

**BERNALILLO COUNTY PROBATE COURT
CHECKLIST FOR SUBMITTING INFORMAL PROBATE**

1) Information That Must Be Included in the Application (4B-302)

- Your name and relationship to the deceased person (also called the “decendent”) also to include heir or devisee
- Statement of domicile (primary residence of person at the time of their death)
- Names and full mailing addresses(including yourself if you are an heir or devisee)
 - 1)Current Marital Status i.e. widowed, divorced, etc.
 - 2)Children; living, deceased children, children of deceased children
 - 3)Other Heirs (even if they are not entitled to receive anything); named & identified
 - 4)Devises (anyone named in the will, including churches, schools, etc.)
- Ages of any minor children of the deceased person.
 - You do not need to list alternate beneficiaries (whod would inherit if primary-named beneficiaries have died) unless the primary beneficiary has dies.
- Date of decedent’s death
- Written consent of anyone with equal or higher priority for appointment as personal representative
 - The court will accept e-mailed consents from the heirs and devisees if sent directly from the person consenting e-mail address to the probate@bernco.gov e-mail address.
- Contact district court at 505-841-7451 to see if a demand for notice has been filed on the deceased.
- Signature of applicant with **Sworn Affirmation of Perjury**
- Name, full address, phone number and e-mail

FAILURE TO PROVIDE ALL REQUIRED INFORMATION WILL DELAY THE PROCESS

You will also need to 4B-101 submit the following documents at the time of filing the application:

- 2) Proof of Death (this will be returned to you)
 - a. The Court will also accept the following types of proof of death.
 - Death Certificate
 - Letter from Funeral Home
 - Letter from OMI
 - Report of Casualty
 - *all forms must include: Name of Deceased, Date of Birth, Date of Death, Marital Status and Domicile (county deceased lived in)
- 3) Original Will (**due to statutory requirements the original Last Will and Testament will NOT be returned to you and will be permanently retained by the court**)
- 4) Order of Informal Probate of Will and Appointment of Personal Representative (4B-304)
 - Signed; name, complete address, telephone number and e-mail address
- 5) Acceptance of Appointment (4B-305) with **Sworn Affirmation of Perjury**
 - Signed; name, complete address, telephone number and e-mail address
- 6) Letters Testamentary (with will)(4B-307)

*If you are mailing in your documents to the court please include a self-addressed stamped envelope so that your copies may be returned to you.

DO NOT FILL OUT ANY OF THE OTHER FORMS UNTIL YOU HAVE BEEN APPOINTED AS THE PERSONAL REPRESENTATIVE

The original documents **Will Not** be returned to you. You should submit the original and at least one set of copies of the forms you are filing so that the court can endorse file stamp your copies for your records. You may want to submit extra copies of the Letters of Administration/Letters Testamentary.

You will need to submit a \$30.00 docket fee at the time you file the probate documents