

MONMOUTH COUNTY
SURROGATE'S OFFICE



2017

Annual Report

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Probate Section

Estate and Probate Matters - During 2017, this office processed the following:

Wills	2,263
Administrations (no will)	487
Administrations Ad Prosequendum	62
Affidavits of Surviving Spouse or Next of Kin (for small estates)	797
Caveats	13
Testamentary Trusteeships	99
Guardianships of Minors	99
Guardianships of Incapacitated Persons	182

The number of **estates** handled and the other categories of services listed above remained level with last year. In addition to the more than **4,000** cases handled by our staff , **4,250 searches, miscellaneous filings, and requests for updated certificates and certified and exemplified copies of documents** were also processed. During the year, **over 25,000 phone calls were received** through our central telephone number and redistributed to appropriate individuals for response.

Satellite Offices –Our four satellite locations in the public libraries in **Middletown, Ocean, and Wall Townships** and in the **County Connection in Neptune** continue to offer many of our services to county residents close to where they live. We **served 744 families** at these locations, which represents **20% of our total visits**, the remainder being at our Hall of Records office in Freehold. We met with **203 families** at the **Middletown Township** satellite, **280 families in Wall Township, 104 in Ocean Township,** and **157 at the County Connection.** 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 **400 new probate cases, 191 motions, and 17 miscellaneous filings**. 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 2017, **32 formal accountings in both guardianship and estate matters** were filed in Superior Court and audited by the Surrogate's 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. **182 filings were processed by this office in 2017** 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 increase in years to come.

There are currently nearly 1,900 **active guardianships** under the supervision of the court in Monmouth County. Because of the growing numbers of guardianships and the reporting requirements imposed on guardians by the Superior Court, in 2009 we instituted a **rigorous 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. A total of **496 inventories and informal accountings**, as well as **391 Annual Well Being Reports** were filed by Guardians and reviewed by this office in 2017. Our follow-up system has produced a **95.4 % compliance rate** in filings required to be submitted by guardians. Further follow-up is conducted in cases of noncompliance, and consultation with the Probate Judge is held to determine possible solutions.

State Guardianship Monitoring Program - In 2014, the Administrative Office of the Courts (AOC) began implementing its ambitious statewide Guardianship Monitoring Program in Monmouth County. The first phase of the program was to capture information about all guardianships of incapacitated persons in the entire state in its database. Using volunteers trained and supervised by the AOC, the program tracks compliance by guardians with periodic reporting required on the welfare and finances of their wards. We worked with our Information Systems staff to install a computer in the Surrogate's Office for use by the volunteers, and Surrogate staff assist the volunteers by making files available to them for entry into the state computer system. The Monmouth Vicinage now has one of the most successful volunteer programs in the state and the

dedication of these individuals has moved this project along here at an unexpectedly fast rate. Over the past year, information on guardianships of incapacitated persons has begun to be added to the AOC's eCourts system. This part of the program is being done by staff from our office.

Adoptions - In the last court year, which extends from July 1, 2016 to June 30, 2017, our office handled the **adoption of 126 children**, of which 48 were adopted through the NJ Department of Children and Families, Division of Child Protection and Permanency. There were also **21 adoptions of adults, for a total of 147 adoptions.**

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 **14 children and 3 adults were adopted.** Of the total, **9 children were adopted through the NJ Department of Children and Families, Division of Child Protection and Permanency.**

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 Administrative Office of the Courts. 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.

Surrogates Intermingled Trust Fund – In 2017, our Minors Clerk oversaw the administration of **542 bank accounts** of minors and incapacitated persons totaling **\$25,937,366.86**, held in the Surrogate's Intermingled Trust Fund. This money is deposited with the Surrogate's Office as a result of bequests to minors or incapacitated persons, insurance proceeds, or monies awarded through judgments or settlements of lawsuits.

There were **99 guardianships of minors** added during 2017. Our office handled **115 orders for final withdrawal of funds** by persons turning 18 and **35 petitions** to Superior Court for partial use of funds from minors' accounts.

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 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 Revenue & Enterprise Services – Records Management Services (DORES).

Digitizing Microfiche - We continued with an ambitious several-year project involving digitizing over 80,000 microfiche of Surrogate's records and linking the digital images to our computer index. This first phase of our digitization of microfiche will be completed in 2018, allowing easy access on our Records Room computers to millions of images in case files from 1967 to 1992.

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 2017: \$880,827.31

Personnel – The number of employees in the Surrogate's Office has remained stable at 17.

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**. I also continue to serve as a member of the Executive Board 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.

Community Outreach - In 2017, I spoke to nearly 30 groups all over the county regarding wills and estates, powers of attorney, and advance health directives. These groups included senior and retiree clubs and communities, church groups, fraternal and business organizations, and attorneys. I was interviewed several times on Monmouth in Focus and also on Comcast Newsmakers.

Under the sponsorship of the Monmouth County Bar Association, Chancery Judge Patricia D. Cleary and I presented a continuing education seminar for attorneys on changes to the law governing guardianships of incapacitated persons. I was also a member of a panel at the Monmouth County Courthouse for Women's History Month, and was a speaker at the Monmouth Vicinage's Law Day program

I participated for the eleventh year in the Running and Winning program sponsored for high school students by several women's organizations. In addition, my Deputy Surrogate and I attended various **senior health fairs** to distribute information and respond to questions. I was a speaker and distributed information at the Monmouth County Office on Aging's Caregivers Retreat. I also participated in Mobile County Connection events in Ocean Township, Union Beach, Seabrook Village, and Manasquan, sponsored by the county's Constitutional Officers (with the County Clerk and the Sheriff) and also a Starlight for Veterans event at Monmouth University.

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,**” as well as information sheets on **powers of attorney** and **advance health directives**.

Submitted by

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Monmouth County Surrogate

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