

FILING AN OBJECTION AGAINST AN ESTATE



PINAL COUNTY

**TELLING THE PERSONAL REPRESENTATIVE
AND/OR THE COURT THAT YOU HAVE
AN OBJECTION**

INSTRUCTIONS AND FORMS

**Provided as a Public Service by
Rebecca Padilla
Clerk of the Superior Court**

FILING AN OBJECTION AGAINST AN ESTATE

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How to assemble these documents:

This packet contains court forms and instructions for filing an Objection against an Estate

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INSTRUCTIONS

INSTRUCTIONS TO FILE AN OBJECTION AGAINST AN ESTATE

1. **WHO CAN FILE AN OBJECTION:** Generally, you must have some valid interest in the case to be allowed to file an objection to some part of an informal probate of an estate. If you received copies of the papers relating to the probate from the Personal Representative or his/her attorney, you will probably be allowed to file the objection.
2. **WHEN AN OBJECTION MUST BE FILED:** File the objection with the Clerk of the Court, as soon as you can after you get the documents or notice that you are objecting to.
FILING FEE: There is a filing fee for filing this Objection. Inquire with the Clerk's office regarding the filing fee amount and any other fees, if applicable. Payment may be made by Cash, Money Order, Visa, MasterCard, American Express, debit or credit. If you cannot pay these fees, you may request the fee(s) be deferred or waived. The Clerk of the Superior Court has the necessary forms to ask for a deferral or waiver.
3. **WHAT TO SAY IN THE OBJECTION:** Tell the court as simply as you can what you object to and why. Write neatly and be sure you give enough detail about what your points are.
4. **CLAIM AGAINST THE ESTATE:** If you are a person to whom the estate owes money, obtain the packet titled, Making a Claim Against an Estate, which is available at the address below. Mail copies to everyone listed in number 6. You do not need to file an objection if all you want to do is file a claim against the estate.
5. **ASK FOR A FORMAL HEARING:** If you file the objection, you must also go to court to arrange for a formal hearing to be scheduled, and then you must give everyone who is interested notice about the hearing date, time and place. The form is included in this packet.

Visit our website for office locations or feel free to give us a call.

Contact Information for all Offices

Toll Free: 888.431.1311 • Local: 520.509.3555 or 311 • Fax: 520.866.5320

www.coscpinalcountyz.gov/office.html

6. **WHO GETS COPIES OF THE OBJECTION:** Mail or hand-deliver a copy of the objection to the Personal Representative or their attorney. You should also mail or hand-deliver copies to everyone else to whom the Personal Representative gave notice of the court matter. **Please bring the number of Conformed copies you need with you to the Clerk's office at the time of filing.** Ask the Personal Representative for the name and address of these people, or come to the clerk's office and get a copy of the PROOF OF NOTICE filed by the Personal Representative that will give you all this information.

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

In the Matter of the Estate of

CASE NUMBER: PB _____

**OBJECTION AND REQUEST FOR FORMAL
PROCEEDING [544]**

 an Adult a Minor (deceased)

I want to tell the Court the following in response to what is written in the document or notice I received about the administration of this Estate:

1. The name of the document or notice I object to is (name of document here): _____

2. My relationship to the person who died, the estate, or personal representative is (describe why you are interested in this case): _____

3. What I want the court to do, and what I want to say, about the statements made in the document or notice (use additional sheets of paper).
4. Because I object to what is in the document or notice, I am asking the court to set a formal proceeding on this case to listen to my objection.
5. I am mailing a copy of this Objection, when it is complete, to the Personal Representative or his/her attorney, and everyone to whom the Personal Representative gave notice to, as indicated in the PROOF OF NOTICE filed by the Personal Representative with the court.

OATH AND VERIFICATION OF PERSON WHO OBJECTS:

STATE OF ARIZONA)
COUNTY OF PINAL) ss.

I have read the Objection and these statements are true and correct and complete to the best of my knowledge.

(Signature)

SUBSCRIBED AND SWORN TO before me this _____ day of _____ 20 _____

My Commission Expires:

(Deputy Clerk/Notary Public)

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

In the Matter of the Estate of _____

CASE NUMBER: PB _____

REQUEST FOR HEARING

 an Adult a Minor (deceased)

Check at least one of the following:

- I request a hearing because I am filing an Objection Against the Estate.
 I request a hearing because I am making a Claim Against the Estate.
 Other, _____

Date: _____

Signature: _____

THE COURT COMPLETES THE FOLLOWING SECTION

IT IS ORDERED scheduling a hearing on the above matter.

Hearing Date: _____ Time: _____

Hearing Location: **Pinal County Justice Complex
971 N Jason Lopez Circle Bldg A
Florence AZ 85132**

Honorable: _____

Dated: _____ Judicial Officer: _____

Mailed/hand-delivered to applicant on _____, by _____