
**WHAT ARE THESE THINGS
CALLED ESTATES,
GUARDIANSHIP AND
CONSERVATORSHIP**



An understanding of what the court does.

**Presented by the 12th Judicial District Access to
Justice Committee**

WORDS YOU MAY HEAR

- Estate-All the property a person owns or owes.
- Personal Representative-A person who handles the affairs of the estate.
- Decedent-A person who has died.
- Heir-Persons entitled to an inheritance with no will.
- Devisee-A person entitled to an inheritance listed in a Will. This can include a trust.



OTHER WORDS YOU MAY HEAR

- Guardianship- A person who has decision making over the an incapacitated person or minor-Guardian will have certified Letters to prove authority.
- Conservatorship- A person who has decision making over finances of an incapacitated person or minor-Conservators will have certified Letters to prove authority.
- Power of Attorney-A legal document, not a court order, giving authority to make decisions for another.
- Letters-Courts official documents giving authority to handle the affairs of the estate. These are certified and customers may get them re-certified if the case is still open.





ESTATE CASES

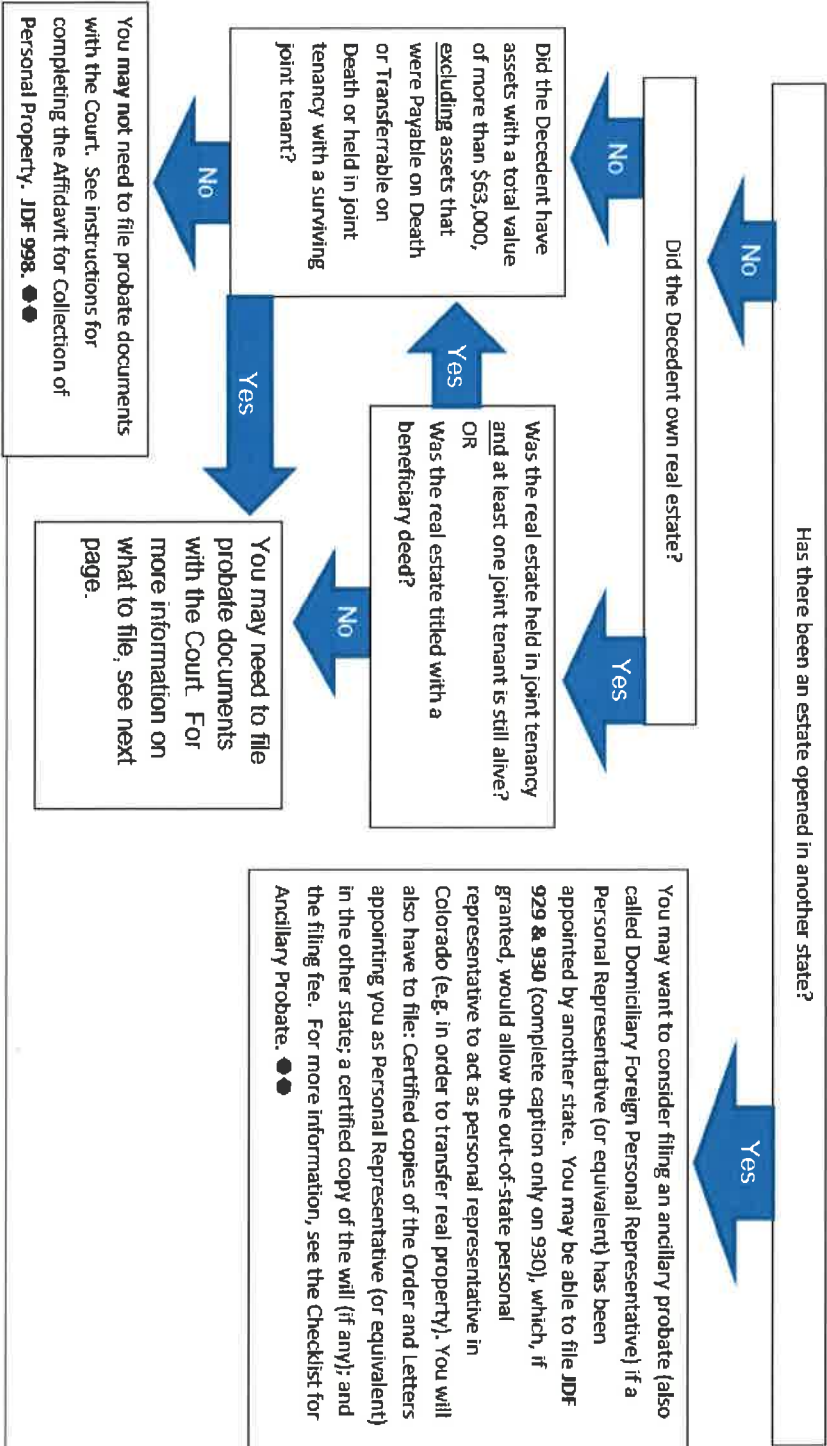
With or Without a Will

BEGINNING A NEW CASE Probate (Estates)

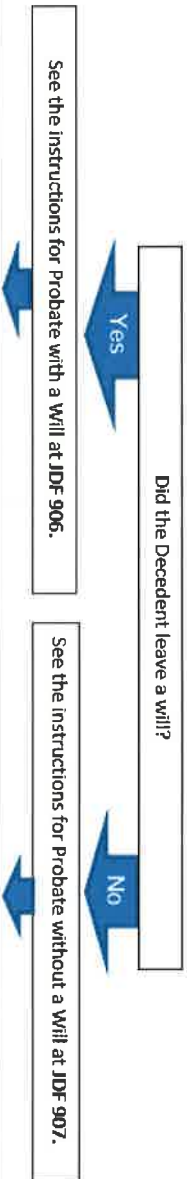
All JDF forms available on Courts website: www.courts.state.co.us
Checklists also available on website, under "Courts by District," then "1st Judicial District," then "Court Business Resources."

Decedent = Person who has died and for whom an estate may be opened

Do I need to file Probate documents with the Court?



I know I need to open an estate/file Probate documents with the Court, which documents to I file?



You will need to decide whether to file informally or Formally. For legal advice on which way to proceed, speak with an attorney.

- Informal Probate: A person with priority for appointment as Personal Representative applies to the Registrar for appointment.
 - Typically used when: There is an uncontested will or no will, all of the potential heirs of the estate agree on who should be the personal representative and who the beneficiaries of the estate are.
 - Less court involvement, no advance notice to parties and no binding orders from the court.
 - If a problem arises, court can move from informal to formal.
- Formal Probate: The Judge appoints the Personal Representative and determines Heirs after a notice to all Interested Persons and after a hearing on any objections.
 - Typically used when: Heirs and/or beneficiaries cannot agree on issues such as who should serve as personal representative; the original will cannot be found; the decedent passed away more than 3 years ago; and/or a will contest is anticipated.
 - More court involvement, binding court orders, and requires notice sent to interested persons (e.g. beneficiaries, creditors, etc.)

For a list of documents/forms you will need to begin a probate action, formally or informally, with or without a will, see the checklists on the following pages.

If you have any questions about what forms are required or are not sure about the answers to any of the above, you can contact the Probate Registrar, Bandy Lucero, at (719) 657-3394.

If you need help locating or completing any of the forms listed on the checklists, you can contact the Self-Help Coordinator, Kaylene Guymon, by phone at (719) 589-7621, or by e-mail at 12SelfHelp@judicial.state.co.us

If you need legal advice regarding any of the above, you should talk to an attorney.



12th JUDICIAL DISTRICT

PROBATE WITH A WILL

ALL JDF FORMS AVAILABLE AT WWW.COURTS.STATE.CO.US → TRUSTS, ESTATES, WILLS

STEP 1: INITIAL FILING

JDF #	INFORMAL	JDF #	ADDITIONAL INFORMATION
910	Application for Informal Probate of Will and Informal Appointment of Personal Representative Provide the court with the original will (or copy if original is not available)		
911	Acceptance of Appointment		(As applicable)
912	Renunciation and/or Nomination of Personal Representative		(As applicable)
913	Irrevocable Power of Attorney	913	(Out of state Personal Representatives only) (Do not sign signature lines)
914	Order for Informal Probate of Will and Informal Appointment of Personal Representative	914	(Do not sign signature lines) (Do not sign signature lines)
915	Letters Testamentary	915	(Do not sign signature lines)
916	Pay Filing Fee		

JDF #	FORMAL	JDF #	ADDITIONAL INFORMATION
920	Petition for Formal Probate of Will and Formal Appointment of Personal Representative Provide the court with the original will (or copy if original is not available)		
921	Acceptance of Appointment		(As applicable)
922	Renunciation and/or Nomination of Personal Representative		(As applicable)
923	Irrevocable Power of Attorney	923	(Out of state Personal Representatives only) (Do not sign signature lines)
924	Order Appointing Will to Formal Probate and Formal Appointment of Personal Representative	924	(Do not sign signature lines)
925	Letters Testamentary	925	(Do not sign signature lines)
926	Notice of Non Appearance Hearing Pursuant to C.R.P. 3.3	926	The clerk will prepare this notice and send it to you, but you are responsible for arranging for service on interested persons
927	Notice of Hearing by Publication	927	The clerk will prepare this notice and send it to you, but you are responsible for arranging for publication
928	Proof of Publication		File it with the Court
929	Pay Filing Fee		

STEP 2: AFTER APPOINTMENT

JDF #	PLEADING ACTIONS	JDF #	ADDITIONAL INFORMATION
940	Information of Appointment	940	Complete within 30 days of appointment and file the completed form with the Court
943	Notice to Creditors by Publication	943	Complete and file it with the newspaper agency
944	Proof of Publication		File it with the Court

These pleading checklists are for informational purposes only and do not constitute legal advice about your case. There may be exceptions to the information provided on this form. Please consult with an attorney if you have specific questions about the decedent's estate. If you choose to represent yourself, you are bound by the same rules and procedures as you would be if you were an attorney.

Inventory	941	Complete within 3 months from date of appointment
Interim Final Accounting	942	

STEP 3: CLOSING THE ESTATE

JDF #	INFORMAL	JDF #	ADDITIONAL INFORMATION
953	Statement of Personal Representative Closing Administration	953	Can be filed 6 months after appointment or 1 year from DOD, whichever occurs first AND after the claims period has expired. Estate is deemed closed 1 year after filing this Statement.
954	Petition for Final Settlement	954	Can be filed after the claims period has expired.
941	File Inventory and Accounting with the Court	941	
942	Order for Final Settlement	942	(Do not sign signature lines)
943	Receipt and Release	943	
944	Decree of Final Discharge	944	(Do not sign signature lines) Proposed decree will be issued after receipt and releases are filed
945	Notice of Non Appearance Hearing on Petition for Final Settlement	945	

For unknown heirs, give notice to:
Office of the Attorney General
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 10th Floor
Denver, CO 80203

AND complete notice by publication

For questions regarding this document or any of the actions/forms described above, contact:

12th Judicial District Probate Registrar
Bandy Lucero
Telephone: (719) 657-3394

12th Judicial District Self-Help Coordinator
Kaylene Guymon
Telephone: (719) 589-7621
Email: 12SelfHelp@judicial.state.co.us

These standard checklists are for informational purposes only and do not constitute legal advice about your case. There may be exceptions to the information provided on this form. Please consult with an attorney if you have specific questions about the decedent's estate. If you choose to represent yourself, you are bound by the same rules and procedures as you would be if you were an attorney.

**12TH JUDICIAL DISTRICT
PROBATE WITHOUT A WILL**

ALL JDF FORMS AVAILABLE AT WWW.COURTS.STATE.CO.US FORMS → TRUSTS, ESTATES, WILLS

STEP 1: INITIAL FILING

JDF #	ADDITIONAL INFORMATION
916	
911	(As applicable)
912	(As applicable)
913	(Out of state Personal Representatives only)
917	(Do not sign signature lines)
915	(Do not sign signature lines) Or file a Motion to Waive the Filing Fee (if you qualify)

JDF #	ADDITIONAL INFORMATION
922	
911	(As applicable)
925	(As applicable)
921	(Out of state Personal Representatives only)
923	(Do not sign signature lines)
915	(Do not sign signature lines)
711	The clerk will prepare this notice and send it to you, but you are responsible for arranging for service on the interested persons
716	The clerk will prepare this notice and send it to you, but you are responsible for arranging for publication
	File it with the Court
	Pay filing fee

STEP 2: AFTER APPOINTMENT

JDF #	ADDITIONAL INFORMATION
940	Complete within 30 days of appointment and file the completed form with the Court
943	File it with the Court
941	Complete within 3 months from date of audit
942	

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STEP 3: CLOSING THE ESTATE

JDF #	ADDITIONAL INFORMATION
965	Can be filed 6 months after appointment or 1 year from DCB, whichever occurs first AND after the claims period has expired. Estate is deemed closed 1 year after filing the Statement

JDF #	ADDITIONAL INFORMATION
960	Can be filed after the claims period has expired.
941	
941	
730	(Do not sign signature lines) Proposed decree will be issued after receipts and releases are filed
730	
963	

For unknown heirs, give notice to:
Office of the Attorney General
Ralph L Carr Colorado Judicial Center
1300 Broadway, 5th Floor
Denver, CO 80203

AND complete notice by publication

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DOCUMENTS YOU MAY SEE



WILL

o A legal Declaration of a person's wishes

Last Will and Testament

OF

I, [REDACTED], a resident of Rio Grand County, Colorado, revoke any prior wills and codicils made by me and declare this to be my last Will.

ARTICLE I :

I direct the payment out of my estate of all my just debts allowed in the course of administration, the expenses of my last illness and funeral and the expenses of the administration of my estate. My personal representative shall pay all death taxes and other government charges payable by reason of my death on any property included in my estate for tax purposes without contribution from any person and without apportionment.

ARTICLE II :



<input checked="" type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court Rio Grande County Colorado Court Address: 925 6 th St. Rm. 204 Del Norte, CO 81132 In the Matter of the Estate of: Popeye The Sailor, aka Popeye T. Sailor, aka Pop Sailor		APR 15 2019 COURT USE ONLY Case Number: 2019PR3000000
Deceased		Division 7 Courtroom
LETTERS TESTAMENTARY <input checked="" type="checkbox"/> OF ADMINISTRATION		

Olive Oil (name) was appointed or qualified by this court or its registrar on 4/15/2019 (date) as:

- Personal Representative; or
- Successor Personal Representative

The decedent died on 02/02/2018 (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: 4/15/2019

Sandy Brown
 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 4-15-19 (date)

Sandy Brown
 Probate Registrar/Deputy Clerk of Court





ADULT GUARDIANSHIP

BEGINNING A NEW CASE Guardian (Adult)

All JDF forms available on Courts website: www.courts.state.co.us
Checklists also available on website under "Courts by District," then "12th Judicial District," then "Court Business Resources."

How do I get a guardian appointed for an adult?

See, generally, Colorado Revised Statutes, Sections 15-14-301 through 15-14-318
Protected Person=The person for whom a Guardianship or Conservatorship is sought

Is a Guardianship right for you? The Court may appoint a guardian for an adult if that adult is determined by the Court to be incapacitated.

"Incapacitated adult" = One who is unable to effectively receive or evaluate information or both or make or communicate decision to such an extent that the individual lacks the ability to satisfy essential requirements for physical health, safety, or self-care, even with appropriate and reasonably available technological assistance.

A Guardianship can be limited, if the protected person only requires assistance with some areas of his/her life, but not others. If you want a limited or restricted Guardianship, you must state what limitations/restrictions you want in your Petition to the Court for the Guardianship. If the protected person has significant income or assets that need to be managed, you may need to file for Conservatorship.

What kind of Guardianship do you need? You can ask for appointment of a Permanent Guardian or an Emergency Guardian or both. An Emergency Guardian can be appointed when you can show the Court that there are emergency circumstances such that following the normal procedures for appointment of a Guardian will likely result in substantial harm to the protected person's health, safety, or welfare and no other person appears to have authority and willingness to act in the circumstances. An Emergency Guardianship will expire after 60 days.

You can ask for appointment of an Emergency Guardian and Permanent Guardian in the same petition. The Court will set a hearing on the Emergency Guardianship first (usually within about a week) and will set the hearing on the Permanent Guardianship within 60 days after the first hearing. You will not have to prove incapacity for the Emergency Guardianship, but you will have to prove incapacity for the Permanent Guardianship.

Instructions for applying for appointment of a Guardian for an adult are available in form JDF 840.

Before filing with the Court, you will need a name-based criminal history check from the Colorado Bureau of Investigation and a current credit report for the proposed guardian. For more information on how to obtain the background check and credit report, see the instructions at JDF 840.

Court appointment of a Guardian for an adult

File your case in the court for the county where the Respondent (proposed protect person) resides. To begin your case, complete and file the documents listed on [the Checklist on the page that follows](#).

If you have any questions about what forms are required or are not sure about the answers to any of the above, you can contact the Probate Registrar, Bandy Luccero, at (719) 657-3394.

If you need help locating or completing any of the above forms, you can contact the Self-Help Coordinator, Kaylene Guymon, by phone at (719) 589-7621, or by e-mail at 12SelfHelp@judicial.state.co.us

If you need legal advice regarding any of the above, you should talk to an attorney.



**12th JUDICIAL DISTRICT
GUARDIANSHIP FOR ADULT**

ALL JDF FORMS AVAILABLE AT WWW.COURTS.STATE.CO.US : FORMS → GUARDIAN & CONSERVATOR

STEP 1: INITIAL FILING	
X	FEES/INSTRUCTIONS
	Pay \$112.00 fee
	Petition for Appointment of Guardian - Adult
	Accelerated Office
	Request Doctor's Letter
	Credit report for proposed guardian
	Get a certified true and correct copy of the proposed guardian's financial statement
	Get a certified true and correct copy of the proposed guardian's tax returns

STEP 2: PRE HEARING	
X	FEES/INSTRUCTIONS
	Court Vektor is appointed, conducts interviews, and files report
	Call the Court to set hearing date
	Notice to Respondent with Personal Service Affidavit
	Notice to Interested Parties
	Witness of Name
	Affidavit Regarding Due Diligence and Proof of Publication
	Notice of Hearing by Publication
	Attorney's Power of Attorney

STEP 3: HEARING	
X	FEES/INSTRUCTIONS
	Hearing and Respondent must be present at the hearing.
	Witness of Name
	Affidavit Regarding Due Diligence and Proof of Publication
	Attorney's Power of Attorney

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For questions regarding this document or any of the actions/forms described above, contact:

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Bandy Lucero
Telephone: (719) 657-3394

12th Judicial District Self-Help Coordinator
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DOCUMENTS YOU MAY SEE



District Court Denver Probate Court
Rio Grande County, Colorado
Court Address:
925 6th St Rm 204
Del Norte, CO 81132
In the interest of:

Tom the Cat

Respondent/Ward

▲ COURT USE ONLY ▲
Case Number: 2019PR25

Division 7 Courtroom

LETTERS OF GUARDIANSHIP - ADULT

Jerry the Mouse (guardian) was appointed by court order on 4/15/2019 (date) as:

- Guardian pursuant to § 15-14-311, C.R.S.
- Emergency Guardian pursuant to § 15-14-312(1), C.R.S. These letters will expire on _____ (a date not to exceed 60 days from the date of appointment). The guardian's powers are specified in the order.
- Temporary Substitute Guardian pursuant to § 15-14-313, C.R.S. These letters will expire on _____ (a date not to exceed 6months from the date of appointment). The guardian's powers are specified in the previous Order of Appointment.

The guardian must have access to respondent's/ward's medical records and information to the same extent that the respondent/ward is entitled. The guardian must be deemed to be the respondent's /ward's personal representative for all purposes relating to his or her protected health information, as provided in HIPAA, Section 45 CFR 164.502(g)(2).

These Letters of Guardianship are proof of the guardian's full authority to act, except for the following restrictions:

The guardian does not have the authority to obtain hospital or institutional care and treatment for mental illness, developmental disability, or alcoholism against the will of the respondent/ward pursuant to § 15-14-316(4), C.R.S.

The respondent /ward's place of residence must not be changed from the State of Colorado without an order of the court pursuant to § 15-14-315(1)(b), C.R.S.

Other limitations:

Date: 4/15/2019

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 4-15-19 (date).

Probate Registrar/Deputy/Clerk of Court



A decorative graphic in the top left corner consisting of several horizontal lines in shades of blue and purple, and a cluster of five orange circles of varying sizes.

ADULT CONSERVATORSHIP

BEGINNING A NEW CASE Conservator (Adult) 12th Judicial District

How do I get a conservator appointed for an adult?

See, generally, Colorado Revised Statutes, Sections 15-14-401 through 15-14-433
Protected Person—The person for whom a Guardianship or Conservatorship is sought

Is a Conservatorship right for you? The Court may appoint a conservator for an adult if that adult is determined by the Court to be unable to manage his/her property due to some type of incapacity and the adult has assets that will be wasted without proper management. If you need a Court order to take care of other needs of the proposed protected person (e.g. medical, where he/she lives, etc.) you may want to consider a Guardianship.

What kind of Conservatorship do you need? A Conservatorship can be limited, if the protected person only requires assistance with some areas of his/her life, but not others. If you need a Conservator to be appointed for a single transaction or arrangement, you may want to ask the Court to appoint a Special Conservator. A Special Conservator may also be appointed to take care of the protected person's property or assets while the petition for Conservator is pending. Special Conservatorships are limited in scope.

Instructions for appointment of a Conservator for an adult are available on the Court's website at [JDF 875](#).

Before filing with the Court, you will need a name-based criminal history check from the Colorado Bureau of Investigation and a current credit report for the proposed conservator. For more information on how to obtain the background check and credit report, see the Instructions at [JDF 875](#).

File in the county where the Respondent (proposed protected person) resides or is present. To begin your case, complete and file the documents listed on the Checklist—Conservator for Adult.

If you have any questions about what forms are required or are not sure about the answers to any of the above, you can contact the 12th Judicial District Probate Registrar, Bandy Lucero, at (719) 657-3394.

If you need help locating or completing any of the above forms, you can contact the 12th Judicial District Self-Help Coordinator, Kaylene

Guymon, by phone at (719) 589-7621, or by e-mail at 12SelfHelp@judicial.state.co.us
If you need legal advice regarding any of the above, you should talk to an attorney.



12th JUDICIAL DISTRICT
 CONSERVATORSHIP FOR ADULT
 ALL JDF FORMS AVAILABLE AT WWW.COURTS.STATE.CA.US: FORMS → GUARDIAN & CONSERVATOR

STEP 1: INITIAL FILING

X PLEADINGS/ACTIONS	JDF #	ADDITIONAL INFORMATION
File Willing Form	576	
Petitioner for Appointment of Conservator - Adult	576	
Acceptance of Office	585	
Receipt - Doctor's Letter		WWW.COURTS.STATE.CA.US
Court Report for proposed conservator		WWW.COURTS.STATE.CA.US
Criminal Background Check for proposed conservator		WWW.COURTS.STATE.CA.US
Copy of Petitioner's Certification		CONTACT: WWW.COURTS.STATE.CA.US

STEP 2: PRE HEARING

X PLEADINGS/ACTIONS	JDF #	ADDITIONAL INFORMATION
Court Notice is appointed, conducts interviews, and files report	589	(done by the Court) 5000 vector's fee must be paid by Petitioner or can apply for state pay if eligible
Call the Court to Set Hearing Date	590	Call Probate Registrar (Bandy Lucero) at 719-662-3994
Notice to Respondent with Personal Service Affidavit	597	File the completed form with the Court before the hearing date
Notice to Interested Parties	596	File the completed form with the Court before the hearing date
Notice of Notice	719	May be completed by any interested person (except the Respondent), who wishes to waive notice of any hearings or trials before the Court.
Affidavit Regarding Due Diligence and Proof of Publication	714	(Necessary only if cannot locate an interested person in order to send by mail; the required Notice to Interested Parties)
Notice of Hearing by Publication	716	(if necessary - see above)
Inevitable Proof of Affidavit	721	(OK if State Conservator only)

STEP 3: HEARING

X PLEADINGS/ACTIONS	JDF #	ADDITIONAL INFORMATION
Petitioner and Respondent must be present at the hearing		If the Respondent cannot attend the hearing for medical or other reasons, Petitioner must file a Motion to Excuse the Respondent, or such appropriate documentation to support the motion, such as a physician's letter.

STEP 4: AFTER THE HEARING (if Conservator is appointed)

X PLEADINGS/ACTIONS	JDF #	ADDITIONAL INFORMATION
Appointment of Respondent:	580	
Court will issue Order Appointing Conservator	580	
Court will issue Letters of Conservatorship	580	Certain Letters may be obtained for state's court inventory with Financial Part Due so can't enter appointment. Complete only if option on Order Regarding Conservator's Financial Part
Conservator's Inventory with Financial Part and Motion for Approval	593	
Conservator's Report	595	File annually; Conservator to date provided in the Order Appointing Conservator
Notice of Appointment of Conservator	512	File with the Court after service to the protected person and interested parties

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 Telephone: (719) 657-3394

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DOCUMENTS YOU MAY SEE



<input checked="" type="checkbox"/> District Court	<input type="checkbox"/> Denver Probate Court
Rio Grande County, Colorado	
Court Address: 925 6 th St. Rm 204 Del Norte, CO 81132	
In the interest of: Louie Duck	
Protected Person	
LETTERS OF CONSERVATORSHIP - ADULT	
Division 7 Courtroom	
▲ COURT USE ONLY ▲	
Case Number: 2019PR30002	

as: Scravage McDuck (conservator) was appointed by court order on 4/15/2019 (date)

Conservator pursuant to § 15-14-409, C.R.S.

- Special Conservator pursuant to § 15-14-406(e), C.R.S. These letters will expire on _____ (date), unless otherwise ordered by the court.
- Special Conservator pursuant to § 15-14-412(3), C.R.S. These letters will expire upon the completion of the single transaction described in the attached court order appointing the special conservator.

These Letters of Conservatorship are proof of:

- the conservator's authority to exercise all the powers in § 15-14-425, C.R.S., subject to the exclusions in § 15-14-411, C.R.S. The powers and duties of the conservator are otherwise unrestricted
- the conservator's authority to exercise the powers in § 15-14-425, C.R.S., are limited by the following restrictions:

- the conservator must not, without prior court order, convey or encumber any real estate owned by the protected person.
- other The Conservator may not withdraw funds without a prior court order.

Date: 4-17-19


 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 4/15/19 (date).


 Probate Registrar/Deputy Clerk of Court





GUARDIANSHIP FOR A MINOR

BEGINNING A NEW CASE Guardian (Minor)

All JDF forms available on Courts website: www.courts.state.co.us
Checklists also available on website, under "Courts by District," then "12th Judicial District," then "Court Business Resources."

How do I get a guardian appointed for a minor (person under 18)?

See, generally, Colorado Revised Statutes, Sections 15-14-201 through 15-14-210

Is a Guardianship right for you? Determining who should have the rights and responsibilities regarding caring for minors can be done in more than one way and through more than one type of court case, depending on the circumstances. A guardianship may or may not be the most appropriate for your situation. A court will appoint a Guardian for a minor when it is in the best interests of the minor AND one of the following 4 factors is met:

- (1) The parents consent to the appointment;
- (2) The parents' parental rights have been terminated by a court order;
- (3) The parents are unwilling or unable to exercise their parental rights (e.g. the parents are deceased or have abandoned the child); OR
- (4) Guardianship of the minor has been previously granted to someone else, and that person has died or become incapacitated and did not appoint a successor guardian.

If your circumstances do not fit any of the above requirements or you are not sure if they do, you may want to consider one of the alternatives to court-appointed guardianship described below. If the minor has significant income or assets that need to be managed, you may need to file for Conservatorship.

You do not need a Court-appointed Guardian and/or you do not meet the requirements listed above.

Alternative 1: Delegation of Power by Parent

A parent can sign a form (JDF 751) that gives authority regarding care, custody, education, etc., of the child to another person. Form must be notarized. Valid for up to 12 months and can be renewed. For more information, see instructions at JDF 750. Not all third parties will accept this document as proof of authority to act and may require a court order. ●●

Alternative 2: Allocation of Parental Responsibilities ("APR")

An APR is a court action that can be brought by a non-parent who has the physical care of the child for 6 months or more, or by a non-parent when the child is not in the physical care of one of his parents. In an APR, the court will determine custody and allocate (divide): (1) decision-making authority for the child; (2) parenting time with the child; and (3) child support obligations. For more information, see instructions at JDF 1413(f). ●●

Consult an attorney to see if there are any other alternatives for your circumstances. ●●

You know you need the Court to appoint a Guardian and you meet the requirements listed above.

Getting a Guardian appointed by the court (for a minor)

The minor's parents/legal guardians are deceased or incapacitated and left a will or other writing designating a Guardian for the minor child. Review instructions available in form JDF 820.

To begin, complete and file:

- (1) Filing fee or Motion for Fee Waiver (JDF 205 plus proof of household income)
- (2) JDF 821—Affidavit of Acceptance of Appointment by Written Instrument as Guardian for Minor, with Certified Copy of Will or Original Writing attached;
- (3) JDF 826—Consent or Nomination of Minor (if minor is over 12 years of age);
- (4) JDF 830—Letters of Guardianship—Minor (complete caption only); and
- (5) JDF 822—Petition for Confirmation of Appointment of Guardian (file within 30 days after filing JDF 821).

After you file the above documents with the Court, send copies of Affidavit of Acceptance of Appointment to the interested persons identified on the Affidavit (which would include the minor if over 12 years old). ●●

All other situations where it is appropriate/necessary for the Court to appoint a Guardian for a minor. Review instructions available in form JDF 823.

Before filing with the Court, you will need a name-based criminal history check from the Colorado Bureau of Investigation and a current credit report for the proposed guardian. For more information on how to obtain the background check and credit report, see the Instructions at JDF 823.

File the required documents with the court in the county where the Minor resides or is present. For information on what documents to complete and file, see [Checklist on following page](#). ●●

If you have any questions about what forms are required or are not sure about the answers to any of the above, you can contact the Probate Registrar, Bandy Lucero, at (719) 657-3394.
If you need help locating or completing any of the above forms, you can contact the Self-Help Coordinator, Kaylene Guymon, by phone at (719) 589-7621, or by e-mail at 12SelfHelp@judicial.state.co.us
If you need legal advice regarding any of the above, you should talk to an attorney.

12th JUDICIAL DISTRICT

GUARDIANSHIP FOR MINOR

ALL JDF FORMS AVAILABLE AT WWW.COURTS.STATE.CO.US : FORUMS → GUARDIAN & CONSERVATOR

STEP 1: INITIAL FILING

JDF #	REASONING/INSTRUCTIONS	JDF #	ADDITIONAL INFORMATION
534	Form JDF 534	534	
535	Petitioner for Appointment of Guardian - Minor	535	
536	Accreditation of Office	536	Not the one if the minor is over 17, but it is not required for appointment.
537	Consent of Guardian of Minor	537	
538	Consent of Parent	538	
539	Credit report for proposed guardian	539	WWW.CREDIT.COM WWW.CREDIT.COM WWW.CREDIT.COM
540	Criminal background check, or proposed guardian	540	WWW.CRIMINAL.COM Colorado: WWW.CRIMINAL.COM
541	Copy of former's identification	541	
542	Parental consent/affidavit	542	
543	Parental consent/affidavit	543	
544	Parental consent/affidavit	544	
545	Parental consent/affidavit	545	
546	Parental consent/affidavit	546	
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STEP 2: FREE HEARING

JDF #	REASONING/INSTRUCTIONS	JDF #	ADDITIONAL INFORMATION
597	Notice to Respondent with Personal Service Affidavit	597	Call Probate Registrar (Brenda Lerner) at 719-637-3334
598	Notice to interested persons	598	File the completed form with the Court before the hearing date. Only needed if minor is age 17 or older. Must be served at least 14 days before the hearing.
599	Notice of Hearing by Publication	599	File the completed form with the Court before the hearing date. You must give all interested persons notice at least 14 days before the hearing.
600	Notice of Hearing by Publication	600	May be completed by any interested person (except the respondent) who wishes to waive notice of any hearings or matters before the Court.
601	Notice of Hearing by Publication	601	(Necessary only if cannot locate an interested person in order to send them the resource Notice to interested persons.)
602	Notice of Hearing by Publication	602	(If necessary - see above)
603	Notice of Hearing by Publication	603	(Out of state guardians only)

STEP 3: HEARING

JDF #	REASONING/INSTRUCTIONS	JDF #	ADDITIONAL INFORMATION
604	Final Report Due six days after appointment	604	
605	Final Report Due every year as set forth in Order	605	
606	Final Report Due every year as set forth in Order	606	
607	Final Report Due every year as set forth in Order	607	
608	Final Report Due every year as set forth in Order	608	
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619	Final Report Due every year as set forth in Order	619	
620	Final Report Due every year as set forth in Order	620	
621	Final Report Due every year as set forth in Order	621	
622	Final Report Due every year as set forth in Order	622	
623	Final Report Due every year as set forth in Order	623	
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649	Final Report Due every year as set forth in Order	649	
650	Final Report Due every year as set forth in Order	650	

These standards are intended for informational purposes only and do not constitute legal advice about your case. There may be exceptions to the information provided on this form. Please consult with an attorney if you have specific questions. If you choose to represent yourself, you are deemed by the same rules and procedures as you would be if you were an attorney.

For questions regarding this document or any of the actions/forms described above, contact:

12th Judicial District Probate Registrar
 Bandy Lucero
 Telephone: (719) 657-3394
 12th Judicial District Self-Help Coordinator
 Kaylene Guyton
 Telephone: (719) 589-7621
 Email: 12SelfHelp@judicial.state.co.us

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CONSERVATORSHIP FOR A MINOR

BEGINNING A NEW CASE Conservator (Minor)

All JDF forms available on Courts website: www.courts.state.co.us
Checklists also available on website, under "Courts by District," then "12th Judicial District," then "Court Business Resources."

How do I get a conservator appointed for a minor (person under 18)?

See, generally, Colorado Revised Statutes, Sections 15-14-401 through 15-14-433

Is a Conservator right for you? A court may appoint a Conservator when a Minor has income, owns property or assets, or has business affairs that need management or protection that the Minor cannot provide because of his/her age and/or for reasons other than his/her age. If you need a Court order to take care of other needs of the Minor (e.g. medical, educational, where he/she lives, etc.) you may want to consider a Guardianship.

What kind of Conservator do you need? If you need a Conservator to be appointed to accomplish a single transaction or arrangement, you may want to ask the Court for appointment of a Special Conservator. A Court may also appoint a Special Conservator to take care of the Minor's property or assets while the petition for Conservator is pending. Special Conservatorships are limited in scope.

Instructions for appointment of a Conservator for a Minor are available in form JDF 860.

Before filing with the Court, you will need a name-based criminal history check from the Colorado Bureau of Investigation and a current credit report for the proposed conservator. For more information on how to obtain the background check and credit report, see the Instructions at JDF 860.

File in the court for the county where the Minor resides or is present. To begin your case, complete and file the documents listed on the [Checklist on the page that follows](#).

If you have any questions about what forms are required or are not sure about the answers to any of the above, you can contact the Probate Registrar, Bandy Lucero, at (719) 657-3394.

If you need help locating or completing any of the above forms, you can contact the Self-Help Coordinator, Kaylene Guymon, by phone at (719) 589-7621, or by e-mail at 12SelfHelp@judicial.state.co.us

If you need legal advice regarding any of the above, you should talk to an attorney.

**12th JUDICIAL DISTRICT
CONSERVATORSHIP FOR MINOR**

ALL JDF FORMS AVAILABLE AT WWW.COURTS.STATE.CO.US; FORMS → GUARDIAN & CONSERVATOR

STEP 1: INITIAL FILING

X	PLAINTING/ACTIONS	JCF #	ADDITIONAL INFORMATION
	File Jurisdiction		
	Petition for Appointment of Conservator - Minor	806	
	Appraiser of Office	805	
	Credit report for proposed guardian		WWW.COURTS.STATE.CO.US WWW.EPOTTER.COM WWW.TRUSTMETER.COM
	Criminal background check of proposed guardian		Colorado: WWW.CRS.STATE.CO.US Colorado: WWW.CRS.STATE.CO.US
	Copy of Petitioner's identification		

STEP 2: PRE HEARING

X	PLAINTING/ACTIONS	JCF #	ADDITIONAL INFORMATION
	Call the Court to set hearing date		
	Name to Respondent with Personal Service Affidavit	807	Call Probate Research (Bandy Lucero) at 719-657-3394. File the correspondence with the Court before the hearing date. Only needed if filer is self or other.
	Name to interested persons	806	File the completed form with the Court before the hearing date.
	Name of Notice	719	May be completed by any interested person (except the Respondent), who wishes to waive notice of any hearings or matters before the Court.
	Affidavit Regarding Due Diligence and Proof of Publication	714	(Necessary only if filer cannot locate an interested person in order to set of filer the required Notice to Interested Person)
	Name of Hearing by Publication	716	(If necessary - see above)
	RETURN POWER OF ATTORNEY	721	(ONLY IF HAVE CONSERVATOR ONLY)

STEP 3: HEARING

X	PLAINTING/ACTIONS	JCF #	ADDITIONAL INFORMATION
	Petitioner must appear at the hearing. If the Minor is age 12 or older, he/she should appear at the hearing.		If the filer cannot attend the hearing for medical or other reasons, the Petitioner must file a Motion to Excuse the Minor and attach appropriate documentation to support the motion, such as a physician's letter.

STEP 4: AFTER THE HEARING (If Conservator is appointed)

X	PLAINTING/ACTIONS	JCF #	ADDITIONAL INFORMATION
	Appointment of Respondent	800	
	Court will issue Order Appointing Conservator	806	Certified letters may be obtained for each of them.
	Name of Appointment of Conservator	812	The Court will enter orders for the protected person and interested persons.
	Conservator's Inventory with Financial Plan and Motion for Approval	883	Inventory with Financial Plan Due 90 days after appointment. Complete only the caption in the Order Regarding Conservator's Financial Plan.
	Conservator's Report	885	The annually according to cases provided in the Order Appointing Conservator.

These standard enclosures are for informational purposes only and do not constitute legal advice about your case. There may be exceptions to the information provided on this form. Please consult with an attorney if you have specific questions. If you decide to "represent yourself," you are bound by the same rules and procedures as you would be if you were an attorney.

For questions regarding this document or any of the actions/forms described above, contact:

12th Judicial District Probate Registrar
Bandy Lucero
Telephone: (719) 657-3394

12th Judicial District Self-Help Coordinator
Kaylene Cuymon
Telephone: (719) 589-7621
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OTHER IMPORTANT INFORMATION

OTHER DOCUMENTS YOU MAY SEE



District Court Denver Probate Court
Rio Grande County, Colorado

Court Address:
925 6th St. Rm 204
Del Norte, CO 81132
In the interests of:
Louie Duck

Protected Person/Minor
Attorney or Party Without Attorney (Name and Address):

▲ COURT USE ONLY ▲
Case Number:
2019PR30002

Phone Number:
FAX Number:

E-mail:
Atty. Reg. #:

Division 7 Courtroom

ACKNOWLEDGMENT OF DEPOSIT OF FUNDS TO RESTRICTED ACCOUNT

_____ (name of financial institution), acknowledges that funds have been deposited by
_____ (fiduciary) as the Conservator, Guardian, Next Friend, or Parent for
_____ (Protected Person or Minor) as follows:

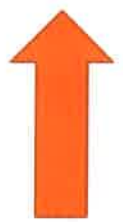
Title of Account	Account Number - last 4 digits only	Amount
		\$
		\$
		\$
Total		\$

- By checking this box, I am acknowledging I am filing 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.

This institution submits itself to the jurisdiction of this court and agrees that it will not permit any withdrawal of funds except upon being furnished a certified copy of an order of this court authorizing such withdrawal.

Date: _____
Signature of Authorized Bank Officer _____

Type name and title of Authorized Bank Officer
(Type or print name, address and telephone # below of Bank)



- Affidavit of Collection of Personal Property
 - Is not signed by the court
 - Is not filed with the court
 - Must be 18 Years of age or older
 - At least 10 days have elapsed since the death of the decedent
 - Can be used when the personal property does not exceed \$66,000.00
 - Cannot be used to transfer real estate
 - An application for personal representative cannot be pending



Instructions and forms are online at

www.courts.state.co.us

- JDF 998-Instructions for Completing Affidavit for the Collection of Personal Property
- JDF 999 Collection of Personal Property by Affidavit



DID YOU KNOW...

C.R.S 15-10-111

Entry into the Safe Deposit Box

Any person whose name is on the box may enter it at any time. An heir or beneficiary in a will can ask the bank to search for the will, a deed to a burial plot, or burial instructions. A representative of the bank will open the box in the presence of the heir or beneficiary and remove any will that is found. The bank will deliver it to the court by certified mail, registered mail or hand delivery, but consider asking for a copy of the will before they do. After the will is filed with the court, the personal representative named in the will can file a petition or application with the court to appoint her or him.





QUESTIONS



PANEL DISCUSSION

- Panel Members:
 - Bandy Lucero, 12th Judicial District Probate Registrar and Protective Proceedings Monitor
 - Tammy Sullivan, Managing Attorney, Colorado Legal Services
 - Jeffrey Motz, Private Attorney
 - Mark Loy, Private Attorney
- Moderated by John Montgomery, Private Attorney

