

e-Filing in New Hampshire Circuit Court

TEMPORARY ADMINISTRATION RELATIVE TO OBTAINING MEDICAL RECORDS

- 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.

NOTE: In some cases, a review of a decedent's medical records is sought where there are no assets currently requiring probate. Under RSA 560:22, a surviving spouse may obtain this information directly from the health care providers without any type of probate administration. In cases, where the surviving spouse is not the person requesting the records, the following procedure shall apply for seeking to obtain the decedent's medical records:

Items listed below are needed to start this case type:

- Petition for Temporary Administration to Determine Assets OR Obtain Medical Records form (This form is generated through the electronic filing pathway for self-represented parties. Lawyers must complete the form and upload it through their electronic filing pathway.)

The petition must include an explanation as to why the petitioner feels they have standing to request these records and a brief explanation as to why the records are being sought. Petitioner must also identify the hospitals and/or physicians from which the medical records are requested.
- Original Will and any codicils (amendments to the Will), if in the petitioner's possession
Originals must be mailed to the New Hampshire Judicial Branch Administrative Offices, Attention: Electronic Filing Center, 1 Granite Place, Suite N400, Concord NH 03301.
- Original Certificate of Death, if in the petitioner's possession
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 Administrator and not a New Hampshire resident.

How much will this cost?

- There is no filing fee

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What happens next?

- If the death certificate and Will are in the petitioner's possession, they must be mailed to the New Hampshire Judicial Branch Administrative Offices.
- If the Petition is granted, the court will issue a Certificate of Appointment of Temporary Administrator. The petitioner will only be appointed for the purpose of obtaining the decedent's medical records and will not be given any additional authority to receive or to administer estate assets. This appointment will expire sixty (60) days from the date of the judge's order.
- Case will be closed after the Certificate of Temporary Administration is issued. If petitioner files a motion for extension of time within the initial sixty (60) day timeframe, a new certificate shall be issued without the necessity of reopening the file.

**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.**