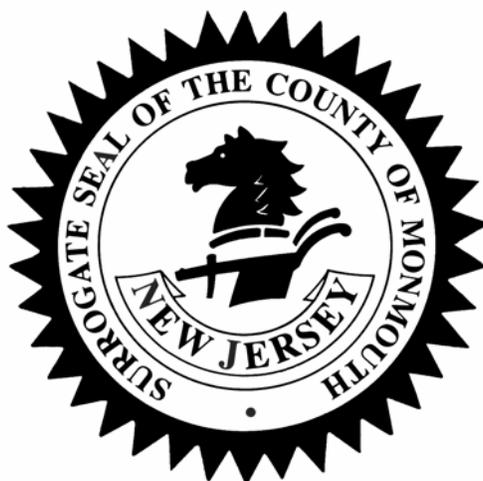


MONMOUTH COUNTY
SURROGATE'S OFFICE



2011

Annual Report

MONMOUTH COUNTY SURROGATE'S OFFICE

2011 Annual Report

Probate Section

Estate and Probate Matters - During 2011, this office processed the following:

Wills	2,411
Administrations (no will)	474
Affidavits of Surviving Spouse or Next of Kin (for small estates)	593
Caveats	63
Testamentary Trusteeships	178
Guardianships of Minors	126
Guardianships of Incapacitated Persons	168

The number of **estates** handled was **up 4% over last year**. **Guardianships of minors** were **down a significant 40%** from the prior year. The number of **testamentary trusteeships** continued to increase, **up 18.7%** over the prior year. At the same time, the number of **guardianships of incapacitated persons** went **down 16.8%, from 202 to 168**.

In addition, **3,570 searches, miscellaneous filings, and requests for updated certificates and certified and exemplified copies of documents** were handled, a **22.4% increase** over the prior year.

Satellite Offices – Our three satellite locations in the public libraries in **Middletown, Ocean, and Wall Townships** continue to offer many of our services to county residents close to where they live. Visits to these offices jumped **15.3%** in 2011. We served **894 families** at these locations, which represents **20% of our total visits**, the remainder being at our Freehold office. We served **290 families** at the **Wall** satellite, **341 in Middletown**, and **263 in Ocean**. These totals don't include individuals who used the locations to drop off documents or to inquire about our procedures.

Because there is no charge to us for the use of these public facilities, and because we use existing personnel to staff each location once a week, we are able to provide improved access to our services at no additional cost to taxpayers.

Superior Court Section

Probate Court – In our role as deputy clerk for the NJ Superior Court, Chancery Division, Probate Part, our busy Court Section handled the filing and processing of **471 new probate cases, 187 motions, and 27 miscellaneous filings**. New probate cases filed in 2011 were **down slightly by 17 cases** over the prior year, reversing a six-year trend of increases. 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.

During 2011, **59 formal accountings in both guardianship and estate matters** were filed in Superior Court and audited by the Surrogate's Office. An additional **89 informal accountings and 56 inventories** were also filed, for a **total of 204 financial reportings** handled by our office. Because of the effective follow-up system now in place, this represents a **27% increase** in the number of such filings.

Guardianships of Incapacitated Persons - The aging of our population, along with increased longevity, has contributed to a sizable number of applications for this type of guardianship. **168 filings were processed by this office in 2011** for declarations of incapacitation and appointments of guardians in the Superior Court. The total includes both incapacitated (primarily elderly) and developmentally disabled adults. Given projected demographic trends, the numbers for incapacitated elderly persons are likely to continue to increase. There are currently about 1,500 active guardianships under the supervision of the court.

Improved Follow-Up System - Because of the growing numbers of guardianships and the financial reporting requirements imposed by the Superior Court, we have instituted an **improved follow-up system for guardianship inventories and accountings** to better track the handling of the assets of incapacitated persons. Our follow-up measures have resulted in an **87.8% overall compliance rate** in 2011. The **greatest improvement since we instituted the system was seen in the filing of inventories**, which provide a baseline of an individual's financial assets at the start of the guardianship against which future accountings must be compared.

Pro-Se Packets - We continue to distribute copies of the **Pro Se Packet for Guardianship Applications** developed by this office to assist those applicants who wish to proceed without an attorney. The packet includes background information on the statutes and court rules governing such matters and sample court pleadings. The packet is also available through the Monmouth County Court House Law Library.

Adoptions - In the last court year, which extends from July 1, 2010 to June 30, 2011, our office handled the **adoption of 138 children**, of which 47 were adopted through the NJ Division of Youth and Families. This is **up from 115 children** adopted in the prior year, a **20% increase**. There were also **9 adoptions of adults**.

Adoption Day - 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 **39 children were adopted**.

Adoption Records Scanning - With our new computer imaging system now in place, our Adoptions Clerk is able to scan all adoption case file documents quickly at her desk when the adoption is concluded. The digital images can then be transferred easily onto microfilm by our Monmouth County Archives staff for permanent retention, as required by the courts and the Division of Archives and Records Management. This procedure will save untold hours in the future for the Archives staff, who previously had to microfilm accumulated records periodically from hard copy files.

Implementation of Statewide Adoption Computer System - Because of her many years of experience, our Adoptions Clerk was invited to participate in several user-testing sessions held by the NJ Administrative Office of the Courts as they developed a new statewide computer system for adoptions.

Surrogates Intermingled Trust Fund – Our Minors Clerk oversaw the administration of **over 650 bank accounts** of minors and incapacitated persons totaling **\$25,674,715**. This money is deposited with the Surrogate's Office as a result of bequests to minors or incapacitated persons or monies awarded through judgments or settlements of lawsuits.

There were **126 guardianships of minors** added during 2011, **149 orders for final withdrawal of funds** by persons turning 18, and **180 petitions** to Superior Court for partial use of funds from minors' accounts.

Records Section

Online Record Search - In 2011, we added a limited Record Search capability to our website. Users may search the Probate Index from 1991 to the present by name or docket number and can use that information to request copies of documents from those files.

Digitization of the Russell Index - The Russell Index is a multi-volume compilation of identifying information about most of the procedures handled in the Surrogate's Office from the earliest records through 1990. Until 2011, the index was only accessible by consulting the original volumes or by viewing images of each page on a computer screen. In 2011, we completed the digitization of all information contained in this extensive source, a significant step towards the computerization of all Surrogate's records.

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 mandated 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 continue to work cooperatively with the staff of the **Monmouth County Archives** to **microfilm various records** for permanent retention, as required by the NJ Supreme Court and 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 2011: \$858,349.

Personnel –The number of employees in the Surrogate's Office during the year has remained unchanged at 20.

Professional Activities – I have continued to serve as a member of the **New Jersey Supreme Court's Judiciary-Surrogate Liaison Committee**. In September, I was elected **Vice President of the Constitutional Officers Association of New Jersey (COANJ)**, as well as **Section Chief of the Surrogates Section**.

I attended meetings of the **Monmouth County Bar Association and their Probate Committee**, and also attended professional educational conferences given by the **NJ State Bar Association's Institute for Continuing Legal Education**.

Speaking Engagements - I spoke to over fifty groups all over the county regarding wills and estates. These included many senior clubs and communities, retiree and veterans groups, fraternal and religious organizations, accountants, attorneys, and talks at public libraries. My Deputy Surrogate and I attended various **senior health fairs** to distribute information and respond to questions. I also participated in the **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.

Publications – We continue to distribute copies of our two publications, “**A Citizen’s Guide to Wills, Trusts and Estates**” and “**A Personal Record.**” Printing of these booklets is done by our in-house county print shop, at a substantial saving over having them printed commercially. I also developed a one-page checklist of “**Probate Do’s and Don’ts**” to distribute.

Submitted by

Rosemarie D. Peters, Esq.
Monmouth County Surrogate

April, 2012