

**CASE PROCESSING STANDARDS ANALYSIS
PROBATE - ADMINISTRATION OF ESTATES**

National Center for State Courts Model Time Standards:

- 75% within 360 days
- 90% within 540 days
- 98% within 720 days

Measurement: Filing of petition through closing of estate.

Arizona Probate - Administration of Estates

The Arizona Case Processing Standards Steering Committee recommends that Arizona adopt a different standard:

- 50% within 360 days**
- 75% within 540 days**
- 95% within 720 days**

✓ Formal and informal probate cases are included.

Measurement: Filing of application/petition for appointment of personal representative or probate of a will through closing of the decedent’s estate (e.g. filing of closing statement, complete settlement or order approving final distribution or accounting.)
The following time will be excluded from measurement: stay for special actions, appeals and bankruptcy.

Arizona Rules and Statutes	Timelines under Statute and Rule
Petition/Application Filed: Rule 4(A)(1)(b), ARPP ¹ A.R.S. ² § 14-3301 A.R.S. § 14-3402	<p style="text-align: center;">(Measurement Starts Here)</p> A probate proceeding is commenced by filing a petition or, in the case of an informal probate of a will or informal appointment of a personal representative, by filing an application. Application for informal probate and appointment proceedings. Petition for formal probate of a will or for adjudication of intestacy with or without request for appointment of a personal representative.
Notice: A.R.S. § 14-3306 A.R.S. § 14-3306(B)	On issuance of a statement of informal probate, the applicant must within 30 days give written information to all heirs and devisees of the admission of the will to probate, together with a copy of the will. Heir has 4 months from receipt of information within which to commence a formal testacy proceeding if the heir wishes to contest the probate.

¹ Arizona Rules of Probate Procedure

² Arizona Revised Statutes

Arizona Rules and Statutes	Timelines under Statute and Rule
Hearing: A.R.S. § 14-3403	Upon commencement of a formal testacy proceeding, the clerk shall fix a time and place of hearing. Notice shall be given in the manner prescribed by § 14-1401 by the petitioner to the persons specified in this section and to any additional person who has filed a demand for notice under § 14-3204. Notice shall be given to the following persons: The surviving spouse, children and other heirs of the decedent, the devisees and executors named in any will that is being, or has been, probated, or offered for informal or formal probate. In addition the petitioner shall give notice by publication one time at least 14 days before the hearing.
Creditor's Claim: A.R.S. § 14-3801(A) A.R.S. § 14-3801(B) A.R.S. § 14-3807	Unless notice has already been given under this section, at the time of appointment a personal representative shall publish a notice to creditors once a week for 3 consecutive weeks in a newspaper of general circulation. The notice shall state that creditors of the estate must present their claims within 4 months after the date of first publication of the notice or be forever barred. If a known creditor is mailed or delivered the notice, the creditor's claim must be presented within 60 days after the mailing or other delivery or 4 months after the date of first publication or be forever barred. Payment of Claims. On the expiration of the earlier of the time limitations prescribed in §14-3803 for the presentation of claims, the personal representative shall proceed to pay the claims allowed against the estate in order of priority.
Closing of Estate: A.R.S. § 14-3933 Rule 4(A)(1)(b), ARPP Rule 15.2, ARPP	Unless prohibited by order of the court and except for estates being administered in supervised administration proceedings, a personal representative may close an estate by filing a verified statement with the court no earlier than 4 months after the date of original appointment of a general personal representative for the estate. A decedent's estate case continues from the date the petition or application is filed until either the court has entered an order closing the estate or 1 year after the personal representative has filed a closing statement in accordance with statute. If there has been no action on a case after 2 years after initiation of the case, the court will issue a notice to the parties of pending dismissal and then proceed to close/dismiss the case. (Measurement Stops Here)