

Probate Cases: Colorado Probate Law, Processes, and Practice Tips

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Probate and Kids Inheriting From Relatives:

- 1) Intestate Succession (a parent or relative of the child dies without a will)
 - a) CRS 15-11-103 Order of Intestate Succession [handout 1]
- 2) Testate Succession (where there is a will that does or does not include a child)
 - a) CRS 15-11-302 Omitted Children [handout 2]
- 3) Probate-the process by which money is distributed from the deceased person to the person entitled to such distribution
 - a) Probate can be informal (CRS 15-12-301 et seq.) or formal (CRS 15-12-401 et seq.)
 - b) supervised (CRS 15-12-501 et seq.) or unsupervised
 - c) Probate forms and instructions:
<https://www.courts.state.co.us/Forms/SubCategory.cfm?Category=Trusts>,
 - d) Demand for notice or filings [handout 3]
 - e) Distributions to children (persons under disability) [handout 4]
- 4) Conservatorships for minors-the process by which someone is appointed to manage money for another person
 - a) Conservator for minors forms and instructions:
https://www.courts.state.co.us/Self_Help/minorconservatorship/
 - b) Who can be conservator—prohibition of dual roles CRS 15-14-413 [handout 5]
- 5) Minor restricted accounts-a way to manage money for a minor without a conservatorship (when amounts do not justify a conservatorship)
 - a) Restricted Accounts forms
https://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=151
- 6) Public administrator and neutral fiduciaries—who can manage the money for the beneficiary if there is no reliable person in the child's life to do so
 - a) Who are the public administrators? List [handout 6]
 - b) Governed by 15-12-619 to 15-12-623