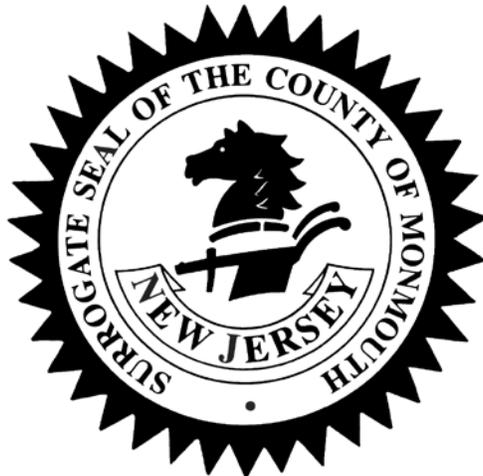


**MONMOUTH COUNTY**  
**SURROGATE'S OFFICE**



**2014**

**Annual Report**

# MONMOUTH COUNTY SURROGATE'S OFFICE

## 2014 Annual Report

### Probate Section

Estate and Probate Matters - During 2014, this office processed the following:

Wills	2,317
Administrations (no will)	535
Administrations Ad Prosequendum	42
Affidavits of Surviving Spouse or Next of Kin (for small estates)	673
Caveats	29
Testamentary Trusteeships	119
Guardianships of Minors	110
Guardianships of Incapacitated Persons	195

The number of **estates** handled changed little over last year. **Guardianships of minors decreased by 21 percent**, while **guardianships of incapacitated persons increased 25 per cent** from the year before.

In addition, nearly 4,000 **searches, miscellaneous filings, and requests for updated certificates and certified and exemplified copies of documents** were handled.

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 925 families** at these locations, which represents **26% of our total visits**, the remainder being at our Freehold office. This represents a **6% increase in the percentage of families served at the satellite offices versus those served in Freehold**. We met with **331 families** at the **Middletown Township** satellite, **295 families** in **Wall Township**, **139** in **Ocean Township**, and **160** 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 **414 new probate cases, 201 motions, and 9 miscellaneous filings**, down 2 per cent 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 2014, **42 formal accountings in both guardianship and estate matters** were filed in Superior Court and audited by the Surrogate's Office. A total of **381 inventories and accountings** were ordered by the court in 2014, a **21% increase** over the prior year. In addition, **280 Annual Well Being Reports** were filed by Guardians and reviewed by this office, a **22% increase** over the prior year.

**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. **195 filings were processed by this office in 2014** for declarations of incapacitation and appointments of guardians in the Superior Court, a 25% increase over the prior year. 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 **1,700 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, 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.

**State Guardianship Monitoring Program** - The Administrative Office of the Courts (AOC) began implementing its ambitious statewide Guardianship Monitoring Program in an attempt 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 has the largest number of volunteers in the state and their dedication has moved this project along at an unexpectedly fast rate.

**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, 2013 to June 30, 2014, our office handled the **adoption of 99 children**, of which 32 were adopted through the NJ Department of Children and Families, Division of Child Protection and Permanency. There were also **13 adoptions of adults, for a total of 112 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 **26 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 **549 bank accounts** of minors and incapacitated persons totaling **\$22,312,770**. 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 **110 guardianships of minors** added during 2014, a **17 percent decrease**. Our office handled **85 orders for final withdrawal of funds** by persons turning 18 and **79 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 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 2014: \$815,030.**

**Personnel** –The number of employees in the Surrogate's Office has remained at 19.

**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 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.

I participated in a presentation sponsored by the **New Jersey State Bar Association's Institute for Continuing Legal Education** and was interviewed on the county's **Monmouth in Focus** cable TV program.

**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, attorneys, and at the Monmouth County Connection. 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***

**August, 2015**