

Service Center
New Hampshire Circuit Court

TRUSTS
(Testamentary, Special Needs)

Items listed below are needed to start this type case:

- Petition for Trustee form (NHJB-2138-P)

Other items that may be needed:

- Appointment of Resident Agent form (NHJB-2120-P) is needed if you are the person requesting to be Trustee and not a New Hampshire resident.
- Declination form (NHJB-2123-P) is needed if the person named in the Will or the Trust document as Trustee does not want to be appointed Trustee of the Trust.
- Death Certificate is needed if the person named in the Will or the Trust document as Trustee is deceased
- Photo identification may be required.

How much will this cost?

- Filing fee of **\$180.00**

What happens next?

- The court may require that the trustee file a bond. If so, you will need to file a Fiduciary Bond form (NHJB-2137-P) if a personal bond without sureties is required. You will need to contact an insurance agency if a bond with sureties is required.
- A Certificate of Appointment of Trustee will be issued after the court approves the bond.
- Inventory of Fiduciary form (NHJB-2125-P) must be filed within 90 days from the date you are appointed as Trustee.
- Trustee's Accounting form (NHJB-2118-P) must be filed within one year from the date you are appointed as Trustee. The Trustee must file this form each year the Trust remains open.

NOTE that in some testamentary trust cases an accounting may be waived. See RSA 564.

**Forms and Instructions are available at any NH Circuit Court – Probate Division
or at**

www.courts.state.nh.us/probate