



How to Guide for Abandoned Estate Planning Documents

1. Basic Information

- This information provides a guide to the process and forms necessary to file electronic abandoned estate planning documents, request for certified copies, and request for deletion.
- **Do Not Use These Instructions** if you wish to file an estate action or probate a will. To initiate those proceedings, please see [JDF 906 – Instructions from Probate with a Will](#) and [JDF 907 – Instructions for Probate without a Will](#).
- **Do Not Use These Instructions** if you need to lodge an original will with the court after a testator's death. To do so please contact the court in the county where the decedent resided or was domiciled at the time of death.
- Before filing an abandoned original estate planning document, the custodian must attempt to transfer possession of the original estate planning document to the creator after a diligent search. If the attempt to transfer the original document to the creator after diligent search is not successful, the custodian must send a letter to the last known mailing address of the creator known to the custodian by first-class mail or certified mail receipt requested, notifying the creator that if the creator does not take possession of the original document within 90 days after the date of mailing, the custodian will file an electronic copy of the original document with the state court administrator and destroy the original.
- Abandoned original estate planning documents submitted on behalf of a creator are not publicly accessible. To avoid unnecessary rejections, please review [CJD 23-01](#) to determine whether you have access to these records prior to submitting a request for certified estate planning documents.

- For additional information please review § 15-23-101 through § 15-23-122, C.R.S. and CJD 23-01.

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2. Step-by-Step Guide

Terms defined on [page 3](#)

1 – Initial Submission of Estate Planning Documents

- 1) Complete the starting paperwork:
 - [JDF 975](#) – Filing Statement for the Submission of Abandoned Estate Planning Documents to the State Court Administrator’s Office.
 - Scan each abandoned estate planning document individually to upload separately with the JDF form. The documents must be scanned in color.
 - Please see CJD 23-01 for information regarding document format standards prior to submittal.
 - Search the index of names for the creator. [CO Judicial Services \(rmm-i.com\)](#). If a folder already exists for the creator, please submit the abandoned estate planning documents into the existing file.
- 2) File with the State Court Administrator’s Office [CO Judicial Services \(rmm-i.com\)](#).

- 3) Pay the filing fee. See [Fees on page 5](#) for details.

2: Request for Certified Copies

Note: Electronic abandoned estate planning documents filed with the State Court Administrator's Office are not public records. Please review CJD 23-01 to determine whether you have access prior to submitting your request.

- 1) Complete the necessary paperwork:
 - [JDF 976](#) – Request for Certified Estate Planning Documents.
 - Gather and scan supporting documents and proof of identification needed for access to the record(s).
 - Please see CJD 23-01 for information regarding document format standards prior to submittal.
- 2) Search the index of names for the creator. [CO Judicial Services \(rmm-i.com\)](#).
- 3) File the request and attachments with the State Court Administrator's Office.
- 4) Pay filing fee. See [Fees on page 5](#) for details.

3: Request for Deletion

Note: These requests should be filed by the creator of abandoned estate planning documents previously filed with the State Court Administrator's Office.

- 1) Complete the necessary paperwork:
 - [JDF 977](#) – Request for Deletion. This form will need to be notarized.
 - Gather and scan proof of identification.

- Please see CJD 23-01 for information regarding document format standards prior to submittal.
- 2) Search the index of names for the creator. [CO Judicial Services \(rmm-i.com\)](http://rmm-i.com).
- 3) File the request and attachments with the State Court Administrator's Office. Please be sure to indicate whether you only want to delete the documents or delete the documents **and** receive a certified copy.
- 4.) Pay filing fee. See [Fees on page 5](#) for details.

3. Common Terms

- Custodian:** An attorney, fiduciary, entity, or financial institution, as defined in § 15-23-103, C.R.S. that has sole possession and control of an original estate planning document of an individual.
- Creator:** An individual who, either alone, with one or more other individuals, or through a fiduciary, has executed an original estate planning document.
- Original Estate Planning Document:** An original instrument in writing that is any will document, including, but not limited to wills, as defined in § 15-10-201(59), C.R.S.; codicils; holographic wills; documents purporting to be wills; instruments that revoke or revise a testamentary instrument; testamentary instruments that merely appoint a personal representative; other testamentary instruments, such as a memoranda

distributing tangible personal property; and testamentary instruments appointments of guardian as described in § 15-14-202(1), C.R.S..

Electronic Document:

The electronic record created from an original estate planning document.

Diligent Search:

Means an attempt to locate and contact a creator by two or more of the following means: searching the telephone directory, calling the creator at the last known phone number, sending an e-mail to the last e-mail address of the creator, conducting an internet search for the creator, or attempting to contact an heir, fiduciary, devisee, or beneficiary designated in the creator’s original document.

Proof of Identity

Includes a passport, driver’s license, government-issued non-driver identification card that is current or expired not more than one year before the time of presentation, or other form of government identification that is current or has been expired for not more than one year before the time of presentation that also contains the signature or photograph of the individual.

4. Fees

Submission	\$39.50 (per creator)
Certified Copy	\$20 (per document)
Deletion	\$5 (per creator)

5. All Forms *(In numerical order)*

www.courts.state.co.us/Forms

[JDF 975](#) – Filing Statement for the Submission of Abandoned Estate Planning Documents to the State Court Administrator’s Office.

[JDF 976](#) – Request for Certified Estate Planning Documents.

[JDF 977](#) – Request for Deletion.

6. ADA Information

For reasonable accommodations under the Americans with Disabilities Act contact the court’s ADA coordinator:

www.courts.state.co.us/Administration/HR/ADA/Coordinator_List.cfm

7. Legal Advisory

These are basic instructions for informational purposes only. They do not constitute legal advice. If you choose to represent yourself, you are bound by the same rules and process as a lawyer. If you do not understand this information, please contact a lawyer.