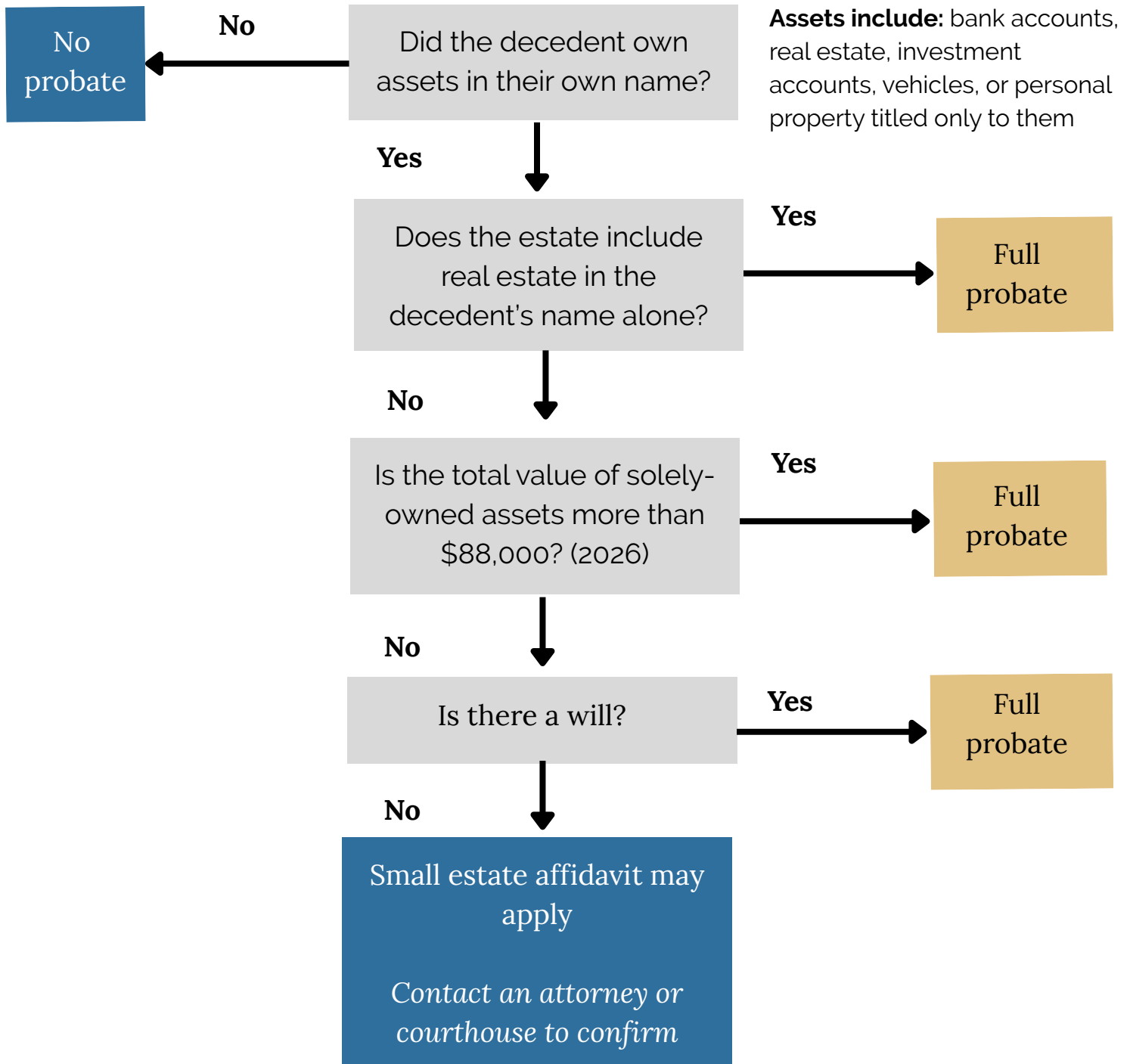


Do I Need Probate?

Answer each question to find your path



Ready to take the next step?

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When Assets Don't Pass Through Probate

Some assets pass outside of probate entirely, regardless of their value.

These include:

- Assets held in a living trust
- Accounts with a named beneficiary (life insurance, retirement accounts, POD/TOD accounts)
- Property held in joint tenancy with right of survivorship
- Assets held in tenancy by the entirety (for married couples)

If all of a person's assets fall into these categories, probate may not be needed at all. An attorney can confirm.

What Full Probate Means

Colorado probate must be opened through the district court in the county where the decedent lived. A Personal Representative will be appointed to manage the estate.

If there is a will, the will must be formally probated, even if all family members agree on the distribution. The will does not take legal effect until it goes through probate.

If there is not a will, Colorado's intestacy laws determine who inherits. Probate is still required to distribute assets legally.

In Colorado, the probate process for the estate must remain open for a minimum of six months from the date of death.

A Note on Trying to DIY Probate

Colorado's probate system is more accessible than most states, and county courthouses offer self-help resources. However, mistakes such as missed deadlines, improper creditor notices, informal case closure, can result in personal liability for the Personal Representative, frozen assets, IRS penalties, and family disputes. Legal guidance is worth it.

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