

Court Service Center

New Hampshire Probate Courts

Opening an Estate - With a Will Date of Death on or after January 1, 2006

Items listed below are needed to start this type case:

- Petition for Estate Administration form (NHJB-2145-P)
- Legatees and Devisees - Estate with Will form (NHJB-2150-P)
- Original Will and all Codicils
- Certified Copy of the Death Certificate

Other items that may be needed:

- Appointment of Resident Agent form (NHJB-2120-P) is needed if you are the person requesting to be Executor and not a New Hampshire resident.
- Affidavit of Counsel as to Propriety of a Foreign Will/Codicil to be Admitted into Probate form (NHJB-2146-P) is needed if the Will/Codicil being filed was written in another state or foreign country.
- Certification of Trust form (NHJB-2634-P) is needed if there is reference to inter-vivos trust in the will
- Declination form (NHJB-2123-P) is needed if the person named in the Will as Executor does not want to be appointed Executor of the Estate.
- Fiduciary Bond form (NHJB-2137-P) is needed for Estates with a value of \$25,000.00 or less. The court will set the bond amount if the Estate value is over \$25,000.00.
- Photo identification may be required.

How much will this cost?

- Estate with a value of \$10,000.00 or less - **Total filing fee of \$90.00**
- Estate with a value of \$10,001.00 up to \$25,000.00 - Filing fee \$90.00 + Publication fee \$_____ = **Total filing fee of \$_____.**
- Estate with a value over \$25,000.00 - Filing fee of \$180.00 + Publication fee \$_____ = **Total filing fee of \$_____.**

What happens next?

- The court will set the bond amount if the estate value is over \$25,000.00. You will need to contact an insurance agency if a bond with sureties is required.
- A Certificate of Appointment will be issued after the court approves the bond.
- Notice to Surviving Spouse, Legatees, Heirs at Law and Return of Notice form (NHJB-2127-P) must be filed no later than 90 days from the date you are appointed as Executor.
- Inventory of Fiduciary form (NHJB-2125-P) must be filed within 90 days from the date you are appointed as Executor.
- Executor/Administrator's Accounting form (NHJB-2117-P) must be filed within one year from the date you are appointed as Executor. The Executor must file this form each year the estate remains open.

**Forms and Instructions are available at any NH Probate Court
or at:**

www.courts.state.nh.us/probate