

RULE 4:96. Miscellaneous

4:96-1. Qualifications; Acceptances

Qualifications of executors and administrators and acceptances of trusteeship and guardianship may be taken outside this State under oath by any person before whom depositions may be taken under R. 4:12-2 and R. 4:12-3, and when the qualification of an executor or an administrator with the will annexed is taken outside this State, the will need not be annexed to the qualification. Such qualifications and acceptances may be taken within this State before any person authorized by the laws of this State to administer oaths.

Note: Source-R.R. 4:115-2; former R. 4:97-2 redesignated June 29, 1990 to be effective September 4, 1990.

4:96-2. Renunciations

A renunciation by any person named as a fiduciary in any will or other instrument or entitled to letters testamentary, of administration, guardianship or trusteeship, shall be acknowledged before an officer qualified to take acknowledgements of deeds, and shall be recorded by the Surrogate as the deputy clerk of the court.

Note: Source-R.R. 4:115-3; former R. 4:97-3 amended and rule redesignated June 29, 1990 to be effective September 4, 1990.

4:96-3. Money Judgments in the Chancery Division, Probate Part

When a money judgment is rendered by the Superior Court, Chancery Division, Probate Part, the proponent of the judgment may transmit the original, together with the fee prescribed by N.J.S.A. 22A:2-7, to the Clerk of the Superior Court for entry in the Civil Judgment and Order Docket pursuant to R. 4:101.

Note: Adopted July 11, 1979 to be effective September 10, 1979; caption and text of former R. 4:99-4 amended and rule redesignated June 29, 1990 to be effective September 4, 1990; amended June 28, 1996 to be effective September 1, 1996.

4:96-4. Notice to Surety

In any proceedings brought to review the conduct or performance of the duties of a bonded fiduciary, the party bringing the action shall give the surety notice of said motion or proceedings as in the case of an interested party.

Note: Adopted July 22, 1983 to be effective September 12, 1983; former R. 4:99-5 amended and rule redesignated June 29, 1990 to be effective September 4, 1990.

4:96-5. Bond From Corporate Fiduciary

No corporation appointed as fiduciary shall be required to give bond without surety or otherwise, except as provided by law.

Note: Source-R.R. 4:103-2; former R. 4:84-2 redesignated June 29, 1990 to be effective September 4, 1990.