

INSTRUCTIONS FOR WRITTEN STATEMENT OF CLAIM
Minnesota Statutes § 524.3-804, subd. (1)

USE THIS FORM AND INSTRUCTIONS ONLY IF THE FOLLOWING FACTORS APPLY TO YOUR SITUATION:

- You have a claim against the estate of a decedent.
- There is an estate file open in the Probate Division of the Court Administrator's Office in the county where the decedent resided at the time of death. Caution: You must file your claim within the allotted creditor's time period.
- If there is **no** estate file open in the Probate Division of the Court Administrator's Office in the county where the decedent resided at the time of death, you may:
 - a) Complete and follow the instructions for filing a Demand for Notice; or
 - b) Complete a probate of Decedent's estate if more than 45 days have passed since the date of death. (NOTE: You are strongly urged to consult an attorney before commencing a probate proceeding as a creditor to determine whether this is an appropriate option for you.)

WHAT TO DO AFTER YOU HAVE COMPLETED THE WRITTEN STATEMENT OF CLAIM FORM:

1. Deliver this form to the personal representative of the estate or to the Probate Division of the Court Administrator's Office where the decedent's estate file is open for the filing of claims.
2. The personal representative will then respond to your claim by either allowing or disallowing the claim.
3. If the personal representative disallows your claim, you will then have to make a choice of accepting the disallowance or petition the court for allowance of the claim.

Caution: There are specific time limits and specific procedures for the processing of claims. Please refer to Minnesota Statutes §§ 524.3-801 through 817, or contact a lawyer if you have further questions or need further assistance.

Helpful materials may be found at your public county law library. For a directory, see <http://mn.gov/law-library/research-links/county-law-libraries.jsp> . For more information, contact your court administrator or call the Minnesota State Law Library at 651-296-2775.