

Dear Citizen:

I have compiled an information packet to assist you in your duties under the Affidavit of Spouse or Domestic Partner estate. Due to COVID-19 restrictions as to in-person meetings the packet normally given with your paperwork cannot be mailed due to its volume. Please visit the Salem County Surrogate's Court website for the informational literature. Enter in search engine: Salem County Surrogate  
Surrogate.salemcountynj.gov

I hope the 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.

Best wishes to you as we all navigate these difficult times.



**NICKI A. BURKE, SURROGATE**

## Affidavit of Spouse or Domestic Partner Informational Guide N.J.S.A. 3B:10-3

The following informational brochures are located in our pamphlet which would have been provided to you if you personally visited my office. If all estate paperwork has been completed via mail, please view the brochures, along with other helpful information, on my Salem County Surrogate's Court website located at [surrogate.salemcountynj.gov](http://surrogate.salemcountynj.gov) or enter Surrogate of Salem County in your web browser.

**AFFIDAVIT OF SPOUSE OR DOMESTIC PARTNER** - One or more of the Affidavit of Spouse with Surrogate's signature and Surrogate's Court gold seal and stamp outlining specific estate asset(s) for transfer. (You will receive one Affidavit for each asset specified.)

Present the signed and sealed Affidavit for the transfer of the asset and it will be retained by whomever you have presented the form to as evidence of your authority to act on behalf of the estate. Photocopies are not acceptable.

Asset limits for an Affidavit of Spouse or Domestic Partner are as follows:

Date of Death is **ON OR AFTER 01/19/16**: \$50,000.00 LIMIT (eff. 01/19/16)  
NJSA 3B:10-3

...and the assets of the estate up to \$10,000.00 shall be free from all debts of the intestate.

Date of Death is **01/18/16 or BEFORE**: \$20,000.00 LIMIT (eff. 01/12/06)  
NJSA 3B:10-3

...and the assets of the estate up to \$5,000.00 shall be free from all debts of the intestate.

Receipt - Previously provided

Receipt

Receipt-other: \_\_\_\_\_

View on Salem County Surrogate's Court website:

- Important Information and Reminders
- Motor Vehicle Commission Information Page
- A Citizens Guide To Frequently Asked Questions Regarding Wills, Probate, and Estates
- Personal Records Handbook

View on New Jersey Motor Vehicle Commission website:

- New Jersey Motor Vehicle Commission Information

[www.state.nj.us/mvc/vehicles/transowner.htm](http://www.state.nj.us/mvc/vehicles/transowner.htm)

View on New Jersey Unclaimed Property website:

- New Jersey Unclaimed Property pamphlet

[www.unclaimedproperty.nj.gov](http://www.unclaimedproperty.nj.gov)

**ASSETS FOUND AFTER COMPLETION OF ABOVE AFFIDAVIT:**

1. If you find any additional assets after the completion of the above affidavit, you must re-apply to the Salem Surrogate's Court for a Supplemental Affidavit of Spouse or Domestic Partner.

2. An Affidavit of Spouse or Domestic Partner and any Supplemental Affidavits may not total more than \$20,000.00 or \$50,000.00 (amount based on law existing at date of death as noted above) If the estate totals more than \$20,000/\$50,000, an Administration would have to be completed.