

**COLORADO RIVER INDIAN TRIBES LEGAL AID DEPARTMENT  
APPLICATION FOR SERVICES**

**Applicant Information** (must be enrolled, or eligible to be enrolled with CRIT):

Name: \_\_\_\_\_ DOB: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ Day Phone: \_\_\_\_\_  
 \_\_\_\_\_ Eve. Phone: \_\_\_\_\_  
 Physical Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
 \_\_\_\_\_ Cell Phone: \_\_\_\_\_  
 E-Mail: \_\_\_\_\_ Enrollment No.: \_\_\_\_\_  
 SSN: XXX-XX- \_\_\_\_\_

Applicant is seeking assistance with: (please mark which box(es) applies)

- |   |  |
|---|--|
| <input type="checkbox"/> Child Support (Defense)    | <input type="checkbox"/> Estate Planning (Writing a Will)    |
| <input type="checkbox"/> Child Support (Seeking)    | <input type="checkbox"/> Probate of an Estate                |
| <input type="checkbox"/> Child Custody (Defense)    | <input type="checkbox"/> Grievance                           |
| <input type="checkbox"/> Child Custody (Seeking)    | <input type="checkbox"/> Small Claims                        |
| <input type="checkbox"/> Guardianship of a Minor    | <input type="checkbox"/> Personal Injury                     |
| <input type="checkbox"/> Conservatorship of Adult   | <input type="checkbox"/> Restraining Orders/Injunctions      |
| <input type="checkbox"/> Paternity (for Enrollment) | <input type="checkbox"/> Dissolution of Marriage (no kids)   |
| <input type="checkbox"/> Child In Need of Care      | <input type="checkbox"/> Dissolution of Marriage (with kids) |
| <input type="checkbox"/> Power of Attorney:         | <input type="checkbox"/> Property Dispute                    |
| <input type="checkbox"/> Durable                    | <input type="checkbox"/> Housing Dispute                     |
| <input type="checkbox"/> Healthcare                 | <input type="checkbox"/> Name Change                         |
| <input type="checkbox"/> Parental                   | <input type="checkbox"/> Other: _____                        |

In order to determine whether there are conflicts, please provide as many details as possible:

Please list the full names and approximate ages of each person involved in your issue:

- |   |       |                        |
|---|-------|------------------------|
| 1 | _____ | Approximate Age: _____ |
| 2 | _____ | Approximate Age: _____ |
| 3 | _____ | Approximate Age: _____ |
| 4 | _____ | Approximate Age: _____ |
| 5 | _____ | Approximate Age: _____ |

Please describe any previous services you have received from Legal Aid:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**For Office Use Only:**

Referral Required?      Yes    No

Office File No.: \_\_\_\_\_





**PROBATE SERVICES SUPPLEMENTAL INFORMATION (4)**

**"Statute of Descent" located at C.R.I.T. Probate Code § 5.514:**

**1st:**

"If a husband or wife survives and there is no issue over the age of eighteen (18) survives, the husband or wife shall take the entire estate." *This means that if the Decedent passed away with a spouse (lawfully married), and if there are only minor children (under 18), then everything goes to the spouse.*

**2nd:**

"If a husband or wife survives and an issue over the age of eighteen (18) survives, the surviving husband or wife shall take one-half and the balance is divided equally among the surviving issue over the age of eighteen (18)." *This means that if the Decedent passed away with a spouse (lawfully married) still living, and there is at least one child over 18, then the spouse takes half of the value of the estate, and the other half is divided equally among the children over the age of 18. If there were some children over 18 and some children under 18, the half not going to the spouse is only divided among the children over 18; the child/children under 18 are not counted.*

**3rd:**

"If no husband or wife survives, the surviving children will take the entire estate in equal shares." *This means that if the Decedent was not married, or the spouse passed away before the Decedent, then the value of the estate shall simply be divided equally among the Decedent's living children. If the Decedent also had other children who pre-deceased the Decedent, they (or their family/ children) do not get any interest in the Decedent's estate.*

**4th:**

"If neither husband or wife or issue survives, the parents of the decedent will take all of the estate, sharing it equally if both survive or the survivor taking all if but one (1) survives." *This means that if the Decedent had no spouse or surviving spouse, and also had no children, then the Decedent's estate would go to the Decedent's parents. The parents of the Decedent would get equal shares if both the mother and father are still living, but if only one of the parents are still living, then that sole-living parent shall take the whole estate.*

**5th:**

"If no spouse, issue or parent survives, the brothers and sisters shall inherit in equal shares, except that if pre-deceased brother or sisters left issue, the issue shall share equally in the interest of their predeceased parent." *This means that if the Decedent had no surviving spouse, children, or parents, then the Decedent's brothers and sisters (natural, half-siblings, and adoptive siblings), shall each take an equal share of the value of the estate. Please note, also, that if the Decedent had brothers or sisters who passed away before the Decedent, and those pre-deceased brothers or sisters had children of their own, then those children (the Decedent's nieces and nephews) would inherit their parents' (the Decedent's pre-deceased brothers or sisters) share of the Decedent's estate.*

**6th:**

"If no spouse, issue, parent, sibling or issue of sibling survives the estate shall escheat or pass to the Colorado River Indian Tribes." *This means that if the Decedent had no one left under the law as described in the above paragraphs who can inherit from the Decedent's estate (no spouse, children of the Decedent, parent of the Decedent, sibling of the Decedent, or nieces or nephews of the Decedent), then the estate goes to the Colorado River Indian Tribes tribal government. "Escheat" means that an estate is inherited by the government because there is no family left under the law.*

**PROBATE SERVICES SUPPLEMENTAL INFORMATION (5)**

**Tribal Court Probate Jurisdiction:** In order to file a probate in C.R.I.T. Tribal Court, the Decedent has to have lived on the Colorado River Indian Reservation at the time of their death. It is sufficient that the Decedent's regular home was on the Colorado River Indian Reservation, but that the Decedent may have been hospitalized or under specific care elsewhere (hospitals or hospices in Phoenix, Tucson, Las Vegas, Lake Havasu, etc.).

**Was the Decedent in this case a resident of the Colorado River Indian Reservation at the time of their passing?**

YES       NO       I DO NOT KNOW

**If you answered "no" or "I do not know," please explain:**

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**Land:** If the Decedent had any interests in Tribal Land (whether it was an Allotment, or an Assignment), that Tribal Land is not going to be included in a Probate Action in Tribal Court. Interests in Tribal Land are probated separately through the Bureau of Indian Affairs. *If you know, or think, that the Decedent had any interest in Tribal Land, then you should go to the B.I.A. Colorado River Agency (located at 12124 1st Avenue in Parker), and they shall assist you further with the processing the transfer of land.*  
**If the Decedent had any interest in land that is not Tribal Land, then we shall include that in the Probate Case.**

**Does the Decedent have an interest in Tribal Land?**       YES       NO

**Does the Decedent have any interests in non-Tribal Land?**       YES       NO

**If you answered "Yes" to whether the Decedent has any interests in non-Tribal Land, please explain below, and include the address/location of the land, the estimated value, and if possible attach a copy of the Title to the non-Tribal Land.**

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**Home(s):** in the space below, please describe whether the Decedent owned a home. If the Decedent owned a home, please list the estimated value of the home, the address/location of the home; whether the home was owned outright, or if there is still money owed (mortgage) on the home - and if there is still a mortgage owed on the home, how much more is owed? If the Decedent owned more than one home, please list the information about all of the homes.

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**PROBATE SERVICES SUPPLEMENTAL INFORMATION (6)**

**Vehicle(s):** in the space below, please describe whether the Decedent owned any vehicle(s). If the Decedent owned one or more vehicles, please list each vehicle, list the estimated value of each vehicle, and if you can - please attach copies of the Titles to each vehicle to this application. Finally, if the Decedent owned any vehicles that are not yet paid off, please indicate that below as well. List all vehicles (cars, trucks, Fifth-Wheel's, RV's, ATV's, Boats, Seadoos, motorcycles, etc.).

Year/Make/Model of Vehicle	Estimated Value	Amount Still Owed (or owned)
<i>(i.e.) 2007 Chevrolet Silverado</i>	\$10,000	\$2,000
<i>(i.e.) 1978 Sailboat</i>	\$2,500	<i>Paid off - owned outright</i>

**Savings/Investment(s):** in the space below, please describe whether the Decedent had any savings or checking accounts; any investments (stocks, bonds, mutual funds); any insurance policies (including the name of the insurance company); and pensions, profit sharing, or retirement accounts (including where or what company/agency should be contacted about those matters. Some of these things may not be a part of a probate estate. For example, if a bank account has already been set up as a "Payment On Death" or "POD" account, then that would simply go to the named recipient outside of the Estate. The same applies to any investments, retirement accounts, pensions, or insurance policies that may name a specific individual beneficiary in the event that the Decedent passes away.

Item Description	Agency/Institution	Value
<i>(i.e.) Savings Account No. 123456</i>	<i>Bank of America - POD</i>	\$1,000
<i>(i.e.) Insurance Policy No. 987654</i>	<i>MetLife</i>	\$25,000 - J. Doe beneficiary

**Amounts Owed to Decedent:** in the space below, please describe whether the Decedent was owed any money from anyone. For example, if the Decedent had loaned a family member or friend \$1,000, but was still owed some money on that loan, then that \$1,000 loan would be owed to the Estate. Below, please describe whether anyone owed the Decedent any money, who owes the Decedent what, and how much is owed.

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**PROBATE SERVICES SUPPLEMENTAL INFORMATION (7)**

**Debts of the Decedent:** in the space below, please describe whether the Decedent owed someone else any money. If the Decedent had a Credit Card that is not paid off, please include that here. If there is still money owed on a mortgage, please list the mortgage company and amount owed here. If the Decedent borrowed any cash from someone private individual, please include who that person is, and how much is owed.

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**Other Property:** in the space below, please describe any other property that was owned by the Decedent at the time of their passing which should be included in the probate estate. This could be art collections, furniture or appliances, tools or equipment, jewelry, movie or music collections (including digital collections like iTunes, Google Play), Social Media Accounts (like a Facebook, Snapchat, Twitter, etc.), antiques, library collection, coins/stamps.

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By signing this form, you are requesting services by the Legal Aid Department and waiving privacy to any third-party for the purposes of that service; you promise to update the Legal Aid Department of any change of contact information during the period of representation. The Legal Aid Department does not charge C.R.I.T. community members for services, but any fees (i.e., court filing fees) are the responsibility of the applicant. C.R.I.T. Tribal Court charges \$65 to file a Probate. If Legal Aid cannot take you on as a client for conflicts, we may seek approval for a referral.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_