forms that need to be addressed are the forms that will be used in the Licensed Paralegal Practice program. The goal is to have those forms within a year. The paralegals will only be able to use approved court forms and therefore it's critical those get done as soon as possible.

III. POSSIBLE ADDITIONS TO COMMITTEE

Mr. Dryer said he would like to see a paralegal become a member of this committee. He also would like to see someone from one of the colleges that have a paralegal program become a member. Commissioner Casey asked what the process is to become a practicing paralegal. Mr. Dryer said they need to go through schooling for it. Mr. Johnson noted they must go through school then become licensed. Commissioner Casey said he agrees that a representative from one of the colleges would be very helpful. Mr. Johnson noted there is an open position for a paralegal on the committee but thus far they have not gotten one. Mr. Dryer will contact the State Bar for assistance on getting a name. Judge Taylor stated that with the enormous number of forms, he believes the committee should create subcommittees soon.

Mr. Dryer asked what the committee thought about recruiting an educator. Judge Taylor stated he is on the board of UVU so he will contact the teachers he knows. Mr. Johnson said eventually that person would not be needed on the full subcommittee when the paralegal forms are complete, so perhaps the educator could be on a subcommittee. Mr. Johnson said perhaps getting a language expert would be good long term. Judge Taylor agreed that this is important, even if it were not a lawyer. Commissioner Casey noted perhaps seeking out someone from a local college English department or Communications department. Ms. Van Buren said they should understand the literacy part as well. Ms. Van Buren will make some contacts. Mr. Johnson noted that Mary Jane Ciccarello said she might know some people to talk to. Mr. Dryer asked the committee members to reach out to people who could be interested. Mr. Dryer asked the committee to have names by next Wednesday.

Mr. Dryer said the committee could look at bringing someone on a limited term. Judge Taylor said the colleges have not created their own forms for training purposes. Judge Taylor said the teachers rely on adjuncts to prepare examples. Judge Taylor said currently the paralegal programs are broad. However, the LPP program is more specialized. Mr. Dryer asked Judge Taylor to talk to the school where he teaches to see if anyone is interested. Judge Taylor said he would.

Mr. Dryer said the committee needs to keep in mind that these forms will be used by both paralegals and attorneys. Ms. Van Buren said she believes the forms should be created for all to use, particularly pro se parties.

IV. SHORT TERM V. LONG TERM GOALS

Mr. Dryer said the short term focus of the committee is the LPP program. The long term will expand beyond that. Ms. Van Buren noted that all forms will be for self-represented parties and for attorneys. Mr. Dryer said there are some forms that only lawyers will use. Mr. Dryer said all forms will need to be reviewed, not just a certain type. Mr. Johnson said there is no other entity that will be creating forms. All forms will be created by this committee. Commissioner Casey asked if we are adequately staffed for this. Mr. Johnson said we will start with the subcommittees and bring on others who can help create new forms.

Mr. Johnson said some forms will be mandated and some forms will just be available. Mr. Johnson noted uniformity is the ultimate goal.

V. PROPOSED SUBCOMMITTEES AND GENERAL DISCUSSION ABOUT HOW BEST TO ACCOMPLISH THE COMMITTEE CHARGE

Mr. Dryer said in discussing this with Brent Johnson they determined the committee needs a subcommittee for each of the three practice areas: family law, landlord/tenant, and debt collection, which includes small claims and garnishment. Mr. Johnson said the committee needs to decide if the paralegals are going to be directing the path for these forms or if the committee will. The committee briefly discussed the types of forms that would be included in debt collection, such as a judgment form that would be used in small claims. Pleasy Wayas suggested creating subcommittees based on the task, such as creating forms and notifications and implementation of the forms. Judge Taylor and Commissioner Casey both agreed with that suggestion. Mr. Dryer said the subcommittees shouldn't become too overwhelming. Judge Taylor said the committee needs to address the forms now because many of them have not been amended for many years.

Mr. Dryer would like to stay focused on the three areas that need immediate attention and review. Kim Allard said being on the OCAP committee has helped her understand that it would help to have a database for the forms and she has experience in creating these. Ms. Allard said creating a template would help. Commissioner Casey said they are looking at templates for the protective orders. Ms. Van Buren said in the long term perhaps moving to templates instead of paper forms would be more efficient. Mr. Dryer said eventually that can be looked at when the committee has more time. Mr. Dryer said he would like to try to meet the Judicial Council's expectations and then if they can't, the committee can go back to the Council for further discussion. Mr. Dryer would like to have a chair for each subcommittee who can be in charge of moving the subcommittee forward. The committee agreed to create a subcommittee called Form and Format. Ms. Van Buren said she would like to be on that since that is what she does now. Mr. Dryer said the chair of each subcommittee should be on the Form and Format subcommittee so they can work with the creation of the forms. Judge Taylor said they need to start with uniformity. Mr. Dryer said the initial challenge is to marshal the forms and decide what needs to be done immediately. Mr. Johnson said this is an important subcommittee to start right now. Judge Taylor agreed the committee needs to create three subcommittees that will then go through the forms and decide what is immediately important. The committee decided to hold off on the

Form and Format committee while Mr. Johnson, Ms. Van Buren, and Ms. Ciccarello are working with their group.

Mr. Dryer spoke with members previously about what subcommittees the committees can take. Kim Allard agreed to be chair of the landlord/tenant subcommittee. Stewart Ralphs will be chair of the family law subcommittee, and Jessica Van Buren will be chair of the debt collection subcommittee. Commissioner Casey will be on the family law subcommittee. Judge Taylor will be on the landlord/tenant subcommittee. Mary Westby will be on the debt collection subcommittee. Ms. Wayas said she will recommend Mary Jane Ciccarello to be on the family law committee. Ms. Wayas will help as well. Ms. Van Buren said there are six self-help center attorneys that could potentially be on the subcommittees. She will discuss this with them and Ms. Ciccarello next week. Guy Galli will be on the landlord/tenant subcommittee. Commissioner Casey said he is on a committee that is discussing family law issues. That committee's work will result in forms such as an order that will be created at the hearing, rather than to send litigants away from a hearing and require them to create their own order for signing.

The committee agreed Judge J.C. Ynchausti should join the debt collection subcommittee and Judge Lindsley will join the family law subcommittee. Mr. Dryer will contact them individually.

Judge Taylor wondered about geographical representation for the subcommittees. The committee briefly discussed this issue.

Guy Galli said he will reach out to clerks throughout the state who may want to participate. Ms. Van Buren said she will check with volunteer attorneys from debt collection areas. Mr. Dryer asked if the chairs could report back with their subcommittee membership lists by next Wednesday.

Mr. Dryer said the first goal is to marshal the forms. Ms. Allard has started working on organizing programs to make it easier. Commissioner Casey suggested that downloading all the forms is unmanageable. Ms. Van Buren has begun identifying forms in all areas. The list of forms are available on the committee webpage. Ms. Van Buren suggested Google docs in the future for members to review and upload forms. Commissioner Casey suggested sending an email to judges, TCEs and clerks of court to have them provide any forms they have. The committee agreed they can get a list of forms by the next meeting, which will be scheduled for next month. Mr. Johnson said he will work with Ms. Allard on making the forms available. Mr. Johnson will reach out to the courts to compile and identify forms. Mr. Johnson will report back at the next meeting.

Mr. Dryer said there are three initial goals: 1) identify new members, 2) assist Mr. Johnson in collection of forms, and finding a way to manage the forms, and 3) set the subcommittees first meeting date. Mr. Johnson will assign an attorney from the legal department to staff each of the subcommittees.

Ms. Van Buren asked what should be done during their first subcommittee meeting. Mr. Dryer said at the first meeting the list of forms needs to be reviewed, then set goals for

accomplishing the review and amendments of forms. Mr. Dryer would like a report back from each subcommittee at the next meeting. Mr. Dryer would like to have an attorney review the legislative session for updates to currently approved forms. Ms. Van Buren noted she and Ms. Ciccarello are already doing that and Ms. Allard is doing this for OCAP. Mr. Johnson noted any new forms would be addressed as well as current forms. Mr. Johnson said ideally when the subcommittees begin their work the forms will already be updated. Mr. Johnson said for this year the legal department is already taking care of this. The committee can discuss this next year for that legislative session.

VI. INITIAL TASKS TO BE COMPLETED FOR LPP PROGRAM

Mr. Dryer said the subcommittees should review their own current forms, such as the debt collection subcommittee should be in charge of reviewing the existing debt collection forms. Judge Taylor recommended using interns, students, and volunteers. Mr. Dryer said that immediately committing the time will be the challenge for volunteers. Mr. Dryer said he is concerned they would not have enough experience to know what they are looking for.

Judge Taylor said some forms are mandated by statute.

VII. SCHEDULING OF FUTURE COMMITTEE MEETINGS

Mr. Dryer said he believes the committee will eventually need to meet more than once a month. The committee agreed to meet May 9 and June 6. The committee will discuss meeting more than once during the next meeting.

VIII. OTHER BUSINESS

The committee next discussed using Google drive because the public need not have access to the committee's work at this point. Ms. Van Buren will create the Google drive documents and folders. Ms. Van Buren wondered how much communication there will be between this committee and the LPP committee. Judge Taylor asked about getting a liaison to come to this meeting, not as a member, but to at least attend the meeting. Mr. Dryer will discuss this with Justice Himonas, who is involved in the LPP program. Judge Taylor noted this committee will be very distracted with the LPP program initially. He wondered what is the best process for handling LPP and forms that come up through this process. Mr. Johnson said the committee cannot ignore other forms that must be addressed in the meantime. The committee will need to address them all. Ms. Van Buren noted they have several forms, including probate, that are basically ready to be reviewed and approved by the committee. Mr. Johnson said for the time being he, Ms. Van Buren, and Ms. Ciccarello can continue their process, even though they are not time sensitive, they can still be reviewed. Ms. Van Buren said the committee needs to let other committees continue their process if they have already started, but if not, this committee needs to be the ones who create forms. Mr. Johnson suggested creating a queue so the committee understands what is out there and they can prioritize them. Commissioner Casey stated this is a good idea so nothing falls through the cracks.

Mr. Johnson received notice from the Board of Juvenile Court Judges that they have a form that needs immediate attention. Mr. Ralphs discussed family law and its relation with juvenile court issues. Mr. Ralphs noted there is no one on the subcommittee that specializes in juvenile court forms or processes. Ms. Westby noted that generally family law would not include juvenile court issues.

Mr. Dryer noted during the interim process there needs to be a way to approve forms. Mr. Dryer suggested a subcommittee do the initial screening, for the next few months, then bring the form to the committee for final approval. Mr. Johnson noted that is what he, Ms. Van Buren, and Ms. Ciccarello currently do and will continue to.

Ms. Van Buren asked if the protective order forms committee essentially becomes a subcommittee of this committee. Mr. Johnson said it does. Commissioner Casey said an issue with the protective order forms is that they state the order expires in 10 years but they don't state when it starts or how to deal with certain situations. Mr. Ralphs said the only way to deal with those is when parties finalize their divorce and this is dealt with then. Commissioner Casey said the form will need to come through this committee.

IX. ADJOURN

With their being no further issues, the meeting adjourned at 1:54 pm. The next meeting will be held May 9, 2017 at 12:00.

Memorandum

To: Standing Committee on Court Forms
From: Mary Jane Ciccarello, Brent Johnson, and Jessica Van Buren
Date: May 3, 2017
Re: Packets of forms for opening an informal probate with a will and without a will

Many people contact the Self-Help Center and the State Law Library asking for informal probate forms. Some people have already consulted a private attorney and have been told that their probate matter is simple, and they should do it on their own.

The Utah State Bar sells to the public the entire set of probate forms published by the J. Reuben Clark Law School and written by Professors Hansen and Neeleman for \$30.00. These forms have not been updated since 2005. In addition, several courts have created packets using the BYU forms and provide them to the public. The forms are legally sufficient, but cumbersome to use and poorly formatted.

Our proposed forms are for simple informal probate proceedings where there are no disputed issues concerning the estate assets and no disputes among the interested parties. These forms also anticipate that the decedent died within three years prior to the filing and do not include provisions for determination of heirs.

These forms would typically be used by surviving adult children who need to transfer title of the deceased parent's home or to obtain access to a liquid asset held in the decedent's name.

We present two packets for your review. One for the situation in which there is a will, and the other where there is no will.

With a Will

- Application for Informal Probate of Will and Informal Appointment of Personal Representative
- Statement for Informal Probate of Will and Informal Appointment of Personal Representative
- Acceptance of Appointment
- Letters Testamentary
- Notice to Creditors
- Waiver of Notice
- Renunciation and Nomination
- Objection

Without a Will

- Application for Informal Probate When There is No Will and Informal Appointment of Personal Representative
- Statement for Informal Probate When There is No Will and Informal Appointment of Personal Representative
- Acceptance of Appointment
- Letters of Administration
- Notice to Creditors
- Waiver of Notice
- Renunciation and Nomination
- Objection

Name

Address

City, State, Zip

Phone

Email

I am the Applicant
 Attorney for the Applicant and my Utah Bar number is _____

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of the Estate of

Deceased

**Application for Informal Probate
When There is No Will and Informal
Appointment of Personal
Representative**

Case Number

Judge

- (1) **Person Who Died (Decedent).** The decedent, _____ (name), died on _____ (date) at the age of _____. At least five full days have passed since the death.
- (2) **Interest.** I, _____ (name of petitioner), have an interest in this estate because I am (for example, the decedent's spouse, child, parent, sibling):

- (3) **Filing Location.** This is the correct court to file in because the decedent:

- lived in this county at the time of death.
- lived in _____ (county and state), but owned property in this county at the time of death.

- (4) **Current Personal Representative.** No personal representative has been appointed by a court in Utah or any other state.
- (5) **Right to be Appointed as Personal Representative.** The court should appoint me as personal representative because I am 21 years old or older and have priority to serve because:

- I am the surviving spouse.
- I am an heir (someone with the right to inherit property from the decedent if there is no will).
- I am a creditor and 45 days have passed since the decedent died.
- Other: _____

- (6) **Persons with a Greater or Equal Right to Appointment.** I am qualified to act as personal representative and have priority because:

- there is no person with a higher or equal priority for appointment.
- each person with a higher or equal priority for appointment has in writing renounced the right to appointment and has nominated me to serve.

My contact information is:

Address	
Email address	
Phone number	

- (7) **Demand for Notice.** (Any interested person may file a document called a demand for notice that tells the personal representative and the court to send a copy of every document filed with the court to him or her.)

- I have not received nor am I aware of any demand for notice of any probate or appointment proceedings concerning the decedent that may have been filed in Utah or elsewhere.

[] I received or I am aware of a demand for notice concerning the decedent from the following persons:

(8) **Decedent’s Survivors.** Decedent is survived by the persons listed below. These persons have the right to notice of this probate case. (Include all biological or adopted children of the decedent, unless an adoption decree terminated their inheritance rights. Add additional pages if necessary.)

Relationship to Decedent	Name	Address	Age (if minor)
Spouse			
Child			
Child			
Child			
Child			
Parent			
Parent			
Sibling			
Sibling			
Heir (inherits property if there is no will)			
Other			

(9) **Will.** To the best of my knowledge after a reasonable search, the decedent did not have a will.

(10) **Time.** I am filing this probate case within the required time period because not more than three years have passed since the person died.

(11) **Bond.** (A bond is a cash payment or pledge of property that guarantees the personal representative will fulfill his or her duties.)

[] Bond is not required under Utah Code Section 75-3-603.

[] Bond is required because:

- an interested party asked for a bond before the appointment of a personal representative.
- a written demand for bond has been filed in accordance with Utah Code Section 75-3-605.

Character and estimated value of the property of the decedent (complete only if bond is required and the bond amount is not specified in the will):

Real property	\$
Personal property	\$
Annual income from real and personal property	\$
Total	\$

I ask that:

- (1) Notice be given as required by law.
- (2) I, _____ (name), be informally appointed personal representative of the estate of the decedent and to act:
 - without bond.
 - with bond in the amount of \$ _____.
- (3) Letters of Administration be issued.

I have not included any non-public information in this document.

_____ Sign here ► _____
 Date

 Typed or Printed Name

On this date, I certify that _____ (name) who is known to me or who presented satisfactory identification, in the form of _____ (form of identification), has, while in my presence and while under oath or affirmation, voluntarily signed this document and declared that it is true.

_____ Sign here ► _____
 Date

 Typed or printed name (Court Clerk or Notary Public)

Notary Seal

Certificate of Service			
I certify that I served a copy of this Application for Informal Probate on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Sign here ► _____

Date _____

Typed or Printed Name _____

Name

Address

City, State, Zip

Phone

Email

I am the Applicant
 Attorney for the Applicant and my Utah Bar number is _____

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of the Estate of _____
Deceased

Application for Informal Probate of Will and Informal Appointment of Personal Representative

Case Number

Judge

(1) **Person Who Died (Decedent).** The decedent, _____ (name), died on _____ (date) at the age of _____. At least five full days have passed since the death.

(2) **Interest.** I, _____ (name of petitioner), have an interest in this estate because I am (for example, the decedent's spouse, child, parent, sibling):

(3) **Filing Location.** This is the correct court to file in because the decedent:
 lived in this county at the time of death.

[] lived in _____ (county and state), but owned property in this county at the time of death.

(4) **Current Personal Representative.** No personal representative has been appointed by a court in Utah or any other state.

(5) **Right to be Appointed as Personal Representative.** The court should appoint me as personal representative because I am 21 years old or older and have priority to serve because:

- [] the will named me as the personal representative.
- [] I am the surviving spouse and the will named me to receive property.
- [] I am the surviving spouse but the will did not name me to receive property.
- [] the will named me to receive property.
- [] I am an heir (someone with the right to inherit property from the decedent if there was no will).
- [] I am a creditor and 45 days have passed since the person died.
- [] I was nominated to serve by someone named above.
- [] Other: _____

(6) **Persons with a Greater or Equal Right to Appointment.** I am qualified to act as personal representative and have priority because:

- [] there is no person with a higher or equal priority for appointment.
- [] each person with a higher or equal priority for appointment has in writing renounced the right to appointment and has nominated me to serve.

My contact information is:

Address	
Email address	
Phone number	

(7) **Demand for Notice.** (Any interested person may file a document called a demand for notice that tells the personal representative and the court to send a copy of every document filed with the court to him or her.)

[] I have not received nor am I aware of any demand for notice of any probate or appointment proceedings concerning the decedent that may have been filed in Utah or elsewhere.

[] I received or I am aware of a demand for notice concerning the decedent from the following persons:

(8) **Decedent's Survivors.** Decedent is survived by the persons listed below. These persons have the right to notice of this probate case. (Include all biological or adopted children of the decedent, unless an adoption decree terminated their inheritance rights. Add additional pages if necessary.)

Relationship to Decedent	Name	Address	Age (if minor)
Spouse			
Child			
Child			
Child			
Child			
Parent			
Parent			
Sibling			
Sibling			
Heir (inherits property if there was no will)			
Other			

(9) **Will.** The decedent made a will dated _____.

To the best of my knowledge after a reasonable search, this is the decedent's last will and I do not know of any document that cancels or revokes this will.

The original will:

[] is attached.

is in the court's possession.

(10) **Time.** I am filing this probate case within the required time period because not more than three years have passed since the person died.

(11) **Bond.** (A bond is a cash payment or pledge of property that guarantees the personal representative will fulfill his or her duties. However, the will commonly waives the bond requirement.)

Bond is not required under Utah Code Section 75-3-603.

Bond is required because:

the will requires a bond and the amount of the bond stated in the will is \$_____.

OR

an interested party asked for a bond before the appointment of a personal representative.

a written demand for bond has been filed in accordance with Utah Code Section 75-3-605.

Character and estimated value of the property of decedent (complete only if bond is required and the bond amount is not specified in the will):

Real property	\$
Personal property	\$
Annual income from real and personal property	\$
Total	\$

I ask that:

(1) Notice be given as required by law.

(2) The will of the decedent, dated _____, be informally probated.

(3) I, _____ (name), be informally appointed personal representative of the estate of the decedent and to act:

without bond.

with bond in the amount of \$_____.

(4) Letters testamentary be issued.

Certificate of Service			
I certify that I served a copy of this Application for Informal Probate on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Sign here ► _____

Date _____

Typed or Printed Name _____

Name

Address

City, State, Zip

Phone

Email

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>In the Matter of the Estate of _____</p> <p>Deceased _____</p>	<p>Waiver of Notice (Probate)</p> <p>_____</p> <p>Case Number _____</p> <p>_____</p> <p>Judge _____</p>
---	--

- (1) My name is _____ and I am (choose one):
- an interested person.
 - a fiduciary for _____, an interested person.
 - an attorney representing _____, an interested person.
 - an attorney representing _____, a fiduciary for _____, an interested person.
 - a parent of _____, who is a minor and an interested person. No guardian has been appointed, and I have no conflict of interest.

[] a person who has previously demanded notice under Utah Code Section 75-3-204.

[] an authorized officer of _____, an interested person.

[] an authorized officer of _____, a fiduciary for _____, an interested person.

(2) I waive notice of the following:

[] All petitions, applications and filings concerning the above estate.

[] The following petitions, applications and filings:

[] Application for informal appointment of personal representative.

[] Application for informal probate of will and appointment of personal representative.

[] Acceptance of appointment.

[] Letters of administration.

[] Other (specify): _____

(3) Notice of matters not listed above shall be given to:

[] me

Signature of person waiving notice

Printed name of person waiving notice

Address

City, State & Zip Code

Phone

Email

Date

[] my attorney, whose name and address is listed below

Signature of attorney

Printed name of attorney

Address

City, State & Zip Code

Phone

Email

Date

Certificate of Service			
I certify that I served a copy of this Waiver of Notice (Probate) on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Sign here ► _____

Date _____

Typed or Printed Name _____

Name

Address

City, State, Zip

Phone

Email

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>In the Matter of the Estate of _____</p> <p>Deceased</p>	<p><input type="checkbox"/> Renunciation</p> <p><input type="checkbox"/> Nomination</p> <p>_____</p> <p>Case Number</p> <p>_____</p> <p>Judge</p>
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I, _____ (name) (choose one):

- (1) renounce the right to appointment as personal representative of the estate of the decedent above.
- (2) renounce the right to nominate another person to be appointed as personal representative.
- nominate _____ (name), whose address is

Address

City, State and Zip Code

Email

as personal representative of the estate of the person who died named above.

Signature of person renouncing or nominating

Printed name of person renouncing or nominating

Address

City, State & Zip Code

Phone

Date

Signature of attorney for person renouncing or nominating (if the person has an attorney)

Printed name of attorney for person renouncing or nominating

Date

Certificate of Service			
I certify that I served a copy of this Renunciation or Nomination on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Sign here ► _____

Date _____

Typed or Printed Name _____

Name

Address

City, State, Zip

Phone

Email

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of the Estate of _____
Deceased

**Objection to Appointment of
Personal Representative and
Request for Hearing**

Case Number

Judge

I, _____ (name) am an interested person in this case.

(1) [] I object to the appointment of _____ (name) as personal representative in the above-named estate for these reasons:

(2) [] I object to the informal probate of the above-named decedent's estate for these reasons:

Four horizontal lines for providing reasons for objection.

(3) I ask the court to schedule a hearing for a formal probate of the will or intestacy of the decedent and the formal appointment of a personal representative

(4) I ask for a hearing in this matter, and ask the court to provide notice of the hearing as required by law.

Signature of interested person

Printed name of interested person

Address

City, State & Zip Code

Phone

Date

Certificate of Service			
I certify that I served a copy of this Objection to Appointment of Personal Representative on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

_____ Sign here ► _____

Date _____
 Typed or Printed Name _____

Name

Address

City, State, Zip

Phone

Email

I am the Petitioner
 Attorney for the Petitioner and my Utah Bar number is _____

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of the Estate of

Deceased

**Statement of Informal Probate When
There is No Will and Appointment of
Personal Representative**

Case Number

Judge

Based upon the request of _____
(name of petitioner), to open informal probate of _____
_____’s (name of decedent) estate
and appoint a personal representative, the court makes the following findings and order.

FINDINGS

- (1) **Application.** The application appears to be complete and includes the applicant’s oath or affirmation that the statements are true to the best of the applicant’s belief.
- (2) **Interest.** The applicant is a person with an interest in the estate.

- (2) **Decedent.** The decedent died on _____ (date). At least five full days have passed since the death.
- (3) **Filing Location.** This is the correct court to file in because the person who died:
- lived in this county at the time of death.
 - owned property located in this county at the time of death.
- (4) **Time.** The time for probate is within the required time period because not more than three years have passed since the person died.
- (5) **Will.** The person who died did not have a will.
- (6) **Current Personal Representative.** No personal representative has been appointed by a court in Utah or any other state.
- (7) **Right to be Appointed as Personal Representative.** The court finds that _____ (name) is at least 21 years old or older and has priority to serve because:
- he or she is the surviving spouse.
 - he or she is an heir (someone with the right to inherit property from the person who died if there is no will).
 - he or she is a creditor and 45 days have passed since the person died.
 - Other: _____
- Anyone with equal or higher priority has renounced their right to serve and nominated the applicant.
- (8) **Bond.** Bond is:
- not required.
 - is required and the bond amount is \$ _____.
- (9) **Notice.** Any notices required by the laws of Utah have been given or waived.

ORDER

The court orders that:

- (1) The decedent's estate is admitted to informal probate.

(2) _____ (name) is appointed the personal representative of the decedent's estate to act

without bond.

with bond in the amount of \$ _____.

(3) The court will issue Letters of Administration after the personal representative files an Acceptance of Appointment.

Date

Registrar's
Signature ► _____

Registrar's Printed Name _____

Certificate of Service

I certify that I served a copy of this Statement of Informal Probate on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
(Other Party or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Sign here ►

Date _____

Typed or Printed Name _____

Name _____
Address _____
City, State, Zip _____
Phone _____
Email _____

I am the Petitioner
 Attorney for the Petitioner and my Utah Bar number is _____

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>In the Matter of the Estate of _____ Deceased</p>	<p>Statement of Informal Probate of Will and Appointment of Personal Representative</p> <p>Case Number _____</p> <p>Judge _____</p>
--	--

Based upon the request of _____
(name of petitioner), to open informal probate of _____'s (name of person who died)
last will and appoint a personal representative, the court makes the following findings
and order based on that request.

FINDINGS

- (1) **Application.** The application appears to be complete and includes the applicant's oath or affirmation that the statements are true to the best of the applicant's belief.

- (2) **Interest.** The applicant is a person with an interest in the estate because he or she is a spouse, relative, person named in the will, beneficiary, creditor or fiduciary representing an interested person.
- (2) **Decedent.** The decedent died on _____ (date). At least five full days have passed since the death.
- (3) **Filing Location.** This is the correct court to file in because the person who died:
- lived in this county at the time of death.
 - owned property located in this county at the time of death.
- (4) **Time.** The time for probate is within the required time period because not more than three years have passed since the person died.
- (5) **Will.** The person who died made a will on _____ (date). The court has the original will.
- (6) **Current Personal Representative.** No personal representative has been appointed by a court in Utah or any other state.
- (7) **Right to be Appointed as Personal Representative.** The court finds that _____ (name) is at least 21 years old or older and has priority to serve because:
- the will named him or her as the personal representative.
 - he or she is the surviving spouse and named in the will to receive property.
 - he or she is the surviving spouse but the will did not name him or her to receive property.
 - the will named him or her to receive property.
 - he or she is an heir (someone with the right to inherit property from the person who died if there was no will).
 - he or she is a creditor and 45 days have passed since the person died.
 - he or she was nominated to serve by someone named above.
 - Other: _____
- Anyone with equal or higher priority has renounced their right to serve and nominated the applicant.
- (8) **Bond.** Bond is:
- not required.

[] is required and the bond amount is \$ _____.

(9) **Notice.** Any notices required by the laws of Utah have been given or waived.

ORDER

The court orders that:

(1) The decedent's will, dated _____, is admitted to informal probate.

(2) _____ (name) is appointed the personal representative of the decedent's estate to act

[] without bond.

[] with bond in the amount of \$ _____.

(3) The court will issue Letters Testamentary after the personal representative files an Acceptance of Appointment.

Date
Registrar's Signature ► _____
Registrar's Printed Name _____

Certificate of Service			
I certify that I served a copy of this Statement of Informal Probate on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Other Party or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

_____ Sign here ► _____

Date _____ Typed or Printed Name _____

Name

Address

City, State, Zip

Phone

Email

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of the Estate of

Deceased

**Acceptance of Appointment as
Personal Representative
(Utah Code 75-3-602)**

Case Number

Judge

I, _____ (name) accept appointment to
serve as the personal representative of the estate of the decedent named above.

I agree to perform the duties the law requires.

I submit personally to the jurisdiction of this court in any proceeding relating to the
estate that may be filed by any interested person.

_____ Sign here ► _____
Date

_____ Typed or Printed Name _____

Certificate of Service			
I certify that I served a copy of this Acceptance of Appointment on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Sign here ► _____

Date _____

Typed or Printed Name _____

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of the Estate of

_____ Deceased

Letters of Administration

_____ Case Number

_____ Judge

(1) The appointed personal representative is _____ (name).

(2) The personal representative is:

not supervised.

supervised. The personal representative may not make any distribution of the estate or exercise the following powers without prior order of the court:

_____ Date
Signature ► _____
Typed or Printed Name of Registrar or Judge _____

Certificate of Service			
I certify that I served a copy of these Letters of Administration on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Sign here ► _____

Date _____

Typed or Printed Name _____

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of the Estate of

Deceased

Letters Testamentary

Case Number

Judge

(1) The will of the decedent was admitted to probate. The appointed personal representative is

_____ (name).

(2) The personal representative is:

not supervised.

supervised. The personal representative may not make any distribution of the estate or exercise the following powers without prior order of the court:

Date
Signature ► _____
Typed or Printed Name of Registrar or Judge _____

Certificate of Service			
I certify that I served a copy of these Letters Testamentary on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Sign here ► _____

Date _____

Typed or Printed Name _____

Name

Address

City, State, Zip

Phone

Email

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of the Estate of _____

Deceased _____

**Announcement of Appointment and
Notice to Creditors**

Case Number

Judge

To: _____ (newspaper)

Please publish the following once a week for three weeks in a row.

Announcement of Appointment and Notice to Creditors

Estate of _____ (name).

Case Number _____.

_____ (name), has been appointed personal representative of this estate. All persons having claims against the decedent must present their claims in writing within three months after the date of the first publication of this notice or the claims will be forever barred.

Written claims may be:

- (1) Delivered or mailed to the personal representative or his or her attorney at the address below, or
- (2) Filed with the Clerk of the District Court in _____ County.

Date of first publication: _____.

Personal Representative (or attorney for personal representative)

Address

City, State & Zip Code

Email

Phone

Date

Certificate of Service

I certify that I served a copy of this Announcement of Appointment and Notice to Creditors on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

_____ Sign here ► _____
 Date _____

 Typed or Printed Name _____