

# **RESPONSIBILITIES OF EXECUTOR**

## **NOTICE OF PROBATE OF WILL (PURSUANT TO R 4:80-6):**

Within 60 days after the date of the probate of a Will the Executor shall notify all next of kin and beneficiaries under the Will.

- \* \* \* These beneficiaries and next of kin are to be notified at their last known address.
- \* \* \* Said notice to be in writing.
- \* \* \* Indicate *your* name, address and a statement that a copy of the Will shall be furnished upon request.
- \* \* \* Within 10 days of completing the above, a proof of mailing (copy of letter sent and Post Office receipt of mailing), is to be filed with the Sussex County Surrogate Court. A filing fee of \$5.00 per page is due and payable to the *Sussex County Surrogate*.

**NOTE:** If the names or addresses of any next of kin and beneficiaries are not known or cannot be reasonably determined, then a notice of probate of the Will shall be published in the newspaper of general circulation in the County, naming or identifying those persons as having a possible interest in the probate estate.

**NOTE:** If the Will indicates a present or future charitable use or purpose, like notice and a copy of the Will shall be mailed to the Attorney General.

Office of the Attorney General  
Hughes Justice Complex  
Po Box 080  
Trenton, New Jersey 08625

**FEE: The check for the \$5.00 per page fee should be made payable to the *Surrogate of Sussex County*. If fee receipt requested, provide a stamped, self-addressed, legal sized envelope.**

**Gary R. Chiusano  
Sussex County Surrogate  
3 High Street, Suite 1  
Newton, New Jersey 07860**

## GUIDELINES FOR EXECUTOR

**If you have just probated a Will and have been named Executor, you may be asking yourself the question, “What do I do next?” Here are some basic guidelines.**

1. The Executor is responsible for gathering all assets of the estate. An estate checking account may be opened from which bills are paid. It will be necessary to secure a Federal ID number for the estate. You can call the IRS at 800-829-1040 or go to IRS.gov and search EIN for an ID number.
2. The Executor is responsible to pay debts from the decedent’s assets. This may include funeral expenses, last illness expenses, all bills, inheritance and estate taxes, and administrative expenses.
3. The Executor is responsible for filing appropriate State and Federal tax forms as applicable, and forwarding any tax payments due.
4. The Executor shall be able to prepare an accounting of the estate assets, disbursements and proposed distribution.
5. The Executor has the obligation to distribute the net estate in a timely manner, in accordance with the terms of the will.
6. For commission information refer to NJSA 3B: Chapter 18, Articles 1, 2, 3, 4.
7. An Executor is required by law to initiate a child support enforcement order for any Beneficiary receiving in excess of \$2,000.00 prior to distribution of any money to the beneficiary. The search shall be conducted by a private judgment search company that will certify results. ( ie. Charles Jones LLC at charlesjones.com or 800-792-8888 or 609-538-1000)
8. Refer to NJSA 3B:23-24: Prior to the distribution, each beneficiary shall execute a Refunding Bond and Release. Upon receipt of the executed document, the Executor distributes the inheritance. The original Refunding Bonds and Releases are filed with the Surrogate Court. The filing fee is \$10.00 for a one or two page Bond and \$5.00 for each additional page. If a fee receipt is requested, provide a stamped, self-addressed, legal sized envelope.) ***You are encouraged to seek legal counsel for guidance and questions.***

NOTICE OF PROBATE OF WILL

In the Matter of the Estate of

\_\_\_\_\_, Deceased:

TO BENEFICIARIES & NEXT OF KIN:

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

PLEASE TAKE NOTICE that the Will of \_\_\_\_\_

was probated in the Sussex County Surrogate Court, on

\_\_\_\_\_.

The undersigned executor will furnish you with a copy of said Will upon request.

**I do hereby certify to the following in compliance with R. 4:80-6:**

**1.** I am the executor under the Will of \_\_\_\_\_, deceased, **2.** I have mailed to all next of kin and to all beneficiaries named in the Will notice, sending them to their last known addresses, on (date) \_\_\_\_\_. **3.** If the names or addresses of any next of kin and beneficiaries were not known or not reasonably determined, then a notice of probate of the Will was published in the newspaper of general circulation in the County, naming or identifying those persons as having a possible interest in the probate estate and a copy of said notice is attached **4.** If the Will indicated a present or future charitable use or purpose, like notice and a copy of the Will was mailed to the attorney General of the State of New Jersey and is listed on the attached Notice of Probate.

Executor: \_\_\_\_\_

Executor: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Dated: \_\_\_\_\_