

e-Filing in New Hampshire Circuit Court

FILING A PETITION OF GUARDIAN TO PAY DEBTS AND DISPOSE OF DECEASED WARD'S FUNDS

(MAY ALSO APPLY TO REPRESENTATIVE PAYEE ACCOUNTS)

- 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.

Items listed below are needed to start this case type:

- If the balance in deceased ward's accounts is \$5,000 or less, a Petition of Guardian to Pay Debts and Dispose of Deceased Ward's Funds may be filed in the Circuit Court-Probate Division having jurisdiction over the guardianship, (NOTE: This filing will create an estate case).
- Original will and any codicils (if decedent had a will, and it is in the petitioner's possession) must be mailed to the Estates Electronic Filing Center, 2 Charles Doe Drive, Suite 2, Concord NH 03301.

How much will this cost?

- There is no filing fee.

Other information

- Any guardianship over the estate final accounting must be filed and approved in the guardianship case prior to a Petition of Guardian to Pay Debts and Dispose of Deceased Ward's Funds being filed.
- The balance in the deceased ward's accounts must be \$5,000 or less.
- Petition may be filed only if no one else has filed for estate administration under RSA 553 in the county where the guardianship case is filed.
- If there is no guardianship case and the entity/person was representative payee, the petition will be filed in the county where the decedent last resided.
- It is the petitioner's responsibility to send a copy of the petition to DHHS Estate Recoveries if there is a balance owed to DHHS in question 5 on the form.
- See RSA 464-A:40,V for further information.

What happens next?

- The court will not take action until at least 30 days after the Petition has been filed.
- No hearing will be scheduled unless the filer requests a hearing.

**If you have questions regarding this process, please contact the Information Center at
1-855-212-1234.**