

e-Filing in New Hampshire Circuit Court

INSOLVENCY

- 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, if you have not previously signed up.
3. After you login, click start now, next to *Wills and Estates – File into an Existing 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.

Insolvency Process

If the court finds that an estate does not have enough assets to pay the debts of the deceased and the bequests in the will, RSA 554:19-b allows a more simplified process to administer the estate. After a Petition for Estate Administration is filed, the following may occur:

Items needed listed below are needed to start this process within estate:

- The Administrator may file a Motion to Determine that an Estate is Insolvent. The motion is generally filed after appointment is made and the Executor/Administrator has determined that the estate debts are greater than the assets.

How much will this cost?

No additional fee will be assessed.

What happens next?

Beneficially interested persons have 10 days to file an objection. If there is no objection, the court may rule on the motion without a hearing once the 10 days have passed.

If the motion is granted, the probate court may waive the filing of an inventory (if not already filed) and/or waive the filing of accounts.

What happens in the future?

- No sooner than six months after appointment as the estate administrator, the Administrator shall file a Motion for Distribution of Insolvent Estate. Proposed payment of claims, as listed on the motion, shall be made in accordance with RSA 554:19, which is detailed in the instructions for the form.

Beneficially interested persons have 30 days to file an objection to the Motion for Distribution of Insolvent Estate. If there is no objection, the court may rule on the motion without a hearing once 30 days have passed from the date of filing the motion. Court staff should issue a Notice of Decision.

- No sooner than 30 days after the Notice of Decision has been issued on the motion, the Administrator shall distribute the estate in accordance with the motion and file with the court the Statement of Administrator Regarding Distribution of Insolvent Estate.

e-Filing in

New Hampshire Circuit Court

After the Statement has been signed by the court, court staff shall send notice of decision to the administrator. At the same time, court staff shall discharge the bond (if applicable) and close the estate.

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.