

Dear Citizen:

I have compiled this information packet to assist you in your duties as executor. Also included is important information that every adult should consider when putting together their own paperwork.

I hope this information is helpful, but please remember, nothing can replace the sound advice of an attorney and/or accountant when one has to deal with the more difficult areas of settling an estate.

Sincerely,



Nicki A. Burke

In This Folder – Probate

- Last, Will & Testament - Copy of the probated will (the original is retained with the Surrogate's Court.)
- Letters Testamentary – Attached to front of the will copy are Letters Testamentary. Retain the Letters Testamentary with your records as this is proof of the date of probate of the will and the date of your appointment as Executor.
- Executor Short Certificate(s): -the number you requested – These are used to show your authority as the executor of the estate and your authority to transfer assets, pay debt, etc. Please note that a Short Certificate is dated and some institutions may not accept the short certificate after 30 days from issuance.
- Receipt of Payment for Probate of Will
- Trust documents, pursuant to the Trust created in this will, are ready for signature by the Trustee.
- Notice of Probate & Proof of Mailing – N.J. state law (Rule 4:80-6) requires the executor give notice of the probated will. Please see the "Notice of Probate and Proof of Mailing" information packet included in this pamphlet for the filing procedure and statutory filing fees.
 Note: Source—R.R. 4:99-7; former R. 4:80-8 amended and rule redesignated June 29, 1990 to be effective September 4, 1990.
 New Jersey Rules of Court 2020 – reviewed 02/14/20 nab
- Refunding Bond & Release – sample form– As a courtesy, provided is a sample form of a Refunding Bond and Release. See the sample for additional information. Please make the appropriate number of copies that you will need to complete the estate. You should have one Refunding Bond for each individual who is receiving money or assets from the estate. A refunding bond must include: (a) the name of the beneficiary, (b) beneficiary address, (c) the asset type/total, (d) signed by the beneficiary (obligor) in the presence of a Notary Public, who must include their required notary information as required by their state laws.

- Important Information and Reminders
- New Jersey Motor Vehicle Commission Information
- A Citizens Guide To Frequently Asked Questions Regarding Wills...
- Personal Records Handbook
- Judgment for Child Support Lien against net proceeds of Settlement; Priority ... N.J.S.A. 2A:17-56.23B (this was explained when you signed the Child Support Judgment Verification page)
- New Jersey Unclaimed Property pamphlet

Am I entitled to compensation for acting as Executor or Administrator? See N.J.S. 3B:18-14
Generally commissions on all corpus received by the fiduciary may be taken as follows:

5% on the first \$200,000.00 of all corpus received by the fiduciary;

3.5% on the excess over \$200,000.00 up to \$1,000,000.00;

2 % on the excess over \$1,000,000.

1% of all corpus for each additional fiduciary provided that no one fiduciary shall be entitled to any greater commission than that which would be allowed if there were but one fiduciary involved.

L.1981, c. 405, § 3B:18-14, eff. May 1, 1982. Amended by L.1983, c. 394, § 1, eff. Dec. 14, 1983; L.2000, c. 29, § 1, eff. June 16, 2000.

Estate and Probate Law 2019 – reviewed 02/14/20 nab

See 3B:18-13 for Income commissions

We at the Surrogate's Court welcome your call for general procedural questions but we are not permitted to answer any of your legal questions. Our office is located in the Administration Building, 2nd Floor - 94 Market Street, Salem. (next to the county courthouse) Our entrance is on the side of the building facing the court house.

ARE YOU PREPARED?

Do you have a Power of Attorney, Last Will & Testament, Living Will, a/k/a a medical directive? It is always advised to seek legal counsel for the preparation of the above documents and the assistance of legal counsel and/or an accountant in the preparation of estate documents.

Please visit the below sites for additional information and helpful literature such as our Personal Records Handbook and sample forms such as Refunding Bond and Release and Notice of Probate of Will & Proof of Mailing, etc.

Website: www.surrogate.salemcountynj.gov

E-Mail: surrogate@salemcountynj.gov

Facebook: Surrogate of Salem County

Twitter: @NickiABurke2

Also please note website information on our forms may not be current – always visit the websites for the most current information.