#### **NOTICE OF MEETING**

# COMMITTEE ON RULES AND FORMS TRUST AND ESTATE SECTION OF THE COLORADO BAR ASSOCIATION To: Members of the Rules and Forms Committee

Hard copies of materials will be made available at the meeting, but they are also available through the CBA link and/or website in advance of the meeting. In addition, Committee members that bring their own computer, tablet, or other device to the meeting will have the option of interacting with the materials in "real-time" using Google Docs.

# THE NEXT MEETING WILL BE MAY 17, 2018 11:15 A.M. TO 12:15 P.M.

#### LUNCH WILL BE PROVIDED TO THOSE WHO ATTEND

#### Location:

#### COLORADO BAR ASSOCIATION

9th Floor, Executive Conference Room (please check schedule board on arrival)
1900 Grant Street, Suite 900
Denver, CO 80203-4309
(303) 860-1112

If you are unable to attend the meeting in person but would like to participate by phone, please dial (855) 392-2520; ACCESS CODE: 2627690#

#### **AGENDA FOR MAY 17, 2018 MEETING**

#### 1) Chair Report (Jarod Balson)

- a. Recent Submissions (PFs, JDFs, Rules)
- b. Public Hearing on Proposed Rules- June 27, 2018 at 3:00PM

#### 2) Review of April 19, 2018, Meeting Minutes

#### 3) Subcommittee and Liaison Reports

- a. Probate Advisory Workgroup (Casey Williams)
- b. Supreme Court Probate Rules and Forms Committee (Casey Williams)
- c. Trial and Procedure Committee (Aaron Evans)
- d. Real Estate Sub Committee (Peggy Gardner)
- e. Forms with Calculation (John Estes)
- f. Determine future of each subcommittee (Jarod Balson)

#### 4) Current Issues

 a. Support Order (JDF 1117)/Separation Agreement (JDF 1115)/ Parenting Plan (JDF 1113)- Domestic Relations JDF and Modification of Child Support After Death (JDF 1403, 1404, 1405) (Pat Mellen)

- b. Notarization and Verification Changes (Aaron Evans and Casey Williams)
- c. Trust Challenge Notice Pursuant to § 15-16-704(1)(a) (Kevin Millard/Barbara VanVliet)
- d. Changes to the determination of heirship statutes—JDF updates (Leia Ursery)
  - 1. Notice of Hearing to Interested Persons and Owners by Descent or Succession
  - 2. Judgement and Decree Determining Heirs
  - 3. Petition for Determination of Heirs
  - 4. Notice of Hearing by Publication
- e. Waiver—JDF 889 (Casey Williams)
- f. Petition to Terminate Conservatorship—JDF 888 (Gordon Williams)
- g. Provisional Letters for Transfer (Gordon Williams)
- h. Application for Informal Appointment of Personal Representative JDF 916 (Gene Zuspann)

#### MINUTES OF APRIL 19, 2018 MEETING

### RULES AND FORMS COMMITTEE TRUST AND ESTATE SECTION THE COLORADO BAR ASSOCIATION

#### **Present**

Laurence GendelmanAaron EvansJacqueline BesterChris BrockFrank HillWilliam L. CarewBarbara Van VlietSusan HoytDavid TauntonJarod BalsonTom LynnJulie PapaJamie SchulerTheresa MoorePete Bullard

Mike Holder Peggy Gardner

#### 1) Review of March 15, 2018 Meeting Minutes

- a) Amend minutes to reflect that Susan Hoyt was present
- b) Minutes Approved

#### 2) Chair's Report (Laurence Gendelman for Jarod Balson)

- a) No new recent submissions
- b) No update regarding committee formalities
- c) Public hearing will be on June 27, 2018 at 3:30PM for the proposed rules as well as new/revised JDF forms

#### 3) Subcommittee and Liaison Reports

a) Trial and Procedure Committee (Aaron Evans)- Form for conservator reports- some courts find that if there is a substantial change in the ward's assets/spending/debts, that the courts may require that original financial plan be amended. Form and statue may need to be changed to clarify purpose of annual financial plan.

#### 4) <u>Current Issues</u>

- a) Support Order (JDF 1117)/Separation Agreement (JDF 1115)/ Parenting Plan (JDF 1113)- Domestic Relations JDF and Modification of Child Support After Death (JDF 1403, 1404, 1405) (Pat Mellen)
  - i) Susan will talk to SRC about approach from here/collaboration with Family Law
  - ii) Notarization and Verification Changes (Aaron Evans and Casey Williams)
- b) Trust Challenge Notice Pursuant to § 15-16-704(1)(a) (Kevin Millard/Barbara VanVliet)
  - i) To be considered at next meeting.
- c) Changes to the determination of heirship statutes—JDF updates (Leia Ursery)
  - i) Nobody present to discuss proposed form.
- d) Waiver—JDF 889 (Casey Williams)
  - i) Nobody present to discuss proposed form.
- e) Petition to Terminate Conservatorship—JDF 888 (Gordon Williams)
  - i) Nobody present to discuss proposed form.
- f) Provisional Letters for Transfer (Gordon Williams)
  - i) Nobody present to discuss proposed form.

- g) Application for Informal Appointment of Personal Representative JDF 916 (Gene Zuspann)
  - i) Nobody present to discuss proposed form.

## 5) Miscellaneous Discussion

- a) There are several items that have been on our agenda for several months, without making any progress. We need to look at removing the agenda item and or disbanding the subcommittee.
- b) Purpose and Future of Rules and Forms Committee

# 6) Meeting adjourned at 12:15 PM

Di	strict Court Denver		
Cour	C t Address:	ounty, Colorado	
004.	t Addi 000.		COURT USE ONLY
1 . 41.	. M. (f f.th . D. (	to the control of the	
	e Matter of the Determ of Interests in Property	ination of Heirs or Devisees or Both  of:	Case Number:
			Division Country and
			Division: Courtroom:
Dece	eased IIIDCMENT AND	DECREE DETERMINING HEIRS	OP DEVISEES OP BOTH
	JUDGWILM I AND	AND OF INTERESTS IN PROP	
Jpon	consideration of the Peti	tion for the Determination of Heirs or Devis	ees or Both, and of Interests in Property
The C	ourt finds that:		
1.	The statements in the F	Petition are true and correct;	
2.	Notice has been proper	ly given or waived;	
3.		ding to bring this action in accordance with	815-12-1302/1\ C P S :
Э.			
4.	The property that is the	subject of the Petition is (including legal de	escription if real property):
		Description of Property (ONLY IF KNOWN, petitioner may inc	Location of Property
		fractional or percentage ownershi	
	Property 1		
	Property 2 Property 3		
	Property 4		
	Name of Original Dec	edent:	
-	Date of the December	land Park March ANTH	
5a.	_	ent died without a Will.	al Decedent's last Will is
	_	lent died with a Will. The date of the Original fall codicils are	. The
		re referred to as the Will.	
6a.	The heirs or devisees	of the Original Decedent are:	
		Name	Relationship (e.g. spouse,
			partner in a civil union, child, brother, guardian for
			spouse, etc.)

**7a.** The Original Decedent held an interest in the property identified in Paragraph 4 above.

	Owner(s) by Descent or Succession	Share of Original Decedent's Interest in
		Property
		(Fraction or Percentage)
	Paragraphs 5 through 8 will be addressed for each Additional Deced	ent addressed in the Petition.
э.	☐ The First Additional Decedent died without a Will.	
	☐ The First Additional Decedent died with a Will. The date of the First Ad	ditional Decedent's last Will is
	. The dates of all codicils are	
	The Will and any codicils are referred to as the Will.	
b.	The heirs or devisees of the First Additional Decedent are:	
	Name	Relationship (e.g. spouse,
		partner in a civil union,
		child, brother, guardian for spouse, etc.)
-		Spouse, etc.)
L		
-		
L		
b.	The First Additional Decedent held a fractional or percentage interest in in the property identified in Paragraph 4 above.	the Original Decedent's intere
	in the property identified in radiagraph 4 above.	
b.	The owners by descent or succession of the First Additional Decedent's	
	in the Original Decedent's interest in the property identified in Paragraph	4 above:
	Owner(s) by Descent or Succession	Share of First Additional Decedent's Interest in
		Property
		(Fraction or Percentage)
	Based on the foregoing, the Court determines the Original Decedent's int Paragraph 4 to be held as follows:	erest in the property identified i
	Owner(s) by Descent or Succession	Share of Original
	(including address)	Decedent's Interest in
	, , , , , , , , , , , , , , , , , , ,	Property
).	Paragraph 4 to be held as follows:  Owner(s) by Descent or Succession	Share of Original

The Court further finds:	
This judgment and decree shall be conclusive as to the rights of hei date of entry. If the judgment and decree affects title to real proper must be recorded and indexed in the office of the county clerk and is located in manner and in like effect as a deed of conveyance from the owners by descent or succession.	y, a certified copy of the judgment and decree recorder of each county in which real property
Date:	Judge □Magistrate □Registrar

□ District Court □ Denver Probate Court		
County, Colorado		
n the Matter of the Determination of Heirs or Devisees or Both and of Interests in Property of:		
	▲ COURT USE ONLY ▲	
Deceased Attorney or Party Without Attorney (Name and Address):	Case Number:	
money of rand randary money (rand and radiosop)		
Phone Number: E-mail: FAX Number: Atty. Reg. #:	Division Courtroom	
PETITION FOR THE DETERMINATION OF HEIRS		
AND OF INTERESTS IN PROP	PERTY	
		Formatted: Line spacing: 1.5 lines
ne Petitioner, a person entitled to file this petition in accordance llowing statements:	with §15-12-1302(1), C.R.S., makes th	
nowing statements.		Deleted: n
Information about the Petitioner:		Deleted: interested
Name:		Deleted: pursuant
Street Address:		Deleted: to
-		Deleted: 1301
Mailing Address, if different:		Formatted: Line spacing: 1.5 lines
City: State: Zip Code:		Deleted: ¶
Email Address:Work Phone #:		Deleted: Relationship to Decedent
The Petitioner:		Formatted: Line spacing: 1.5 lines
is an interested person. The interest is as follows:		Deleted: ¶
Petitioner is an owner by descent or succession as defined by	nv 815-12-1301(2) C.R.S.:	Formatted: Underline
Petitioner is an alleged heir or devisee of a decedent address		
Petitioner is a person claiming an ownership interest derived		n
as defined by §15-12-1301(2), C.R.S. or from an alleged he		
this petition; or		_
is a person who may be affected by the ownership of property to	hat is the subject of this petition based o	Formatted: Line spacing: 1.5 lines
the following:		Formatted: No underline
		Deleted:
	<del>-</del>	Deleted: has an interest in the property that i
The property that is the subject of this petition is (including legal des	cription if real property):	subject of this Petition. The interest is as fol
Description of Property (ONLY IF KNOWN, petitioner may in		§15-12-1301(2), C.R.S.¶  Other:
Property 1	iip)	Formatted Table
Property 2 (if any)		Formatted: Centered
Property 3 (if any) Property 4 (if any)		Formatted: Indent: Left: 0.25", No bullets or nun

	This petition also covers any other property owned by the Original Decedent at the time of his or her,	Formatted: Indent: Left: 0.25"	
	death or that the Original Decedent was entitled to at the time of his or her death.	Formatted	[1]
		Formatted: Indent: Left: 0.25", I	
	This petition does not cover any other property owned by the Original Decedent.	Formatted: Indent: Left: 0.25", I	
4.	This petition concerns the following decedent(s), who are related by successive interests in the property	Formatted	[2]
	described in Paragraph 3 above if there is more than one decedent:	Deleted: The Decedent,	
	(name of each	Formatted: Indent: Left: 0", Han numbering	ging: 0.25", No bullets or
	decedent). The decedent with the originating property interest will be referred to herein as the Original	Formatted: Underline	
	Decedent; each other decedent will be referred to as an Additional Decedent. The information in Paragraph 5	Formatted: Indent: Left: 0.25", L	ine spacing: single, No
	through 13 is provided for the Original Decedent and each Additional Decedent.	bullets or numbering	
	<b>√</b> /	Formatted: Font: Bold	
	Original Decedent - Iname]:	Formatted: Indent: Left: 0", Han numbering	ging: 0.25", No bullets or
<u>5a.</u>	The Original Decedent, (name), at the age of years, died on4	Formatted: Font: Bold	
	(date)at(place of death)_	Moved (insertion) [1]	
6-	One year or more has passed since the date of the Original Decadent's deeth	Formatted: Font: Arial, 10 pt	
ba.	One year or more has passed since the date of the Original Decedent's death.	Formatted: Left, Line spacing: sin numbering	ngle, No bullets or
<u>7a.</u>	Administration of the Original Decedent's estate has not been granted or commenced in any jurisdiction.	Formatted: Font: Bold	
	Administration of the Original Decedent's estate has been granted or commenced, but the estate has been settled without a determination of the descent or succession of all or a portion of the Original Decedent's	Formatted: Indent: Left: 0", Han numbering	ging: 0.25", No bullets or
	property.	Moved (insertion) [2]	
8a.	The Original Decedent was last domiciled or resided in the City ofCounty of	Deleted: in Colorado	
	, State of,	Formatted	[4]
		Deleted: in Coloradoor comm	enced, but the estate has
<u>9a.</u>	The Original Decedent died without a Will.	Formatted	[6]
<b>4</b>	The Original Decedent died with a Will. The date of the Original Decedent's last Will is	Formatted	[7]
		Deleted:	
	Will and any codicils are referred to as the Will.  The Will was admitted to probate in (county and Court), State of in	Formatted	[8]
	Case No. , on (date). Certified copies of the Will and the order	Formatted: Font: Bold	
	admitting the Will to probate are filed with this Petition. (§15-12-1302(4)(a), C.R.S.)	Formatted	[9]
	☐ The Will has not been probated. The Will has been lodged in	Moved (insertion) [3]	
	(Court). The Petitioner believes that is the Original Decedent's last Will and that it was validly executed. Except as may be disclosed in an attached explanation and after the exercise of reasonable	Formatted: Indent: Left: 0.25", T	ab stops: Not at 0.25"
	diligence, the Petitioner is unaware of any instrument revoking the Will and is unaware of any prior	Deleted: 's died with a Will.	Information regarding [the
	Wills relating to property in Colorado that have not been expressly revoked by a later instrument. A certified copy of the Will is attached or, if certification is not possible, a copy of such Will is attached.	Deleted: The Will and any o	codicils are referred to pal
	along with an explanation as to why certification was not possible. (§15-12-1302(4)(b), C.R.S.)	Formatted: No underline	
	☐The Will has not been probated and the original Will has not been lodged with any Court. The Will is	Deleted: The Will was admi	tted to probate in [12]
	lost, destroyed, or otherwise unavailable. The Petitioner believes that is the Original Decedent's last Will and that it was validly executed. Except as may be disclosed in an attached explanation and after	Formatted: Indent: Left: 0.5", Ha	inging: 0.19"
	the exercise of reasonable diligence, the Petitioner is unaware of any instrument revoking the Will and	Formatted: Font: (Default) Arial	
	is unaware of any prior Wills relating to property in Colorado that have not been expressly revoked by	Deleted: (Note: Use additio	nal pages if this Petitiqn3]
	a later instrument. A copy of the Will is attached or, if a copy if not available, the contents of the Will are set forth in an attachment to this petition.	Formatted: Font: 10 pt	
.IDF	948 R8/13 PETITION FOR THE DETERMINATION OF HEIRS OR DEVISEES OR BOTH, Page 2 of £	Deleted: 3	
	AND OF INTERESTS IN PROPERTY  13 Colorado Judicial Department for use in the Courts of Colorado		

	ler(s) by descent or succession, an alleged he				numbering
	an ownership interest derived from an owner in any property the descent or succession of				
petition for the Origin	al Decedent,				Moved (insertion) [4]
name and address  ◆ If a minor child is lis  ◆ If a spouse, partne death.	onservator has been appointed for one of the per of the Guardian or Conservator. sted, list the child's parent(s), Guardian or Conserva r in a civil union, or child has predeceased the Ori	ator.			Deleted: List names, addresses, and relationship all interested persons, including Decedent's spouse, partner in a civil union, children, owners by inheritance, heirs and devisees.
See additional instr	uctions below.				
<u>Name</u>	Address (or date of death)	Age, only if Minor	Relationship (e.g. spouse, partner in a civil union, child, brother, guardian for spouse, etc.)	4	(Formatted Table
1a. Jhis Petition conc	erns the descent or succession of the Original [	Decedent's in	terest in the property	•	Formatted: Indent: Left: 0.5", Hanging: 0.19", Line spacing 1.5 lines
identified in Paragraph				1	Moved (insertion) [5]
<b>2a.</b> The owners by de	scent or succession of the Original Decedent's in	nterest in the	property identified in		Deleted: following
Paragraph 3 above:	seem of Succession of the Original Bescuents in	norost in the	property identified in	1/,	Formatted: Font: Bold
0	ner(s) by Descent or Succession	CI-	Codi	. \	Deleted: :
OWI		Share of Original  Decedent's Interest in  Property		Deleted: ¶	
					Formatted Table
		(Fractio	on or Percentage)	`	Formatted: Font: Bold
					Formatted: Line spacing: 1.5 lines
3a. The relief sought	by this petition is not inconsistent with any prev	ious adminis	tration of the Original-	be and	Formatted: Font: Bold
Decedent's property.					Formatted, I office bold

10a. List names, addresses, and relationship of all interested persons as defined in §15-12-1301(1).

(date), at

6b. One year or more has passed since the date of the First Additional Decedent's death.

First Additional Decedent -

5b. The First Additional Decedent,

died on

(place of death).

years,

[name]:

(name), at the age of

Formatted: Font: Not Bold

Formatted: Indent: Left: 0", Hanging: 0.25", No bullets or

Formatted: Indent: Left: 0", Hanging: 0.25", No bullets or

7b. □Administration of the First Additional Decedent's estate has not been granted or commenced in any				
jurisdiction.				
Administration of the First Additional Decedent's estate has been granted or commenced, but the estate				
has been settled without a determination of the descent or succession of all or a portion of the First Additional				
Decedent's property.				
8b. The First Additional Decedent was last domiciled or resided in the City of County of				
, State of				
9b. ☐The First Additional Decedent died without a Will.				
The First Additional Decedent died with a Will. The date of the First Additional Decedent's last Will is				
. The dates of all codicils are				
. The Will and any codicils are referred to as the Will.				
☐ The Will was admitted to probate in (county and Court), State of , in				
Case No. , on (date). Certified copies of the Will and the order				
admitting the Will to probate are filed with this Petition. (§15-12-1302(4)(a), C.R.S.)				
☐ The Will has not been probated. The Will has been lodged in				
(Court). The Petitioner believes that is the First Additional Decedent's last Will and that it was validly executed. Except as may be disclosed in an attached explanation and after the exercise of reasonable				
diligence, the Petitioner is unaware of any instrument revoking the Will and is unaware of any prior				
Wills relating to property in Colorado that have not been expressly revoked by a later instrument. A				
certified copy of the Will is attached or, if certification is not possible, a copy of such Will is attached,				
along with an explanation as to why certification was not possible. (§15-12-1302(4)(b), C.R.S.)				
☐ The Will has not been probated and the original Will has not been lodged with any Court. The Will is				
lost, destroyed, or otherwise unavailable. The Petitioner believes that is the First Additional Decedent's last Will and that it was validly executed. Except as may be disclosed in an attached explanation and				
after the exercise of reasonable diligence, the Petitioner is unaware of any instrument revoking the Will				
and is unaware of any prior Wills relating to property in Colorado that have not been expressly revoked				
by a later instrument. A copy of the Will is attached or, if a copy if not available, the contents of the Will				
are set forth in an attachment to this petition.				
40b List names addresses and relationship of all interested names as defined in \$45.42.4204/4\				
10b. List names, addresses, and relationship of all interested persons as defined in §15-12-1301(1).  C.R.S., including owner(s) by descent or succession, an alleged heir or devisee of a decedent, any	Formatted: Font: Bold			
other person claiming an ownership interest derived from an owner by descent or succession, or an				
alleged heir or devisee in any property the descent or succession of which is to be determined by this				
petition for First Additional Decedent.	Formatted: Font: Bold			
♦ If a Guardian or Conservator has been appointed for one of the persons listed below, also provide the name and address of the Guardian or Conservator.				
If a minor child is listed, list the child's parent(s), Guardian or Conservator.				
◆ If a spouse, partner in a civil union, or child has predeceased the First Additional Decedent, include the				
date of death.  ♦ See additional instructions below.				
▼ Gee additional instructions below.				
Name Address (or date of death) Age, Relationship				
only if (e.g. spouse,				
Minor partner in a civil union. child.				
brother,				
guardian for				
spouse, etc.)				
IDEANA DAMA DETITION FOR THE RETERMINATION OF HEIRO OR RETURNED OR ROTH	Deleted: 3			
JDF 948 R8/13 PETITION FOR THE DETERMINATION OF HEIRS OR DEVISEES OR BOTH, Page 4 of £ AND OF INTERESTS IN PROPERTY				
©2013 Colorado Judicial Department for use in the Courts of Colorado				

- This Petition concerns the descent or succession of the First Additional Decedent's fractional or percentage interest in the Original Decedent's interest in the property identified in Paragraph 3 above.
- The owners by descent or succession (including fractional or percentage interest) of the First Additional Decedent's fractional or percentage interest in the Original Decedent's interest in the property identified in Paragraph 3 above:

Owner(s) by Descent or Succession	Share of First Additional Decedent's Interest in Property (Fraction or Percentage)

The relief sought by this petition is not inconsistent with any previous administration of the First Additional Decedent's property.

Provide the information in Paragraphs 5 through 13 for each decedent identified in Paragraph 4 above. (Note: Use additional pages if necessary.)

- 14. Jurisdiction is proper because the Original Decedent and each Additional Decedent died leaving an interest inreal property in Colorado or died domiciled in Colorado leaving an interest in personal property, wherever located.
- 15. Venue for this proceeding is proper in this county because the Original Decedent (and each Additional Decedent) was (were) domiciled or resided in this county on the date of death or left property situated in this
- 16. Based on the foregoing, the Petitioner requests that the Court determine the Original Decedent's interest in the property identified in Paragraph 3 to be held as follows:

Owner(s) by Descent or Succession	Share of Original
(including address)	Decedent's Interest in
<u> </u>	Property
	(Fraction or Percentage)

Petitioner requests that after notice and any required hearing, the Court enter judgment and decree determining that the Petitioner has standing to bring this action and determining the heirs or devisees of the Original Decedent and each Additional Decedent, or both, the owners by descent or succession of the property, a description of the property and any other pertinent facts.

Deleted: ¶ Formatted: Font: Arial, 10 pt Formatted: List Paragraph, Indent: Left: 0", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 14 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5" Formatted: Font: Arial, 10 pt Formatted: Font: Arial, 10 pt Deleted: ¶ Formatted: Font: Arial, 10 pt Formatted: List Paragraph, Indent: Left: 0", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 14 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5" Deleted: Decedent Formatted: Font: Arial, 10 pt Formatted: Indent: Left: 0.25", No bullets or numbering Formatted: Indent: Left: 0", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 14 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5" Formatted: Left, No bullets or numbering Deleted: ¶ <#>One year or more has passed since the date of the Decedent's death. <#>¶ <#>□Administration of the Decedent's estate has not been granted in Colorado.¶ □Administration of the Decedent's estate has been granted in Colorado, but the estate has been settled without a determination of the descent or succession of all or a portion of the Decedent's property. Formatted: Line spacing: 1.5 lines Moved up [1]: <#>One year or more has passed since the Decedent's death.

Moved up [2]: <#>□Administration of the Decedent's

Moved up [3]: <#>□The Decedent died without a Will.¶ Moved up [5]: <#>This Petition concerns the descent of the Decedent's interest in the following property: ¶

Moved up [4]: <#>List names, addresses, and

relationship of all interested persons, including

. [15]

been granted in Colorado.¶

**Formatted Table** 

Deleted: inheritance Deleted: 3

Deleted: ¶

Formatted: Indent: Left: 0", Line spacing: single

Page 5 of 6

VERIFICATI	ON AND ACKNOWLEDGMENT	Deleted: ¶
I, (Petitioner) verify that the facts set forth in t	his document are true as far as I know or am informed. I u ification of the facts stated herein. (§15-10-310, C.R.S.)	nderstand
	Signature of Petitioner [	Date
	The foregoing instrument was acknowledged in the County of, State of thisday of, 20, by the	
	My Commission Expires:	
	Notary Public/Deputy Clerk	
Signature of Attorney Date	_	
Instructions for paragraph 10:		Deleted: 10
1302(3)(d)(IX) C.R.S. List the names and c	bility or other incapacity required by Rule 10, C.R.P.P. and lates of death of any deceased heirs or devisees, (See	applicable Polated: 3
	S.) Where a listed person is an heir, detail the relationshi on, daughter of pre-deceased son. <u>4</u> \$\$15-11-101 to 114,	p with the
he name or address of any interested perso	n is unknown, include a statement detailing the reasonable	e, diligent Deleted:
efforts made to determine the name and/or Attach additional pages if necessary.	address of such interested person. (§§15-12-1302(3)(e	Deleted: Sections
maon additional pages it necessary.		Deleted:
		Deleted: Sections
		Deleted: 3

Page 6 of 6

JDF 948 R8/13 PETITION FOR THE DETERMINATION OF HEIRS OR DEVISEES OR BOTH, AND OF INTERESTS IN PROPERTY

©2013 Colorado Judicial Department for use in the Courts of Colorado

1

Page 2: [1] Formatted	Author
Font: (Default) Arial, 10 pt	, , , , , , , , , , , , , , , , , , , ,
Page 2: [1] Formatted	Author
Font: (Default) Arial, 10 pt	Addie
Page 2: [1] Formatted	Author
Font: (Default) Arial, 10 pt	Autioi
	A call and
Page 2: [1] Formatted  Font: (Default) Arial 10 nt	Author
Font: (Default) Arial, 10 pt	
Page 2: [2] Formatted	Author
Font: Bold	
Page 2: [2] Formatted	Author
Font: Bold	
Page 2: [2] Formatted	Author
Font: Bold	
Page 2: [3] Deleted	Author
The	
Page 2: [3] Deleted	Author
The	Addie
Page 2: [3] Deleted	Author
The	
Page 2: [3] Deleted	Author
The	
Page 2: [3] Deleted	Author
The	
Page 2: [4] Formatted	Author
Indent: Left: 0.25", Line spacing:	single, No bullets or numbering
Page 2: [5] Deleted	Author
in Colorado	
Page 2: [5] Deleted	Author
in Colorado	
Page 2: [6] Formatted	Author
Indent: Left: 0.25", Space Before:	6 pt, Line spacing: single, No bullets or numbering
Page 2: [7] Formatted	Author
Font: Bold	
Page 2: [7] Formatted	Author

Font: Bold Page 2: [8] Formatted **Author** Indent: Left: 0.25", Line spacing: single, No bullets or numbering Page 2: [9] Formatted **Author** Indent: Left: 0", Hanging: 0.25", No bullets or numbering Page 2: [10] Deleted Author Page 2: [10] Deleted **Author** Page 2: [10] Deleted Author Page 2: [11] Deleted **Author** The Will and any codicils are referred to as the Will. Page 2: [12] Deleted **Author** The Will was admitted to probate in \_ (county and Court) in Case No. (date). A certified Copy of the on Will and the order admitting the Will to probate are attached. Page 2: [13] Deleted Author (Note: Use additional pages if this Petition concerns more than one Decedent related by successive interests in the property.) Page 5: [14] Deleted **Author** One year or more has passed since the date of the Decedent's death. Administration of the Decedent's estate has not been granted in Colorado. Administration of the Decedent's estate has been granted in Colorado, but the estate has been settled without a determination of the descent or succession of all or a portion of the Decedent's property. The Decedent died without a Will.

This Petition concerns the descent or succession of the Decedent's interest in the following property:

The Will and any codicils are referred to as the Will. The Will was admitted to probate in \_\_\_\_ (county and Court) in Case No. on

(date). A certified Copy of the Will and the order admitting the Will to probate are

The Decedent's died with a Will. Information regarding the Will is as follows:

The date of the Decedent's last Will is \_\_\_\_\_

The dates of all codicils are

attached.

Description Property	of	Location of Property	Decedent's Interest

List names, addresses, and relationship of all interested persons, including Decedent's spouse, partner in a civil union, children, owners by inheritance, heirs and devisees.

If a Guardian or Conservator has been appointed for one of the persons listed below, also provide the name and address of the Guardian or Conservator.

If a minor child is listed, list the child's parent(s), Guardian or Conservator.

If a spouse, partner in a civil union, or child has predeceased the Decedent, include the date of death.

See additional instructions below.

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

District Court Denver Proba County, C	ate Court		
County, 0			
	Colorado		
In the Matter of the Determination	ion of Heirs or Devisees or Bo	<u>th</u>	
and of Interests in Property of:			
		▲ COURT USE ONLY ▲	
Deceased,			Deleted: In the Matter of the Estate of:¶
Attorney or Party Without Attorney	ey (Name and Address):	Case Number:	
			Deceased
Phone Number: E-m FAX Number: Atty		Division Courtroom	
	/. Reg. #: O INTERESTED PERSON:	S AND OWNERS BY DESCENT OR	Deleted: INHERITANCE
NOTICE OF TIEARING TO	SUCCESSION		Societa Milliana
ı	PURSUANT TO §15-12-13		
		,	
	10 1 5		
o All Interested Persons and nd owners by descent or succession		ccession (List all names of interested persons	Deleted: Inheritance
and owners by <u>descent or succession</u>	<u>on).</u>		Deleted: inheritance
		•	
		filed alleging that the above Decedent(s) died operty):	
eaving the following property (inclu	uding legal description if real pro	pperty):	
eaving the following property (inclu		pperty):	Formatted Table
eaving the following property (inclu	uding legal description if real pro	pperty):	Formatted Table
Property 1 Property 2 Property 3	uding legal description if real pro	pperty):	Formatted Table
Property 1 Property 2 Property 3	uding legal description if real pro	pperty):	
Property 1 Property 2 Property 3 Property 4	uding legal description if real pro	pperty):	
Property 1 Property 2 Property 3 Property 4 The hearing on the Petition will be	uding legal description if real pro	Location of Property	
Property 1 Property 2 Property 3 Property 4  The hearing on the Petition will be may be continued:	uding legal description if real pro	Location of Property  Location of Property  location or at a later date to which the hearing	Deleted:
Property 1 Property 2 Property 3 Property 4  The hearing on the Petition will be may be continued:  Date:	Description of Property  Description of Property  e held at the following time and  Time: Courtro	Location of Property  Location of Property  location or at a later date to which the hearing  com or Division:	Deleted:
Property 1 Property 2 Property 3 Property 4 The hearing on the Petition will be nay be continued:  Date:	Description of Property  Description of Property  he held at the following time and  Time: Courtro	Location of Property	Deleted:
eaving the following property (inclusive property 1 Property 2 Property 3 Property 4  The hearing on the Petition will be may be continued:  Date:	Description of Property  Description of Property  he held at the following time and  Time: Courtro	Location of Property	Deleted:
Property 1 Property 2 Property 3 Property 4 The hearing on the Petition will be nay be continued:  Date:	Description of Property  Description of Property  he held at the following time and  Time: Courtro	Location of Property	Deleted:
Property 1 Property 2 Property 3 Property 4  The hearing on the Petition will be may be continued:  Date:  Address:  The hearing will take approximately	Description of Property  Description of Property  he held at the following time and  Time: Courtro  y □days □hours □i	Location of Property	Deleted:
eaving the following property (inclusive property 1  Property 2  Property 3  Property 4  The hearing on the Petition will be may be continued:  Date:	Description of Property  Description of Property  he held at the following time and  Time: Courtro  y alays alours alours	Location of Property	Deleted:
Property 1 Property 2 Property 3 Property 4  The hearing on the Petition will be nay be continued:  Date:  Address:  The hearing will take approximately	Description of Property  Description of Property  he held at the following time and  Time: Courtro  y alays alours alours	Location of Property	Deleted:
eaving the following property (inclusive property 1  Property 2  Property 3  Property 4  The hearing on the Petition will be may be continued:  Date:	Description of Property  Description of Property  he held at the following time and  Time: Courtro  y alays alours alours	Location of Property	Deleted:  Deleted:  Deleted: ¶
eaving the following property (inclusive property 1 Property 2 Property 3 Property 4  The hearing on the Petition will be may be continued:  Date:	Description of Property  Description of Property  he held at the following time and  Time: Courtro  y alays alours alours	Location of Property	Deleted:

I

	CE	RTIFICATE OF SERV	/ICE		
I certify that on was served on each of the fo	following: (All int	(date) a copy of this No terested persons must be s	otice along with the pleading is	dentified above	
Name of Person to Whom you are Sending this Document	Relationship	Address		Manner of Service*	
*Insert one of the following:	Hand Delivery,	First-Class Mail, Certified Ma	ail, E-Served or Faxed.		
		Signa	ature of Person Giving Notice		
◆ The hearing shall be lim	nited to the Petit		must be paid. iled and the parties answering ons are filed, the Court may		Notice if service occurs outside Colorado or if service occurs by mail  Deleted: and  Deleted: <#>¶

I

	County, Colorado			
Court Address:				
In the Matter of the Det	ermination of Heirs or Devisees or E	Both Soth		
and of Interests in Prop	perty of:			
		COURT USE ONLY		
Deceased,				Deleted: In the Matter of the Estate of:
Attorney or Party Withou	t Attorney (Name and Address):	Case Number:		1
				Deceased
Dhara Normhan	F :!!:			
Phone Number FAX Number:	E-mail: Atty. Reg. #:	Division Courtroom		
	NOTICE OF HEARING BY			
INTERESTE	D PERSONS AND OWNERS B	Y DESCENT OR SUCCESSION,	********	Formatted: Font: (Default) Arial, Bold
	PURSUANT TO § 15-12-	1303, C.R.S.	************	Deleted: INHERITANCE
o All Interested Perc	one and Owners by Descent or S	uccession (List all names of interested per	eone	Deleted: Inheritance
nd owners by descent or s		accession pust an names of interested per	50/15	Deleted: inheritance
	<u> </u>			Deleted: inheritance
escription if real property				
roperty 1	Description of Propert	ty Location of Property	<u>Z</u>	
roperty 1 roperty 2	Description of Propert	<u>Location of Property</u>	<u>/</u>	
roperty 2 roperty 3	Description of Proper	Location of Property	<u>Z</u>	
roperty 2 roperty 3 roperty 4				Deleted:
roperty 2 roperty 3 roperty 4 he hearing on the Petitic hay be continued:	on will be held at the following time an	d location or at a later date to which the h		Deleted:
roperty 2 roperty 3 roperty 4 he hearing on the Petitic hay be continued:  Date:	on will be held at the following time an	d location or at a later date to which the h		Deleted:
roperty 2 roperty 3 roperty 4 he hearing on the Petitic hay be continued:  Date:	on will be held at the following time an	d location or at a later date to which the h		Deleted:
roperty 2 roperty 3 roperty 4 he hearing on the Petitic hay be continued:  Date:  Address:	on will be held at the following time an	d location or at a later date to which the h		Deleted:
roperty 2 roperty 3 roperty 4 he hearing on the Petitic he bearing on the Petitic he hearing on the Petitic he hearing will take appro-	on will be held at the following time an	d location or at a later date to which the h		Deleted:
roperty 2 roperty 3 roperty 4 he hearing on the Petitic lay be continued:  Date: Address: he hearing will take appro-	on will be held at the following time an  Time: Court  oximately □days □hours □	d location or at a later date to which the h		Deleted:
roperty 2 roperty 3 roperty 4 he hearing on the Petitic lay be continued:  Date: Address: he hearing will take appro-	Time: Court  oximately days □hours □	room or Division:minutes.	earing	Deleted:
roperty 2 roperty 3 roperty 4 he hearing on the Petitic nay be continued:  Date: Address: he hearing will take appro- lote: You must answer the Within the time require the Court and served of	Time: Court  oximately □days □hours □  Petition on or before the hearing date a sed for answering the Petition, all objection the Petitioner and any required filing on the Petitioner and any required filing	d location or at a later date to which the h  room or Division:  minutes.  and time specified above.  titions to the Petition must be in writing, file a fee must be paid.	earing	Deleted:
roperty 2 roperty 3 roperty 4 he hearing on the Petitic hay be continued:  Date: Address: he hearing will take approved to the court and served of the hearing shall be li	Time:Court	d location or at a later date to which the h  room or Division:  minutes.  and time specified above.  citions to the Petition must be in writing, file in the period of th	earing  d with	Deleted:
roperty 2 roperty 3 roperty 4 he hearing on the Petitic hay be continued:  Date: Address: he hearing will take approved to the court answer the within the time require the Court and served of the hearing shall be lift a timely manner. If the	Time:Court	d location or at a later date to which the h  room or Division:  minutes.  and time specified above.  titions to the Petition must be in writing, file a fee must be paid.	earing  d with	Deleted: <#>You must answer the Petition within 35 da
roperty 2 roperty 3 roperty 4 he hearing on the Petitic hay be continued:  Date: Address: he hearing will take approved to the court and served of the hearing shall be li	Time:Court	d location or at a later date to which the h  room or Division:  minutes.  and time specified above.  citions to the Petition must be in writing, file in the period of th	earing  d with	Deleted: <#>You must answer the Petition within 35 da after the last publication of this Notice. \$\\$ \pm \text{\ticl{\tint{\text{\titte{\text{\texi{\text{\text{\texi}\text{\text{\texi{\text{\text{\text{\texi}\text{\text{\texitex{\texi{\texi{\texi{\texi{\texi{\texi{\texi{\texi{\texi{\tex{
roperty 2 roperty 3 roperty 4 he hearing on the Petitic hay be continued:  Date: Address: he hearing will take approved to the court answer the within the time require the Court and served of the hearing shall be lift a timely manner. If the	Time: Courts	d location or at a later date to which the haroom or Division:  Imminutes.  and time specified above. Stions to the Petition must be in writing, file a fee must be paid. The parties answering the Petition are filed, the Court may enter a design of the parties answering the Petitions are filed, the Court may enter a design of the parties answering the Petitions are filed, the Court may enter a design of the parties answering the Petitions are filed.	earing  d with	<#>Within the time required for answering the Petition, a objections to the Petition must be in writing and filed with
roperty 2 roperty 3 roperty 4  he hearing on the Petitic hay be continued:  Date: Address:  he hearing will take approperty 4  Within the time require the Court and served of The hearing shall be lift a timely manner. If the without a hearing.	Time: Courts	d location or at a later date to which the h  room or Division:  minutes.  and time specified above.  citions to the Petition must be in writing, file in the period of th	earing  d with	Deleted: <#>You must answer the Petition within 35 da after the last publication of this Notice. ¶ <#>Within the time required for answering the Petition, a objections to the Petition must be in writing and filed with Court. ¶ <#>The hearing shall be limited to the Petition, the objections.
roperty 2 roperty 3 roperty 4  he hearing on the Petitic hay be continued:  Date: Address:  he hearing will take approperty 4  Within the time require the Court and served of The hearing shall be lift a timely manner. If the without a hearing.	Time: Courts	d location or at a later date to which the haroom or Division:  Imminutes.  and time specified above. Stions to the Petition must be in writing, file a fee must be paid. The parties answering the Petition are filed, the Court may enter a design of the parties answering the Petitions are filed, the Court may enter a design of the parties answering the Petitions are filed, the Court may enter a design of the parties answering the Petitions are filed.	earing  d with	Deleted: <#>You must answer the Petition within 35 da after the last publication of this Notice. ¶ <#>Within the time required for answering the Petition, a objections to the Petition must be in writing and filed with Court. ¶
roperty 2 roperty 3 roperty 4 he hearing on the Petitic hay be continued:  Date: Address: he hearing will take appro- lote: You must answer the limit withing the time require the Court and served of The hearing shall be lift a timely manner. If the without a hearing.	Time: Courts	d location or at a later date to which the haroom or Division:  Imminutes.  and time specified above. Stions to the Petition must be in writing, file a fee must be paid. The parties answering the Petition are filed, the Court may enter a design of the parties answering the Petitions are filed, the Court may enter a design of the parties answering the Petitions are filed, the Court may enter a design of the parties answering the Petitions are filed.	earing  d with	Deleted: <#>You must answer the Petition within 35 da after the last publication of this Notice. ¶ <#>Within the time required for answering the Petition, a objections to the Petition must be in writing and filed with Court. ¶ <#>The hearing shall be limited to the Petition, the object timely filed and the parties answering the Petition in a time.

Dublish sulvithis newtice of form		
Publish only this portion of form.	Type or Print name of Person Giving Notice	
	Address	
	City, State, Zip Code	
Instructions to Newspaper:		
Name of Newspaper	Signature of Person Giving Notice or Attorney for Person Giving Notice	
Publish the above Notice once a week for three consecutive calendar weeks.	Type or Print name of Attorney for Person Giving Notice	
be held once during each week of three consecutives 35 days before the date of the hearing pursuant to the contents of the Petition or other pleading which	ing general circulation in the county where the hearing is to we weeks with the last date of the publication being at least § 15-10-401(1)(c), C.R.S. ch is the subject of the hearing need not be published as a ate the nature of the relief requested pursuant to Colorado	Deleted: 14