



New Hampshire Senate Bill 134

Making Probate Administration Simpler

By: R. Carl Anderson

Hopefully, legislation will be adopted in the 2021 Session of the New Hampshire legislature which makes a much simpler probate administration process available to more estates.

Under Waiver of Administration, there is no requirement for an administrator to file a bond, an inventory, or an accounting.

Currently, Waiver of Administration is available only in certain specified circumstances. Senate Bill 134 would amend RSA 553:32 to permit Waiver of Administration with the assent of all of the beneficiaries named in a will or the assent of all of the heirs of a person who dies without a will. The chancery or probate court would also be given discretion to allow Waiver of Administration when appropriate.

Particularly if you have an older Will, we recommend that an attorney review its form, both under the current law and the proposed amendment. You may also wish to discuss how the probate process may be avoided entirely by use of a "funded" revocable trust.

We'll provide updates as SB 134 makes its way through the legislative process.



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