

Court Service Center

New Hampshire Probate Courts

Opening an Estate - With a Will Waiver of Administration - Date of Death on or after January 1, 2003

Items listed below are needed to start this type case:

- Petition for Estate Administration form **(NHJB-2145-P)**
- Legatees and Devisees - Estate with Will form **(NHJB-2150-P)**
- Original Will and all Codicils
- Certified Copy of the Death Certificate

Other items that may be needed:

- Appointment of Resident Agent form **(NHJB-2120-P)** is needed if you are the person requesting to be Administrator and not a New Hampshire resident.
- Certification of Trust form **(NHJB-2634-P)** if there is reference to an inter vivos trust in the will.
- Affidavit of Counsel as to Propriety of a Foreign Will/Codicil to be Admitted into Probate form **(NHJB-2146-P)** is needed if the Will/Codicil being filed was written in another state or foreign country.
- Photo identification may be required.

How much will this cost?

- Estate with a value of \$10,000.00 or less - **Total filing fee of \$90.00**
- Estate with a value of \$10,001.00 up to \$25,000.00 - Filing fee \$90.00 + Publication fee \$_____ = **Total filing fee of \$_____.**
- Estate with a value over \$25,000.00 - Filing fee of \$180.00 + Publication fee \$_____ = **Total filing fee of \$_____.**

What happens next?

- A Certificate of Appointment will be issued after the court approves all the documentation you have filed to start this case type.
- Notice to Surviving Spouse, Legatees, Heirs at Law and Return of Notice form **(NHJB-2127-P)** must be filed no later than 90 days from the date you are appointed as Executor.
- Waiver of Administration Affidavit form **(NHJB-2144-P)** must be filed within 6 months to a year from the date you are appointed as Administrator.

**Forms and Instructions are available at any NH Probate Court
or at:**

www.courts.state.nh.us/probate