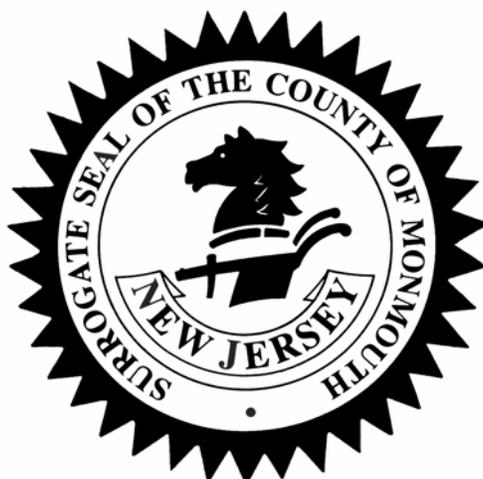


MONMOUTH COUNTY
SURROGATE'S OFFICE



2012

Annual Report

MONMOUTH COUNTY SURROGATE'S OFFICE

2012 Annual Report

Probate Section

Estate and Probate Matters - During 2012, this office processed the following:

Wills	2,264
Administrations (no will)	505
Administrations Ad Prosequendum	44
Affidavits of Surviving Spouse or Next of Kin (for small estates)	619
Caveats	47
Testamentary Trusteeships	154
Guardianships of Minors	109
Guardianships of Incapacitated Persons	167

The number of **estates** handled was **down slightly over last year**. **Guardianships of minors** were **down 15%** from the prior year. The number of **testamentary trusteeships** was **down 13.4%** from the prior year. The number of **guardianships of incapacitated persons** remained level with the year before.

In addition, **3,490 searches, miscellaneous filings, and requests for updated certificates and certified and exemplified copies of documents** were handled.

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. We served **880 families** at these locations, which represents **20% of our total visits**, the remainder being at our Freehold office. We served **326 families** at the **Middletown Township** satellite, **297 families** in **Wall Township**, and **257** in **Ocean Township**. 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 **416 new probate cases, 191 motions, and 9 miscellaneous filings**, down slightly from the year before. 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 2012, **57 formal accountings in both guardianship and estate matters** were filed in Superior Court and audited by the Surrogate's Office. A total of **261 inventories and accountings** were ordered by the court in 2012, a **17% increase** over the prior year. In addition, **155 Annual Well Being Reports** were filed by Guardians and reviewed by this office.

Guardianships of Incapacitated Persons - The aging of our population, along with increased longevity, has continued to generate a sizable number of applications for this type of guardianship. **167 filings were processed by this office in 2012** 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 **1,600 active guardianships** under the supervision of the court in Monmouth County.

Improved Follow-Up System - Because of the growing numbers of guardianships and the reporting requirements imposed on guardians by the Superior Court, we have instituted an **improved follow-up system for guardianship inventories, accountings and annual well-being reports** to better track the handling of the assets and care of incapacitated persons. Our follow-up measures have resulted in an **over 90% overall compliance rate** in 2012.

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, 2011 to June 30, 2012, our office handled the **adoption of 135 children**, of which 46 were adopted through the NJ Division of Youth and Families. 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 **21 children were adopted**.

Adoption Records Scanning - Our Adoptions Clerk continues to scan all adoption case file documents at her desk as soon as an 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 saves untold hours for the Archives staff, who previously had to microfilm accumulated records from hard copy files.

Statewide Adoption Computer System - Enhancements have continued to be made by the NJ Administrative Office of the Courts to their statewide computer system for adoptions, and training in these changes was provided to our staff.

Surrogates Intermingled Trust Fund – Our Minors Clerk oversaw the administration of **over 670 bank accounts** of minors and incapacitated persons totaling **\$25,280,931**. 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 **109 guardianships of minors** added during 2012, **100 orders for final withdrawal of funds** by persons turning 18, and **148 petitions** to Superior Court for partial use of funds from minors’ accounts.

Records Section

Online Record Search and Digitization of the Russell Index - Over the past few years, we have 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. In addition, the Russell Index, a multi-volume compilation of identifying information about most of the procedures handled in the Surrogate’s Office from the earliest records through 1990, has been digitized. This represents 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 2012: \$925,157.

Personnel –The number of employees in the Surrogate's Office during the year has remained unchanged at 20. Training was provided to our front-line supervisors by the county's Human Resources staff.

Professional Activities – I have continued to serve as a member of the **New Jersey Supreme Court's Judiciary-Surrogate Liaison Committee, and their Advisory Committee on Public Access to Court Records**. In September, I was **elected President of the Constitutional Officers Association of New Jersey (COANJ)**, an organization which includes County Clerks and Registers, Sheriffs and Surrogates from the state's twenty-one counties.

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 many groups all over the county regarding wills and estates. These included senior clubs and communities, retiree groups, fraternal and business organizations, financial planners, bankers, attorneys, and the staff of the Office of the Public Guardian for the Elderly. My Deputy Surrogate and I attended various **senior health fairs** to distribute information and respond to questions.

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. We also distribute copies of a one-page checklist of “**Probate Do’s and Don’ts**”.

Submitted by

Rosemarie D. Peters, Esq.
Monmouth County Surrogate

April, 2013