

## **CHECKLIST FOR PERSONAL REPRESENTATIVE Duties and Deadlines**

This checklist is to help personal representatives keep track of important things to do to deal with a person's money and property after the person dies. **Each case is different, and some**



**cases may have extra requirements that aren't on this checklist.** If the estate is legally complicated or worth a lot of money, or if people disagree about what should happen, it's a good idea to get help from a lawyer. For more information, visit [ak-courts.info/probate](http://ak-courts.info/probate) or scan the QR code to the left.

Applicable laws are primarily found in [Alaska Statutes](#) 13.06-13.21 and [Probate Rules](#) 7-12.

**Note:** The decedent and the estate may still owe taxes. For example: the decedent earned money from a job during the year before they died, or the decedent had investments that continued to earn interest after they died. If you have questions about taxes, it's a good idea to ask an accountant or tax lawyer for help.

### Definitions of Legal Terms

Decedent:	The person who died.
Estate:	The property the decedent owned at time of death. Includes personal belongings, real estate (buildings or land), and financial assets (cash, bank accounts, stocks, etc.). Note: some financial assets have their own separate distribution rules and are not included as part of the estate that you manage.
Devisee:	A person, organization, or other entity that is named in the will to inherit property.
Heir:	A person who inherits property if there is no will, or if there is property left over after the devisees in the will receive their inheritances.
Personal Representative:	The person appointed by the court to manage the decedent's estate in probate.

See [ak-courts.info/prglossary](http://ak-courts.info/prglossary) for more definitions.

### How to Use this Checklist

You can only begin working on this checklist **after** the court appoints you as the personal representative and you receive your "Letters Testamentary" or "Letters of Administration."

Next to each task, there is a column under the heading "Due By," which explains how to figure out the deadline. Sometimes, this is a specific number of days or months that start to run after something else happens. You need to figure out when these deadlines are for you. Once you figure it out, write down the exact day you need to finish the task in the last column under "My Deadline Is." You can use this online tool to count the days and get a calendar date:

<https://www.calculator.net/day-counter.html> (use the "Count Days from a Date" section).

You should generally do the tasks on this checklist in order, but sometimes, you can work on more than one thing at the same time or in a different order. You might not know yet when some things are due, because you must finish earlier tasks on the list first. When you finish these tasks, write down the due date for the next task. There are blank spaces at the end of the list for you to add anything else you need to do.

You can find all the court forms on this checklist:

1. Online at [ak-courts.info/estateforms](http://ak-courts.info/estateforms)
2. By scanning the QR code to the right
3. In paper copy from your local court



You don't have to use the court forms - you can make your own documents if you prefer.

	<b>Task:</b>	<b>Due By:</b>	<b>My Deadline Is:</b>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Fill out <i>Information to Heirs and Devisees</i> (form <a href="#">P-340</a>).</li> <li>• Send this form to all potential heirs, devisees, and interested persons (<a href="#">AS 13.06.050(26)</a> defines "interested person").</li> </ul>	30 days after you are appointed as personal representative	
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Fill out <i>Notice to Creditors</i> (form <a href="#">P-341</a>).</li> <li>• Send this notice to all of the decedent's creditors (anyone that the decedent owed money to) that you know about.</li> <li>• Publish this notice for three consecutive weeks (3 weeks in a row) in a newspaper that is commonly read in the location where you filed this case.</li> </ul>	As soon as possible [You cannot do some of the later tasks and move the case forward until this is complete.]	
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Fill out <i>Affidavit of Publication</i> (form <a href="#">P-342</a>).</li> <li>• File the affidavit with the court.</li> </ul>	As soon as the newspaper is done publishing your notice	
<input type="checkbox"/>	<p>Pay out or distribute the following, if applicable:</p> <ul style="list-style-type: none"> <li>• <a href="#">Homestead Allowance</a></li> <li>• <a href="#">Family Allowance</a></li> <li>• <a href="#">Exempt Property</a></li> </ul> <p>These allowances have priority over all other claims on the estate. See <a href="#">ak-courts.info/prallowances</a> and <a href="#">AS 13.12.401 - .405</a> for more information.</p> <p><u>Note:</u> If the decedent's will says that specific property should go to a specific person, do not include that property in these allowances unless there is no other available money or property to pay them.</p>	As soon as possible [You do not need to wait for the notice to creditors publication to be done. You can do this right away.]	
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Fill out <i>Inventory of Property</i> (form <a href="#">P-370</a>).</li> <li>• Send the inventory to all heirs, devisees, and interested persons.</li> <li>• File the inventory with the court.</li> </ul>	Three (3) months after you are appointed as personal representative	
<input type="checkbox"/>	Gather the paperwork for all creditors who made a claim against the estate. The creditors may have sent their claims directly to you, or they may have filed them in the court case. Check the probate court file for any claims.	Four (4) months after you first published notice in the newspaper	
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• For each creditor claim, decide whether it is a valid claim.</li> <li>• For each claim that you believe is <b>not</b> valid, send the creditor a <i>Notice of Allowance or Disallowance of Claim</i> (form <a href="#">P-345</a>). File each disallowance form with the court.</li> <li>• Use form P-345 to notify creditors with a valid claim that you intend to pay the claim. [Note: sending an allowance for <b>valid</b> claims is not required by statute, however, it is best practice to do this.]</li> </ul>	Four (4) months <b>PLUS</b> 60 days after you first published notice in the newspaper	

	<b>Task:</b>	<b>Due By:</b>	<b>My Deadline Is:</b>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• If the estate has enough money or property, pay all of the valid claims to the creditors. If the decedent's will says that specific property should go to a specific person, do not use that property to pay the creditors unless there's no other way to pay the claim.</li> <li>• If there is not enough money or property to pay all of the valid claims, you must pay them in the following order:               <ol style="list-style-type: none"> <li>(1) Homestead Allowance, Family Allowance, and Exempt Property</li> <li>(2) Secured creditors</li> <li>(3) Your costs and expenses for administering the estate</li> <li>(4) Reasonable funeral expenses</li> <li>(5) Debts and taxes with preference under federal law, and past due child support</li> <li>(6) Reasonable expenses related to the last illness of the decedent</li> <li>(7) Debts with preference under other state laws</li> <li>(8) All other claims</li> </ol> </li> </ul> <p>See <a href="http://ak-courts.info/prpayorder">ak-courts.info/prpayorder</a> for more information.</p> <ul style="list-style-type: none"> <li>• Make sure to get receipts or written acknowledgements from the creditors when you pay the claim. You can use <i>Receipt and Release of Property</i> (form <a href="#">P-385</a>).</li> </ul>	As soon as possible after completing the previous task	
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Fill out <i>Final Accounting and Proposed Distribution</i> (form <a href="#">P-380</a>).</li> <li>• Send the accounting to all heirs, devisees, and interested persons.</li> <li>• File the accounting with the court.</li> </ul>	As soon as possible after completing the previous task	
<input type="checkbox"/>	<p><u>Informal Probate Cases Only:</u> Transfer all remaining money and property to the devisees listed in the will, or if there is no will, to the heirs. Have each person sign <i>Receipt and Release of Property</i> (form <a href="#">P-385</a>)—this form both acknowledges getting the property and indicates agreement with or waiver of your accounting.</p> <p>[In <u>formal probate cases</u>, the court must approve your proposed distribution before you can do this task. See the first task on the next page.]</p>	As soon as possible after completing the previous task	
<input type="checkbox"/>	<p>If anyone has made any written disclaimers, file them with the court.</p> <p>See <a href="http://ak-courts.info/prdisclaimer">ak-courts.info/prdisclaimer</a> for more information on disclaimers.</p>	Within 9 months of the decedent's death	

<input type="checkbox"/>	<p>Close the estate:</p> <ul style="list-style-type: none"> <li>• For <u>small</u> estates, use <i>Sworn Statement of Personal Representative Closing Small Estate</i> (form <a href="#">P-350</a>).</li> <li>• For other <u>informal</u> probate cases, use <i>Sworn Statement of Personal Representative to Close Informal Estate</i> (form <a href="#">P-355</a>).</li> <li>• For <u>formal</u> probate cases, you need a court order to approve your proposed distribution and close the estate. You can ask for a court order using <i>Request to Close Formal Estate and Approve Distribution</i> (form <a href="#">P-360</a>).</li> </ul>	<p>At least six (6) months after you first published notice in the newspaper</p>	
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Complete any outstanding payments to creditors and any remaining transfers of property to the heirs and devisees.</li> <li>• Check with the court that there are no open cases that involve you in your role as personal representative for the estate. If there are not, then your appointment is ended.</li> </ul>	<p>One year after either: (1) you file your sworn statement or (2) the court order closing the case.</p>	
<input type="checkbox"/>			
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