

Instructions for completing
Petition for Trustee
(NHJB-2138-P)

Form use. This form is used to ask the court to appoint a trustee to oversee an established trust based on a will, a trust, successor trustee or a special needs trust is being established.

Top part of form

- COURT NAME:** Enter the name of the circuit court where the document will be filed. (example: 2nd Circuit Probate Division - Haverhill; 7th Circuit-Probate Division - Dover).
- CASE NAME:** Enter the name of the deceased (example: Trust of John Adams; Trust of Susan Jones).
- CASE NUMBER:** Leave blank if not yet assigned by court OR fill in case number if it is known.

- Check off only one box, which indicates whether the proposed trustee was **Named in the will, Not named in the will** of the deceased or **Named in the trust, Not named in the trust, Special Needs Trust** or **Successor Trustee**.

Numbered part of form

1. **Petitioner Name** is the name of the person filing the petition. Enter that person's name, telephone number and complete mailing address with zip code. If there are co-petitioners, enter the second person's name, telephone number and address information on the additional lines provided.

2. Complete this section **ONLY** if the petitioner has an **attorney** helping with this case. Enter his/her name, telephone number, complete mailing address including zip code and Bar id number.

3. Enter the **Deceased's Name, Date of Death** and last legal **Residence** city or town and state. Write "not applicable" on the line if this is a petition for special needs trust.

4. **If petition is for trustee not named in will and there is no provision for a successor trustee**, enter the name and address of the person who was named in the will to be the trustee, on the lines provided. Check off one box **-resigned, died, been removed, or refused to serve** - that indicates the reason the named trustee cannot serve as the trustee for this trust.

5. Enter the **Lifetime Beneficiary Name, Address** and **Date of Birth** for each beneficiary of the trust. If applicable, enter the **Remainderman Name, Address** and **Date of Birth**. A Remainderman is any person who might ultimately be entitled to a beneficial interest in the trust.

6. List the overall value of the trust estate, by entering the total amount of **Real Estate** and total amount of **Personal Estate** on the lines provided. Add together the total amounts for real estate and personal estate and enter that **Total amount of Estate** on the last line provided.

7. If the box for Special Needs Trust is checked on page 1, a copy of the trust must be sent to the **Department of Health and Human Services**. Check off the appropriate box to indicate whether or not that step has been done.

Signature Section

The petitioner requests that appointment be granted to, is the line provided to enter the name, address and date of birth of the person you are asking the court to appoint as trustee.

The sentence prior to the signature section indicates that the person filing this document has provided copies to all attorneys, parties and persons beneficially interested in the case. Check off the box to indicate how copies were provided to the parties. Sign the form on the **Petitioner Signature** line, and date it in the appropriate space to the left. If there are two petitioners, both petitioners must sign and date the form.

Order

This section will be completed by the judge once the document is filed with the court and reviewed in detail by the judge.

Review the completed form for accuracy prior to filing it with the court. If completing this form on-line, some fields may be filled in automatically based on entries in other fields. If more space is needed for any question, please attach additional sheets of paper.