

e-Filing in New Hampshire Circuit Court

OPENING AN ESTATE - WITH A WILL

- Electronic filing is mandatory for the estate process unless you request and receive an exception to e-Filing. Click here for Instructions about the e-Filing Exception process.
- Use caution when filing confidential information. See e-Filing Rules 11 and 12 and the Instructions for the Filing of Confidential Information.

How do I access e-Filing?

If you are working with an attorney, s/he will guide you on the next steps. If you are going to represent yourself in this action, go to the court's website: www.courts.state.nh.us, select the Electronic Services icon and then select the option for a self-represented party.

1. Click "E-File Here" to enter the e-filing application.
2. Click Sign up and follow the prompts. Save your password in a safe place.
3. After you sign up and login, click start now, next to *Wills and Estates– Start a New Case*.
4. At Where to File, select the county name and location where you want to file. Click next.
5. Follow the instructions and prompts on the screen to complete the filing.

Items listed below are needed to start this case type:

- Petition for Estate Administration form (This form is generated through the electronic filing pathway for self-represented parties. Lawyers must complete the form and upload it through their pathway)
- Original Will and all Codicils
Originals must be mailed to the New Hampshire Judicial Branch Administrative Offices, Attention: Electronic Filing Center, 1 Granite Place, Suite N400, Concord NH 03301.
- Certificate of Death (certified copy)
Originals must be mailed to the New Hampshire Judicial Branch Administrative Offices, Attention: Electronic Filing Center, 1 Granite Place, Suite N400, Concord NH 03301.

Other items that may be needed:

- Appointment of Resident Agent form is needed if you are the person requesting to be Executor and you are not a New Hampshire resident.
- Statement of Counsel as to Propriety of a Foreign Will/Codicil to be Admitted into Probate form is needed if the Will/Codicil being filed was written in another state or foreign country.
- Certification of Trust form is needed if an *intervivos* (living) trust is named as beneficiary in the will.
- Declination form is needed if the person named in the Will as Executor does not want to be appointed Executor of the Estate.
- If the Estate value is over \$25,000.00, the court will require that the Executor post a corporate surety bond which will need to be mailed to the New Hampshire Judicial Branch Administrative Offices.

How much will this cost?

- Estate with a value of \$10,000.00 or less - **Total filing fee of \$130.00**
- Estate with a value of \$10,001.00 up to \$25,000.00 - Filing fee \$130.00 + Publication fee of \$30 = **Total filing fee of \$160.00.**
- Estate with a value over \$25,000.00 - Filing fee of \$240.00 + Publication fee of \$30 = **Total filing fee of \$270.00.**

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What happens next?

- The petitioner must mail the original will and original certificate of death to the New Hampshire Judicial Branch Administrative Offices.
- The court will send Notice to all beneficially interested persons and entities after all required documents have been filed and received at the Electronic Filing Center.
- If the estate value is over \$25,000.00, the court will require the Executor to post a corporate surety bond. You will need to contact an insurance agency if a bond is required. The original bond must be mailed to the New Hampshire Judicial Branch Administrative Offices.
- A Certificate of Appointment and related information will be issued after the court allows the will, grants the petition and approves the bond.
- Inventory of Fiduciary form must be filed within 90 days from the date you are appointed as Executor. (Form is generated through the self-represented pathway or completed and uploaded through the attorney pathway)

What happens in the future?

All estates must remain open for a minimum of six months.

2 Options for filing after 6 months has gone by since appointment of Executor

- Motion for Summary Administration and Assents for Summary Administration may be filed to close the estate if the requirements are met. See form and instructions for detail. There is a filing fee.

OR

- Executor/Administrator's Accounting form must be filed a year from the date you are appointed as Executor. The Executor must file this form each year the estate remains open. There is a filing fee.

**If you have questions regarding this process, please contact the Information Center at
1-855-212-1234.**

**BE SURE TO NOTIFY THE COURT IF YOUR ADDRESS AND EMAIL ADDRESS CHANGES.
FAILURE TO DO SO COULD RESULT IN THE ISSUANCE OF ORDERS AGAINST YOU OR
WITHOUT YOUR INPUT.**