

CHECK LIST FOR THE PROBATE PROCESS

General Instructions for Probate - Doña Ana County Probate Court



PROBATE CASE # _____

FIRST STEPS:

Check Once
Completed

- _____ **Application for Informal Appointment of Personal representative.** Starts the application process. [Form 4B-301 No Will] [Form 4B-302 Will]
- _____ **Order of Informal Appointment of Personal Representative.** The court appoints you as Personal Representative. [Form 4B-303 No Will] [4B-304 Will]
- _____ **Acceptance of Appointment as Personal Representative.** You accept the appointment. [Form 4B-305] Will/No Will
- _____ **Letters of Administration** (WITHOUT Will – Form 4B-306), or **Letters Testamentary** (WITH Will – Form 4B-307). Formal administration of appointment from the court.
- _____ **Certificate Acknowledging Death.** (Issued by Judge) Provide **ORIGINAL** Death Certificate.
- _____ **Copy of Marriage Certificate/License.**
- _____ **Copy of picture ID. (If opening probate via mail)**
- _____ **Last Will and Testament.** (If available) **MUST BE ORIGINAL WILL**
- _____ **ORIGINAL Renunciations** signed in the presence of a Notary Public (if applicable)
- _____ **\$35.00 Docketing fee with packet** (cash, card, check or money order payable to Dona Ana County Clerk)
***If paying with a Card – there is a \$3.00 processing fee for the card)
- _____ **\$30.00 Docketing fee – if you print your own application packet**

NEXT STEPS:

NOTE: THE FOLLOWING FORMS MAY **NOT** APPLY TO ALL PROBATES. ONCE APPOINTED BY THE COURT A **CASE NUMBER** IS ASSIGNED & **MUST BE USED ON ALL COURT DOCUMENTS.**

- _____ **Notice of Informal Appointment of Personal Representative.** Deliver/Mail notice of your appointment to Heirs and Devisees **within 30 DAYS** of appointment. [Form 4B-401]
- _____ **Proof of Notice.** [Form 4B-402] **After** notice of appointment is delivered, then **return to Probate Court.**
- _____ **Notice to Creditors** that you have been appointed as personal representative of the estate. You **MUST** notify the creditors that you know of and **MAY publish** a notice in the newspaper. [Form 4B-501]
- _____ **Inventory. (Optional)** Gather and list the assets & value of the estate. [Form 4B-601]
- _____ **Accounting. (Optional)** List and Send copy of this document to the distributees whose interests are affected of this accounting. [Form 4B-602]
- _____ **Verified Statement of the Personal Representative.** Begins the closing of the Estate. **Do NOT submit this form to the court until ALL estate work has been completed.** Once this form is filed with the court, the personal representative no longer has authority to act on behalf of the decedent's estate. This may be completed **180 Days after opening** of the Probate Case. [Form 4B-701]
[http://www.nmcourts.gov/cgi/prose lib/](http://www.nmcourts.gov/cgi/prose_lib/)

[PLEASE DON'T HESITATE TO CONTACT US WITH ANY QUESTIONS AT 575-525-6115](http://www.nmcourts.gov/cgi/prose_lib/)