

# Court Service Center

## New Hampshire Probate Courts

### Opening an Estate of a Foreign Will for Ancillary Administration

*Date of Death that has occurred within the past 2 years.*

**OR**

*Date of Death was after January 1, 2003 and real estate is being sold*

#### Items needed listed below are needed to start this type case:

- Petition to File and Record Authenticated copy of Will and Probate form (NHJB-2133-P)
- Petition for Estate Administration form (NHJB-2145-P)
- Legatees and Devisees - Estate with Will form (NHJB-2150-P)
- Authenticated Copy of Will and Probate

#### 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.
- Certified Death Certificate may be needed if one is not provided in the Authenticated Copy of Will and Probate.
- Certification of Copies to Parties form (NHJB-2148-P)
- 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. You will need to file a Fiduciary Bond form (NHJB-2137-P) if a personal bond without sureties is required. 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](http://www.courts.state.nh.us/probate)