

**MONMOUTH COUNTY**  
**SURROGATE'S OFFICE**



**2007**

**Annual Report**

# MONMOUTH COUNTY SURROGATE'S OFFICE

## 2007 Annual Report

### Probate Section

*Estate and Probate Matters* - During 2007, this office processed the following:

Wills	2,231
Administrations (no will)	400
Affidavits of Surviving Spouse or Next of Kin (for small estates)	484
Testamentary Trusteeships	339
Guardianships of Minors	279
Guardianships of Incapacitated Persons	161

***Opening of Middletown Satellite Office*** – On May 22<sup>nd</sup>, we opened our third satellite office, in the Middletown Township Public Library. With the two other satellite locations in the Wall Township and Ocean Township Public Libraries, this enhances our ability to offer many of our services to county residents close to where they live. Because there is no charge to us for the use of these public facilities, and because we use existing personnel to staff these locations once a week, we are able to provide improved services at no additional cost to taxpayers.

***Publications*** – We updated and continue to distribute copies of “**A Citizen’s Guide to Wills, Trusts and Estates**” and “**A Personal Record.**” Printing of these booklets was done by our in-house county print shop, at a substantial saving over having them printed commercially.

***Office Improvements*** – We made low-cost improvements to our waiting room to create a more welcoming environment for visitors.

## *Court Section*

***Probate Court*** – In our role as deputy clerk for the NJ Superior Court, Chancery Division, Probate Part, our very busy Court Section handled the filing and processing of **626 new probate cases** and **206 motions and audits of accountings**. These cases include challenges to wills and to the appointments and duties of executors and administrators, appointments of conservators, applications to have persons declared incapacitated and to have guardians appointed to handle their affairs, and actions to compel accountings in estate and guardianship matters.

***Guardianships of Incapacitated Persons*** - The aging of our population, along with increased longevity, has contributed to a sizable increase in the number of applications for this type of guardianship. The **161 applications in 2007 is up from 117 the year earlier** – a nearly **38% increase!** Given projected demographic trends, these numbers are likely to continue to increase.

To assist the small number of individuals who pursue these applications without an attorney, we have developed a **Pro Se Packet for Guardianship Applications**. It includes background information on the statutes and court rules governing such matters, a copy of the relevant New Jersey Court Rules, and sample court pleadings. We will make this material available through our office and on our website, and have provided it to the library at the Monmouth County Court House, which receives requests for such information.

We have been working with staff from the Ocean County Surrogate's Office to develop an **improved follow-up system for guardianship inventories and accountings** ordered by the court.

***Adoptions*** - In the last court year, which extends from July 1, 2006 to June 30, 2007, our office handled the **adoption of 197 children**, up from 175 the year earlier. Of the 197, **104 were placed through DYFS**, which was **double** the number placed through that agency the year earlier. (Few people realize that DYFS is actually the largest adoption agency in the state.) There were also **18 adoptions of adults**.

We have **added information to our web page** on the various types of adoptions and the procedures involved.

We worked cooperatively with the Family Division of Superior Court and various other agencies on preparations for the very successful **Adoption Day** event in November, at which 23 children were adopted.

My Adoptions Clerk and I also attended meetings of **Children in Court**, which brings together court personnel and representatives of various agencies involved in assisting children and families in crisis.

***Surrogates Intermingled Trust Fund*** – Our Minors Clerk oversaw the administration of **925 bank accounts** of minors totaling **\$24,563,413**. This money is deposited with the Surrogate's Office as a result of bequests to minors or monies awarded to minors through judgments or settlements of lawsuits.

There were **279 guardianships of minors** added during 2007, **136 orders for final withdrawal of funds** by persons turning 18, and **241 petitions** to Superior Court for use of funds from minors' accounts.

In November, we distributed informational packets **seeking proposals for the deposit of Surrogates Intermingled Trust Funds** to 18 banks. We received **8 proposals** and submitted them to Monmouth County Assignment Judge Lawrence M. Lawson to determine the best options for investment of the minors' funds. **North Fork Bank** was selected as the primary depository for a one-year period at a **fixed rate of 4.80%**, **Investors Savings Bank** is the secondary depository for one year at a **4.24% fixed rate**, while **OceanFirst Bank** is the tertiary depository for one year at a **variable rate with a 4.10% minimum**.

### **Records Section**

***Electronic Scanning*** - The staff in our Records Section performed the **electronic scanning of thousands of pages of documents** related to all of the above matters as part of the permanent retention of these court records. They also **worked with title searchers and genealogists** who visit our office to review various probate records on our computers and obtain copies. These records date back to the late 1700's.

***Microfilming Old Records*** - We worked cooperatively with the staff of the Monmouth County Archives to **compile a comprehensive inventory of all Surrogate's records in our possession and at the County Archives**, including original books, microfilm and microfiche records. We identified 171 books being stored at the Hall of Records that have already been microfilmed and moved them to County Archives for permanent storage. We also identified books at the Hall of Records that have never been microfilmed and are about to **begin the copying of these original record books by County Archives**, as required by the NJ Division of Archives and Records Management.

## *Administration*

***Finance*** – Our annual audit was successful, with no recommendations for improvements offered by the auditors.

**Total fees brought in by Surrogate’s Office during 2007: \$767,184.69**

***Web Page*** – We have updated and added information to the Surrogate’s web page, including material on Adoptions and the Probate Courts.

***Personnel*** – As I began my tenure in the Surrogate’s Office, I **reviewed all job titles and functions** and requested changes as appropriate. The number of employees in the Surrogate’s Office during the year has remained unchanged at 20.

In an effort to **enhance the training of our staff**, I brought several employees to seminars on guardianships and trust and estate matters conducted by the Institute of Continuing Legal Education.

***Professional Activities*** – I attended meetings of **Monmouth County Bar Association Probate Committee**; was the featured speaker at the annual statewide meeting of **Alpha Delta Kappa**, a sorority of education professionals; and participated in **Monmouth County League of Women Voters** “Running and Winning” event which brought together female elected officials with high school girls to encourage their participation in the political process and government.

**Submitted by**

***Rosemarie D. Peters, Esq.***  
***Monmouth County Surrogate***

January, 2008