

Instructions for completing  
**Waiver by Surviving Spouse**  
(NHJB-2498-P)

Form use RSA 560:10 allows a surviving spouse to waive the provisions of a will and also their homestead rights, and instead receive their statutory share of the deceased's estate as defined in this statute. This form is the notification to the court of that action.

Top part of form

- COURT NAME:** Enter the name of the county probate court where the document will be filed. (example: Belknap County Probate Court; Rockingham County Probate Court).
- CASE NAME:** Enter the name of the case. (Example: Estate of John Q. Adams or Guardianship of Susan Jones).
- CASE NUMBER:** Leave blank if not yet assigned by court OR fill in case number if it is known.

Numbered part of form.

1. Enter the **Surviving Spouse Name** and **Telephone** number of that person. The surviving spouse is the spouse of the deceased husband or wife in the case.
2. If there is an attorney helping you with this case, enter the **Attorney Name** and **Telephone** number for the attorney
3. **Deceased name** is the name of the person who died. Also fill in that person's **date of death** as it appears on the death certificate, and the street address, city or town and state of their last legal residence.
4. Enter the **Date of Marriage of the surviving spouse and the deceased.**

Signature section

**This form must be signed in the presence of a Notary Public or Justice of the Peace.** They will complete the section immediately following your signature. You will sign the form on the **Surviving Spouse Signature** line, and date it in the appropriate space to the left.

**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.**