

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



**2016**

**Annual Report**

# **MONMOUTH COUNTY SURROGATE'S OFFICE**

## **2016 Annual Report**

### **Probate Section**

**Estate and Probate Matters** - During 2016, this office processed the following:

Wills	2,273
Administrations (no will)	489
Administrations Ad Prosequendum	41
Affidavits of Surviving Spouse or Next of Kin (for small estates)	711
Caveats	13
Testamentary Trusteeships	134
Guardianships of Minors	98
Guardianships of Incapacitated Persons	197

The number of **estates** handled and the other categories of services listed above remained level with last year. In addition to those 3,956 cases handled by our staff , nearly **4,500 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 788 families** at these locations, which represents **nearly 22% of our total visits**, the remainder being at our Hall of Records office in Freehold. We met with **236 families** at the **Middletown Township** satellite, **280 families** in **Wall Township**, **118** in **Ocean Township**, and **154** 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 **480 new probate cases, 127 motions, and 20 miscellaneous filings**, a 10.8% increase in new cases 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 2016, **47 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. **197 filings were processed by this office in 2016** for declarations of incapacitation and appointments of guardians in the Superior Court, the same number as in 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 increase in years to come. There are currently over **1,800 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 **366 inventories and informal accountings** a over the prior year. In addition, **391 Annual Well Being Reports** were filed by Guardians in 2016 and reviewed by this office, a 5% **increase** over the prior year. This system has produced a **95.8 % 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.

**Adoptions** - In the last court year, which extends from July 1, 2015 to June 30, 2016, our office handled the **adoption of 102 children**, of which 40 were adopted through the NJ Department of Children and Families, Division of Child Protection and Permanency. There were also **5 adoptions of adults, for a total of 107 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 **22 children and 2 adults were adopted**. Of the total, **12 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 2016, our Minors Clerk oversaw the administration of **610 bank accounts** of minors and incapacitated persons totaling **\$20,650,974** 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 or monies awarded through judgments or settlements of lawsuits.

There were **98 guardianships of minors** added during 2016. Our office handled **144 orders for final withdrawal of funds** by persons turning 18 and **39 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 began an ambitious project involving digitizing over 80,000 microfiche of Surrogate's records and linking the digital images to our computer index. When completed, this effort will allow 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 2016: \$882,116.73.**

**Personnel** –The number of employees in the Surrogate's Office has dropped to 17, down from 19 in the prior year.

**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

**Speaking Engagements** - In 2016, I spoke to over 40 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 also participated for the tenth year in the Running and Winning program sponsored for high school students by several women's organizations. My Deputy Surrogate and I attended various **senior health fairs** to distribute information and respond to questions. I participated in Mobile County Connection events in Long Branch, Tinton Falls, and Monmouth Mall, sponsored by the county's Constitutional Officers (with the County Clerk and the Sheriff) and also two Starlight for Veterans events at the Jersey Shore Outlet Mall and Freehold Raceway Mall.

**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**

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

**April, 2016**