

Rule 5.490. Form and Manner of Presenting Claim

(a) Form. A creditor's statement of claim shall be verified and filed with the clerk and shall state:

(1) The basis for the claim;

(2) The amount claimed;

(3) The name and address of the creditor;

(4) The security for the claim, if any; and

(5) Whether the claim is currently due or involves an uncertainty and, if not due, then the due date and, if contingent or unliquidated, the nature of the uncertainty.

(b) Copy. At the time of filing the claim, the creditor shall also furnish the clerk with a copy thereof.

(c) Mailing. The clerk shall mail a copy of claims, noting the fact and date of mailing on the original, to the attorney for the personal representative unless all personal representatives file a notice directing that copies of claims be mailed to a designated personal representative or attorney of record. Absent designation, a copy of claims shall be mailed to the attorney for the personal representative named first in the letters of administration.

(d) Validity of Claim. Failure to deliver or receive a copy of the claim shall not affect the validity of the claim.

(e) Amending Claims. If a claim as filed is sufficient to notify interested persons of its substance but is otherwise defective as to form, the court may permit the claim to be amended at any time.

(f) Service by Personal Representative. If the personal representative files a claim individually, or in any other capacity creating a conflict of interest between the personal representative and any interested person, then at the time the claim is filed, the personal representative shall serve all interested persons with a copy of the claim and notice of the right to object to the claim. The notice shall state that an interested person may object to a claim as provided by law and rule 5.496. Service shall be either by informal notice or in the manner

provided for service of formal notice. Service on one interested person by a chosen method shall not preclude service on another interested person by another method.