

STATE OF NEW HAMPSHIRE

PROBATE COURT

ADMINISTRATIVE ORDER 6

RELATIVE TO: Parties Appearing of Record in Guardianship and Custodianship Cases Pursuant to RSA chapters 463, 463-A, 464 and 465

Guardianships of Minors Pursuant to RSA ch. 463

Guardians of a minor under RSA 463 are required to provide a copy of accounts as required in RSA 463:19-a.

If the fiduciary files assents (Form NHJB-2121-P) from all beneficially interested persons as defined in RSA 550:12, the account may be approved earlier than 30 days after the date the account is filed in the probate court, at the discretion of the court.

Custodianships of Minors Pursuant to RSA ch. 463-A

Whenever a fiduciary who is a custodian of a minor pursuant to RSA 463-A, files an account in the probate court, the fiduciary shall contemporaneously forward a copy of the account to all persons as required in RSA 463:19-a.

If the fiduciary files assents (Form NHJB-2121-P) from all beneficially interested persons as defined in RSA 550:12, the account may be approved earlier than 30 days after the date the account is filed in the probate court, at the discretion of the court.

Guardianships of Incapacitated Persons Pursuant to RSA ch. 464-A

RSA 464-A:36, III requires a guardian of the estate of an incapacitated person to forward a copy of the account and a notice regarding the account's approval to the ward and to "all parties appearing of record."

Whenever a guardian of an incapacitated person files an account in the probate court, the guardian shall contemporaneously forward a copy of the account to only those who have filed a written appearance with the probate court in the case. The

phrase “all parties appearing of record” as provided in the statute should not be equated with either “interested person,” as defined in RSA 464-A:2, XIII.

Guardianships of Incompetent Veterans Pursuant to RSA ch. 465

Whenever a fiduciary who is a guardian of a veteran pursuant to RSA 465 files an account in the probate court, the fiduciary shall contemporaneously forward a copy of the account to all parties appearing of record. In addition, RSA 465:9 requires that accounts also be sent to the appropriate Department of Veteran’s Affairs Office.

If the fiduciary files assents (Form NHJB-2121-P) from all beneficially interested persons as defined in RSA 550:12, the account may be approved earlier than 30 days after the date the account is filed in the probate court, at the discretion of the court.

Last Reviewed: August 1, 2007

_____ /s/ David D. King
David D. King
Administrative Judge of Probate Court

History:

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