

Index

ABANDONED OR UNCLAIMED PROPERTY

- Deposits in court, § 1738
- Distribution of estates
 - Actions, § 1881.40

ABSENTEE

- Probate of will, § 147

ACCOUNTS AND ACCOUNTING

- Auditing, § 1458
- Executors and administrators
 - Statutes, § 1345
- Fees, § 1542
- Jurisdiction, § 1447 et seq.

ACTIONS AND PROCEEDINGS

- Abandoned or unclaimed property, distribution of estates, § 1881.40
- Construction of will, Superior Court, § 298
- Elective share, recovery (Forms), § 2153-2157
- Order to compel production of will, § 1881.55

ADMINISTRATION

- Affidavit in lieu of administration where no surviving spouse, § 2347
- Affidavit of surviving spouse in lieu of administration, § 2349
- Consent of heirs where no surviving spouse, § 2348

ADMINISTRATION AD PROSEQUENDUM AND AD LITEM

- Generally, § 716 et seq.
- Accounts, § 1040.5

ADMINISTRATION OF ESTATES

- Administration Ad Prosequendum and Ad Litem, this index
- Limitation of actions, § 1270
- Nonresident's estates, § 719
- Presumption of death, § 718
- Principal and income statutes, § 441

ADMINISTRATION PENDENTE LITE

- Generally, § 714

ADMINISTRATORS

- Executors and Administrators, generally, this index

ADMINISTRATOR WITH WILL ANNEXED

- Form, § 708

ADOPTION

- Child Placement Review Act, § 1814.5
- Commencement of action, § 1807
- Inheritance rights
 - Termination, § 1816
- Judgments and decrees, § 1816
- Jurisdiction, § 1801
- Placement of person, § 1811.5
- Records, access, § 1818
- Venue, § 1804, 1806

ADVANCEMENTS

- Gifts, advancements not to be charged against beneficiaries under will (Form), § 4024.5

AFFIDAVITS

- In lieu of estate administration, § 2347, 2349
- Wills, signatures, § 4

AGED PERSONS

- Mentally deficient and mentally ill persons
 - Public guardian, § 776.5

ALIENS

- Availability of marital deduction for transfer to alien spouse, § 4009

ALLOWANCE

- Family, allowance to family pending probate, § 114

ALTERNATIVE DISPUTE RESOLUTION

- Provisions, § 303

AMBIGUITY

- Generally, § 197
- Blank in will as, § 197
- Parol evidence, § 197
- Patent and latent, § 197

ANATOMICAL GIFTS

- Statutes, § 5

ANIMALS, CARE OF

- Honorary trusts, § 537

ANNUITIES

- Wills
 - Duration, § 255

ANTENUPTIAL AGREEMENTS

- Form, § 4404
- Uniform Premarital Agreement Act, § 1662

INDEX

APPEAL AND REVIEW

- Certiorari probate proceedings
 - Appeal in lieu of certiorari, § 1906
- Probate proceedings
 - Superior court, § 1904
 - Surrogates court, § 1881.15
 - Decision, § 1881.25
 - Judgment, § 1900 et seq.

APPEARANCE

- Mentally deficient and mentally ill persons, § 761, 762

APPORTIONMENT OF ESTATE TAXES

- Charitable gift, § 291

ASSIGNMENTS

- Assignee as intervenor in will contest, § 417
- Dower and curtesy
 - Gross sum, § 1678

ASSIGNMENTS FOR BENEFIT OF CREDITORS

- Accounts and accounting
 - Actions, § 1447
- Appointment
 - Jurisdiction, § 1881.15
- Settlement of the estate
 - Actions, § 1881.35

ASSUMED NAMES

- Witness, § 50

ATTORNEYS

- Attesting witness, § 50
- Estate agenda of attorney, § 4403.1
- Mentally deficient and mentally ill persons
 - Action for appointment of guardian, § 756 et seq.
 - Alleged incapacitated person, § 759
 - Reports, § 2609.5
- Wills
 - Preparation by non-attorneys, § 81

ATTORNEYS FEES

- Wills
 - Construction of wills, § 302

AUDITS AND AUDITING

- Accounts and accounting, § 1458
- Fees, § 1542

BANK DEPOSITS AND COLLECTIONS

- Multiple party accounts
 - Disposition, § 26

BANKRUPTCY

Power of appointment
Property of the estate, § 644

BENEFICIARIES

Gifts, advancements not to be charged against beneficiaries under will (Form),
§ 4024.5
Principal and income statutes, § 445 et seq.

BLANK IN WILL

Ambiguity, § 197

BONDS (OFFICERS AND FIDUCIARIES)

Executors and administrators
Nonresidents, § 2070
Guardian ad litem
Name of surety on complaint, § 1460
Probate proceedings
Surrogates court, § 125
Spouse as administrator, § 796

CAPACITY TO MAKE WILL

Married woman, § 34

CEMETERY CARE

Validity of trust for, § 537

CERTIFIED MAIL

Order to show cause
Notice, § 1461

CHARGES

Action to enforce charges, § 270
Enforcement of charges, § 270
Evidence of charged legacies, § 270
Proof of charged legacies, § 270

CHARITABLE CORPORATIONS

Nonprofit Corporations, generally, this index

CHARITABLE GIFTS

Apportionment of death taxes, § 291
Trusts created by wills, § 517.5

CHARITABLE TRUSTS

Community trust for persons with severe chronic disabilities, § 511

CHARITIES

Estate tax apportionment favors, § 291
Probate proceedings
Notice to attorney general, § 121

CHILDREN AND MINORS

Action for sale of lands, § 1881.55

INDEX

CHILDREN AND MINORS—Cont'd

- Adoption, this index
- Establishment of parent-child relationship, § 1573
- Guardian and ward
 - Application, § 1881.10
 - Powers and duties, § 1070
- Inheritance when believed dead by testators, § 1570
- Irrevocable trust established for infant in order to secure \$11,000 exclusion, § 4030
- Judgments and decrees
 - Deposits in court, § 798
 - Guardians bond, § 799
 - Payment of proceeds, § 799
- Legitimation of illegitimate, § 1573
- Parent's right to custody, § 727
- Payment of proceeds of judgment, statute, § 799
- Real estate
 - Sales, § 1089
- Special medical guardian, § 747.5
- Structured settlements, § 798
- Support
 - Judgments, duties of executors and administrators in making distribution, § 1711.1
 - Obligation of parents, § 1078
- Surrogate courts
 - Proceeds of judgment, payment, § 798
- Uniform Transfers to Minors Act, § 1070, 1071
 - Nomination of custodian, § 411
- When entitled to proceeds of judgment held by surrogate, § 798

CHILDREN BORN OUT OF WEDLOCK

- Establishment of parent-child relationship, § 1573
- Legitimation, § 1573
- Wills
 - Equal protection of laws, § 244

CHURCH MASSES, CHARITABLE GIFT

- Generally, § 537

CLAIMS AGAINST DECEDENT'S ESTATE

- Former spouse, § 1034
- Spouse's claim for elective share, § 458

CLERKS OF COURT

- Fees, § 1542

COMMENCEMENT OF ACTIONS

- Accounts and accounting, § 1447
- Adoption, § 1807

COMMENCEMENT OF ACTIONS—Cont'd

Wills

Construction, § 299

COMMINGLING FUNDS

Fiduciaries, § 994

COMPENSATION AND SALARIES

Execution, spendthrift trusts, § 540.5

Fiduciaries

Investments, § 983

COMPETENCY, MENTAL

Witnesses to will, § 50

COMPLAINT

Probate proceedings

Endorsement, § 2062

Order to show cause, § 1884

Time of filing, § 1881.25

Verification of complaint relating to estates of decedents, § 3041.5

COMPROMISE AND SETTLEMENT

Claim against the estate

Action for approval, § 1881.55

Fiduciaries accounts

Actions, § 1881.35

Probate proceedings

Jurisdiction, § 1881.15

CONSENT

Consent of heirs where no surviving spouse, § 2348

CONSERVATORS

Appointment

Generally, § 782 et seq., 2550 et seq.

Jurisdiction, § 1881.15, 1881.30

Public guardian, § 776

CONSTITUTIONAL LAW

Probate proceedings, § 121

CONSTRUCTION OF WILL

Ascertainment of testator's intention, generally, § 196

Attorneys fees, § 302

Domestic Partnership Act, § 291.1

Habitual usage by testator of word in unusual sense, § 197

Instructions of testator to scrivener, § 197

Latent and patent ambiguities, § 197

Living will as evidence of declarant's intent concerning life-sustaining treatment,
§ 4031

Statements by testator of his intention, § 197

INDEX

CONSTRUCTION OF WILL—Cont'd

- Statements of memory, § 197
- Superior Court's jurisdiction, § 298
- Where jurisdiction has been retained over a cause, § 298

CONSTRUCTIVE TRUSTS

- Generally, § 545

CONTRIBUTION

- Entire controversy doctrine
- Probate proceedings, § 1881.60

COSTS

- Construction of wills, § 302

CRIMES AND OFFENSES

- Living wills, § 746.6

CROSS CLAIMS

- Entire controversy doctrine
- Probate proceedings, § 1881.60

CRUMMEY TRUST

- Forms of trusts, § 4014.1

DEATH

- Direction to family and physician, living will, § 4031
- Presumptions
 - Administration of estates, § 718
- Right of incompetent patient to make decision to refuse life-sustaining treatment, § 431, 1084

DEATH TAXES, PAYMENT

- Charities favored in apportionment, § 291

DEBTORS AND CREDITORS

- Administration of estates
 - Barring creditors, § 1320 et seq.

DECREES

- Judgments and Decrees, generally, this index

DEEDS AND CONVEYANCES

- Sale of real estate, § 1308

DEPOSITIONS

- Probate proceedings
 - Surrogates court, § 125

DESCENT AND DISTRIBUTION

- Augmented estate, spouse's elective share, § 460
- Children believed dead by testator, § 1570
- Estate tax return (Form), § 4021.1
- Gifts to minors, § 1070

DESCENT AND DISTRIBUTION—Cont'd

- Inheritance by spouse who married testator after execution of will, and is not provided for therein, § 1568
- Insolvency
 - Actions, § 1881.50
- Statutes, § 1562
- Verification for complaint relating to estates of decedents, § 3041.5

DEVELOPMENTALLY DISABLED PERSONS

- Guardian and ward, § 777.5

DEVICES

- Community trust for persons with severe chronic disabilities, § 511

DIE INTESTATE

- Die intestate or under age, meaning of, § 242

DIE WITHOUT ISSUE

- Die without issue or under age, meaning of, § 242

DISCLAIMER

- Gifts, disclaimer of gift made by will, § 4013.5
- Tax avoidance purpose, § 6, 399

DISCOVERY

- Entire controversy doctrine
 - Probate proceedings, § 1881.60

DISEASES

- Living wills, § 746.6

DISTRIBUTION OF ESTATES

- Generally, § 1
- Actions, § 1881.40
- Summary proceedings, § 1741 et seq.

DIVORCE

- Action, effect of elective share, § 458
- Entry of judgment nunc pro tunc, § 1566
- Judgment entered post death, § 1561, 1566
- Probate proceedings
 - Property settlement agreement, § 120
- Terms enforceable against estate, § 1034

DOMESTIC PARTNER

- Elective share in decedent's estate, § 458
- Spouses partners in a civil union
 - Elective share in decedent's estate, Statutes, § 459

DOMESTIC PARTNERSHIP ACT

- Impact, construction of will, § 291.1

DOMICILE AND RESIDENCE

- Change, § 294

INDEX

DOMICILE AND RESIDENCE—Cont'd

How acquired, § 294

Incompetent, § 294

Wills

Construction, § 294

DOWER AND CURTESY

Assignment to widow of a gross sum, § 1678

Devises in lieu of dower as affected by statute, § 288

Filing of written dissent necessary to secure dower, § 288

DRAFTING OF WILL

Mistakes correctable on probate of will, § 59

Mistakes in instructions to scrivener, § 197

DURESS AND COERCION

Living wills, § 746.6

ECONOMIC RECOVERY ACT OF 1981

Marital deduction, § 4010.5

ELECTIVE SHARE OF SPOUSE

Action, § 2153-2157

Effect of election on testamentary gift to spouse, § 464

Electing spouse's entitlement to income, § 460

Fractional share rather than pecuniary amount, § 460

Waiver of right of election, § 462

EMERGENCIES

Special medical guardian, § 747.5

END OF WILL

Witnesses' signatures, § 50

ENTIRE CONTROVERSY DOCTRINE

Probate proceedings, § 1881.60

EQUAL PROTECTION OF LAWS

Children born out of wedlock

Wills, § 244

ERRONEOUS WORDS

Correction on probate, § 59

ESCHEAT

Abandoned or unclaimed property, § 1738

Probate proceedings

Jurisdiction, § 1881.15

Sale of property subject to escheat to pay debts

Actions, § 1881.45

ESTATE OF DECEDENT

Descent and Distribution, generally, this index

ESTATES AND INTERESTS CREATED BY WILL

- Spouses partners in a civil union, or domestic partners elective share in decedent's estate
- Statutes, § 459

ESTATES AND TRUSTS

- Probate proceedings
- Notice to attorney general, § 121

ESTATE TAXES

- Estate tax return (Form), § 4021.1
- Exemptions, § 4501.1
- Marital Deduction, this index
- Unified credit, § 4010, 4021
- Wills
 - Reformation to avoid taxes, § 196

EVIDENCE

- Charged legacies, § 270
- Declaration of intention.
 - What is to be included in will, § 197
- Latent and patent ambiguities, § 197
- Statements by testator of intention as affecting will's construction, § 197

EXCESSIVE NUMBER

- Testamentary witnesses, § 50

EXECUTION

- Administration of estates
 - Insolvency, § 1341
- Wages
 - Spendthrift trusts, § 540.5

EXECUTORS AND ADMINISTRATORS

- Accounts and accounting
 - Actions, § 1447
 - Summary of account, § 2906.5
- Administration pendente lite, § 714
- Appointment
 - Application, § 681
- Construction of wills, § 293
- Distributions
 - Action to compel distribution, § 1747
 - Power given executor to distribute income and principal direct to beneficiaries during estate settlement, § 4008.2
- Later discovered will
 - Letters, § 706
- Letters
 - Application for probate, jurisdiction, § 1881.5
- Nonresidents
 - Bond, § 2070

INDEX

EXECUTORS AND ADMINISTRATORS—Cont'd

- Probate proceedings
 - Surrogates court, § 125
- Qualifications, § 689, 784 et seq.
- Renunciation
 - Notice, § 705
- Settlement of the estate
 - Actions, § 1881.35
- Temporary administration, § 711

EXEMPTIONS

- Estate taxes, § 4501.1

EXPENSES AND EXPENDITURES

- Fiduciaries
 - Delegation of power, § 995

FAMILY

- Allowance to, pending probate, § 114
- Living will, inter vivos direction to family and physicians, § 4031

FAMILY-OWNED BUSINESS

- Tax exclusion for, § 2007.1

FEES

- Probate proceedings, § 1542

FICTITIOUS NAME

- Witness' use of, § 50

FIDUCIARIES

- Accounts and accounting
 - Actions, § 1447
- Actions and proceedings, § 1108
- Delegation of power, § 995
- Executors and Administrators, generally, this index
- Guardian and Ward, generally, this index
- Instructions
 - Jurisdiction, § 1881.15
- Investments, § 983
- Renunciation, § 701
 - Jurisdiction, § 703
- Settlement of accounts
 - Actions, § 1881.35
- Trusts and Trustees, generally, this index
- Uniform Fiduciary Access to Digital Assets Act, § 988.5
- Voluntary discharge, § 982.9

FINANCIAL MAINTENANCE

- Incapacitated adults subject to prior chancery division, § 722.1

FINES AND PENALTIES

Living wills, § 746.6

FINGERPRINTING

Adoptive parents, § 1801

FORMER WILLS

Admissibility on construction, § 197

FORUM SHOPPING

Probate proceedings, § 1884.5

FUNERAL EXPENSES

Prepaid funeral expenses
Wills, § 233

GENERATION-SKIPPING TRANSFERS

Allocation of exemption from tax, § 4009.1
QTIP trust, allocation of exemption from tax, § 4009.6
Trust with zero inclusion ratio (Form), § 4026

GIFTS

Advancements not to be charged against beneficiaries under will (Form),
§ 4024.5
Disclaimer of gift made by will, § 4013.5
Insurance, real and personal property, § 4005.5
Organ donation, Uniform Anatomical Gift Act, § 5, 4002
Uniform Transfers to Minors Act, § 1070

GIFTS CAUSA MORTIS

Anatomical gifts, § 5

GRAVE

Trust for care of, § 537

GUARDIAN AD LITEM

Complaint
Name of surety, § 1460

GUARDIAN AND WARD

Accounts and accounting
Actions, § 1447
Appointment, § 682, 722, 767, 768
General guardian, § 733
Jurisdiction, § 1881.15, 1881.30
Renunciation, § 733
Children and minors
Application, § 1881.10
Powers and duties, § 1070
Discharge, § 1094.4
Excuse of ward's right to decline medical treatment, § 1084
Financial maintenance for incapacitated adults subject to prior chancery division,
§ 722.1

INDEX

GUARDIAN AND WARD—Cont'd

- Incapacitated adults subject to prior chancery division, financial maintenance, § 722.1
- Medical guardian, § 747.5
- Mental incompetence
 - Determining life sustaining care, § 1082
 - Nonresidents, ancillary guardianship, § 774
- Powers of guardian of the person, § 1094.3
- Public guardian
 - Elderly, § 776
 - Statute, § 777
- Settlement of the estate
 - Actions, § 1881.35
- Termination, § 1094.4

HEALTH CARE ACT

- Generally, § 746.6
- Living Wills, generally, this index

HEIRS

- Consent to administration where no surviving spouse, § 2348

HOLOGRAPHIC WILLS

- Probate for residents, § 121
- Testamentary intent required, § 41

HUSBAND AND WIFE

- Action for Elective Share (Forms), § 2153-2157
- Administrator's bond not required, § 796
- Affidavit of surviving spouse in lieu of administration, § 2349
- Divorce, this index
- Effect of instrument creating gift, § 440
- Former spouse, creditor of estate, § 1034
- Marital Deduction, this index
- Tenancy of entirety, statute, § 441

ILLEGITIMATE CHILD

- Children Born Out of Wedlock, generally, this index

IMMINENCE OF DEATH

- Direction to family and physician, living will (Form), § 4031

INCOMPETENTS

- Mentally Deficient and Mentally Ill Persons, generally, this index

INDEBTEDNESS

- Administration of estates
 - Priorities, § 1276 et seq.
- Escheat
 - Action for sale of property subject to escheat to pay estate debts, § 1881.45
- Monies received in foreclosure
 - Payment, § 1881.55

INDEMNITY INSURANCE

- Probate proceedings
- Attorneys fees, § 302

INFANTS

- Children and Minors, generally, this index

INSOLVENCY

- Administration of estates, § 1339 et seq.
- Estates of decedents, actions, § 1881.50
- Notice of filing of account, inventory and report, time and place of application to have estate adjudged insolvent, § 2434
- Notice to creditors to present claims against estate, § 2422
- Order to limit creditors, § 2421
- Probate proceedings
 - Jurisdiction, § 1881.15
- Proof of publication of notice, § 2423
- Report of claims, account of personal estate and inventory of real estate, § 2433

INSTRUCTION BY TESTATOR TO SCRIVENER

- Proof of inadmissible, § 197

INSURANCE

- Bequest of real and personal property insurance, § 4005.5
- Probate proceedings
 - Attorneys fees, § 302

INTANGIBLE PROPERTY

- Gifts to minors, § 1070

INTENTION

- Animus testandi required for holographic will, § 41
- Proof as to testator's, on construction of will, § 197

INTEREST

- Deposits in court, § 1738

INTER-VIVOS TRUSTS

- Community trusts for persons with severe chronic disabilities, § 511
- Living will, inter vivos direction to family and physicians, § 4031
- Pooled trust for prepaid funeral expense monies, § 511, 515

INTESTATE SUCCESSION

- Descent and Distribution, generally, this index

INVESTMENTS

- Fiduciaries, § 983
- Prudent Investor Act, § 1003

JUDGMENTS AND DECREES

- Adoption, § 1816
- Fees, § 1542
- Infant or incompetent, deposit in court, § 798

INDEX

JUDGMENTS AND DECREES—Cont'd

Probate proceedings, § 140

JURISDICTION

Accounts and accounting, § 1447 et seq.

Adoption, § 1801

Probate proceedings, § 113, 1881 et seq.

Small claims, § 111

Superior court, § 118

LAST ILLNESS

Direction to family and physician, living will (Form), § 4031

LATENT AMBIGUITIES

Generally, § 197

LIABILITY INSURANCE

Probate proceedings

Attorneys fees, § 302

LIMITATION OF ACTIONS

Administration of estates, § 1270

Entire controversy doctrine

Probate proceedings, § 1881.60

LIVING WILLS

Diseases, § 746.6

Duress and coercion, § 746.6

Evidentiary value, § 1084, 4031

Fines and penalties, § 746.6

Form, § 4031

Mentally deficient and mentally ill persons

Powers and duties, § 1082

Special medical guardian, § 747.5

LOST OR DESTROYED INSTRUMENTS

Wills

Probate proceedings, jurisdiction, § 113, 1881

MALPRACTICE

Attorney preparing will, § 82

MARITAL DEDUCTION

Economic Recovery Act of 1981, § 4010.5

Unavailable to non-citizen spouse, § 4009

MARRIED WOMAN

Capacity to make will, § 34

MAUSOLEUM

Trust for establishment of, § 537

MEDICAID ESTATE LIENS

Generally, § 1727

MEDICAL CARE AND TREATMENT

Guardian

Special medical guardian, § 747.5

Living will, inter vivos direction to family and physicians, § 4031

MENTAL INCOMPETENCY

As affecting power of attorney, § 746.5, 746.7

MENTALLY DEFICIENT AND MENTALLY ILL PERSONS

Action for sale of lands, § 1881.55

Appearance of alleged incapacitated person, § 761, 762

Attorneys

Alleged incapacitated person, § 759

Reports, § 2609.5

Domicile and residence, § 294

Wills, § 294

Guardian and ward

Appointment, § 767, 768, 1881.30

Complaint, § 748 et seq.

Nonresidents, ancillary guardianship, § 774

Special medical guardian, § 747.5 et seq.

Judgments and decrees

Guardians bond, § 799

Living wills

Powers and duties, § 1082

Nonresidents

Ancillary guardianship, § 774

Determination of incompetency, § 773

Statutes and rules, § 775

Right to decline life-sustaining treatment, § 1084

Special medical guardian, § 747.5

MINORS

Children and Minors, generally, this index

MISTAKE

Correctable on probate, § 59

MONUMENT

Trust for

As honorary, § 537

MORTGAGES

Foreclosure

Application of funds, § 1881.55

Probate proceedings, attorneys fees, § 302

Probate proceedings

Jurisdiction, § 1881.15

NEW JERSEY TRANSFER INHERITANCE TAX

Spousal exemption, § 291

INDEX

NEW JERSEY UNIFORM TRUST CODE

Generally, § 546

Statutes, § 547

NON-ATTORNEYS

Preparation of will by, § 81

NONPROFIT CORPORATIONS

Director liability; exemption, § 1034

Incorporation of community trusts for persons with severe chronic disabilities,
§ 511

NONRESIDENTS

Executors and administrators

Bond, § 2070

Mentally deficient and mentally ill persons

Ancillary guardianship, § 774

Determination of incompetency, § 773

Statutes and rules, § 775

Probate proceedings

Jurisdiction, § 1881, 1881.5

Wills, § 145

Probate proceedings jurisdiction, § 113

NOTICE

Order to show cause, § 1461

OATHS AND AFFIRMATIONS

Probate proceedings

Surrogates court, § 125

ORDER TO SHOW CAUSE

Notice, § 1461

Probate proceedings

Complaint, § 1884

ORGAN DONATION

Uniform Anatomical Gift Act, § 5, 4002

PARENS PATRIAE POWER

Sufficient to authorize excuse of incompetent's right to decline medical treatment, § 1084, 4031

PARENT

Establishment of parent-child relationship, § 1573

New Jersey Parentage Act, § 1562

Right to custody of minor children, § 727

Surrogate parent contract unenforceable, § 1814

PAROL EVIDENCE

Ambiguous wills, § 197

Equivocal clause, § 197

Instructions to scrivener, § 197

PAROL EVIDENCE—Cont'd

- Intention of testator, § 197
- Latent ambiguities, § 197
- Testator's direct statements, § 197

PARTIES

- Guardian ad litem
- Complaint, § 1460

PARTITION

- Foreclosure
- Application of funds, § 1881.55

PATENT AMBIGUITY

- Generally, § 197

PAYMENT ON DEATH ACCOUNTS

- Disposition
- Bank liability, § 26

PERPETUITIES

- Generally, § 611
- Avoiding violation of rule against perpetuities, § 4013.1
- Effect of rule on trust for grave, § 537

PERSONAL LIABILITY

- Guardian and ward
- Children and minors, § 1070

PERSONAL PROPERTY

- Gifts
- Husband and wife, § 440
- Minors, § 1070
- Tenancy by entirety, § 440
- Statute, § 441

PETS

- Honorary trusts, § 537

PLEADING

- Fees, § 1542

P.O.D. BANK OR SAVINGS & LOAN ACCOUNT

- Right of survivorship, § 28

POWER OF APPOINTMENT

- Actions and proceedings
- Joinder of parties, § 656
- Assent under bankruptcy code, § 644
- Bankruptcy
- Property of the estate, § 644

POWER OF ATTORNEY

- Effect of incompetency, § 746.5, 746.7

INDEX

POWER OF ATTORNEY—Cont'd

Medical (Form), § 746.6

PRENUPTIAL AGREEMENT

See, also, Antenuptial Agreements

Uniform Premarital Agreement Act, § 1662

PRESUMPTION OF DEATH

Adjudication by court

Probate of will of decedent, § 147

Administration of estates, § 718

PRINCIPAL AND INCOME

Administration of estates, § 441

PRIORITIES AND PREFERENCES

Administration of estates, § 1276 et seq.

Executors and administrators

Letters, § 1881.5

PRIOR WILLS

Evidence of intention, § 197

PROBABLE INTENT

Reformation of instruments, § 196

PROBATE OF WILL

Allowance to family pending, § 114

Certification as to self proving will, § 2065.5

Presumption of death, § 147

Testator presumed dead, § 147

PROBATE PROCEEDINGS

Generally, § 1881 et seq.

Attorneys fees, § 302

Complaint, § 2062

Constitutional law, § 121

Distribution of estates

Actions, § 1881.40

Entire controversy doctrine, § 1881.60

Fees, § 1542

Forum shopping, § 1884.5

Judgments and decrees, § 140

Jurisdiction, § 113

Nonresidents, § 145

Residents will

Caveats, § 120

Complaint, § 118

Parties, § 122

Rules, § 121

Statutes, § 119

Superior court, § 123

PROBATE PROCEEDINGS—Cont'd

- Residents will—Cont'd
 - Surrogates court, § 125
 - Disputes, § 127
 - Statutes, § 126
- Small claims, § 111
- Statutes, § 1882
- Subsequent proceedings after judgment, § 140
- Subsequent wills
 - Procedure, § 691
- Superior court, § 1881.15
- Jurisdiction, § 118
- Surrogates court, § 1881.5

PROFITEERING

- Adoption, § 1801

PROPERTY

- Escheat
 - Action for sale of property subject to escheat to pay estate debts, § 1881.45
- Testamentary disposition of property, § 1

PRUDENT INVESTOR ACT

- Generally, § 1003
- Statute, § 1004

PUBLIC POLICY

- Wills
 - Restrictions, § 666

REAL ESTATE

- Gifts to minors, § 1070
- Sales
 - Fiduciaries, § 1089
 - Payment of debts, § 1296 et seq.

RECEIVERS AND RECEIVERSHIP

- Appointment, § 782 et seq.

RECORDS AND RECORDING

- Nonresident's will, § 145

REFORMATION OF WILL

- Generally, § 59

REGISTERED MAIL

- Order to show cause
- Notice, § 1461

RELIGION

- Living wills, § 746.6

INDEX

REMAINDERS

- Principal and income
- Apportionment, § 445 et seq.

REPORTS

- Attorneys
- Mentally deficient and mentally ill persons, § 2609.5
- Fees, § 1542
- Representative's report and account, § 1344, 1345

RESIDENCE

- Domicile and Residence, generally, this index

RIGHT TO DIE

- Living Wills, generally, this index

SALES

- Escheat
- Action for sale of property subject to escheat to pay estate debts, § 1881.45
- Real estate
- Fiduciaries, § 1089
- Payment of debts, § 1296 et seq.

SECURITIES

- Transfers, records, § 231

SELF-PROVED WILLS

- Self-proving Affidavit (Forms), § 4023

SENILITY

- Domicile and residence
- Ability to change domicile, § 294

SEPARATION OF HUSBAND AND WIFE

- Effect on surviving spouse's right to elective share, § 458

SIGNATURES

- Wills, § 4, 50

SMALL CLAIMS

- Probate proceedings, § 111

SPECIAL NEEDS PERSONS

- Trusts created by wills, § 534.5

SPECIFIC LEGACIES

- Interpretation, § 249

SPENDTHRIFT TRUSTS

- Jurisdiction, § 540.5
- Wage executions, § 540.5

STANDBY GUARDIANSHIP ACT

- Generally, § 740.1

STATUTES

Intestate succession, § 1562
New Jersey Uniform Trust Code, § 546, 547

STEPCHILDREN

Support obligation of stepparents, § 1078

STEPPARENT

Obligation to support stepchild, § 1078

STRANGER TO ADOPTION

Generally, § 215, 1820

SUBSCRIBING WITNESSES

Signatures on wills, § 4

SUBSTANTIAL COMPLIANCE

Statute, § 1

SUMMARY PROCEEDINGS

Construction of wills, § 294
Distributions, § 1741 et seq.
Probate actions
Superior court, § 1449

SUPERIOR COURTS

Probate proceedings, § 1881.15

SUPPORT

Obligation of stepparent, § 1078
Parent's obligation to provide college education, § 4026, 4029
Sufficiency of support, § 233

SURROGATES

Statutes, § 1914

SURROGATES COURT

Probate proceedings
Generally, § 1881.5
Review by superior court, § 1881.25
Superior Court, Chancery Division, Probate Part complaints in cases which
Surrogate's Court cannot act, § 1881.20

SURVIVORSHIP

Multiple-party accounts, § 28

TAXES AND TAXATION

Administration of estates
Priorities, § 1276 et seq.
Estate tax return (Form), § 4021.1
Family-owned business, estate tax exclusion for, § 2007.1
Foreclosure
Probate proceedings, attorneys fees, § 302

INDEX

TENANCY BY ENTIRETY

Personalty, § 440

Statute, § 441

TERMINAL ILLNESS

Living wills, § 746.6

TERMINATION OF PARENTAL RIGHTS

Adoption, § 1816

Effect of minimum 30-year prison sentence, § 1814

Surrogate parent contract, § 1814

TERMINATION OF TRUST

Forms of trusts, § 4016.1

TERMINOLOGY

Construction of wills, § 196

TESTAMENTARY TRUSTS

Accounts and accounting

Actions, § 1447

TRANSFER INHERITANCE TAX

Life estate, payable from trust corpus, § 452

Spousal exemption, § 291

TRANSFER OF ACTIONS

Probate proceedings, § 1920

TRUST COMPANIES

Investments

Corporate stock, § 1065

TRUSTS AND TRUSTEES

Acceptance of office, § 788 et seq.

Accounts and accounting

Actions, § 1447

Animals, for benefit of, § 537

Appointment

Jurisdiction, § 1881.15

Bank accounts

Disposition on death of party, § 26

Charitable trustee exemption from liability, § 1034

Charities and charitable purposes, § 517.5

Crummey trust, § 4014.1

Generation skipping transfer tax, dual qualified terminable interest property trusts (Form), § 4009.6

Gifts to minors, § 1070

Grave, for care of, § 537

Hostility with beneficiary, § 982

Investments

Accounting, § 983

TRUSTS AND TRUSTEES—Cont'd

- Irrevocable trust established for infant in order to secure \$11,000 exclusion,
§ 4030
- Limitation on certain trustee powers, § 1069.1, 1069.2
- Monument, for erection of, § 537
- 1981 Revenue Act, modified qualified terminable interest property trust under,
§ 4009.1
- Persons with special needs, § 534.5
- Pre-residuary exemption equivalent trust, § 4009.5
- Renunciation, effect, § 779
- Settlement of the estate
 - Actions, § 1881.35
- Termination of trust, § 4016.1

UNIFORM FIDUCIARIES ACT

- Generally, § 273

UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT

- Generally, § 988.5

UNIFORM PREMARITAL AGREEMENT ACT

- Generally, § 4404
- Statute, § 1071

UNIFORM PRINCIPAL AND INCOME ACT

- Generally, § 441

UNIFORM TRANSFER ON DEATH SECURITY REGISTRATION ACT

- Generally, § 26.1

UNIFORM TRANSFERS TO MINORS ACT

- Generally, § 1070
- Gifts in will, § 234

UNKNOWN PERSONS

- Probate proceedings
 - Notice to attorney general, § 121

UPKEEP OF GRAVE

- Trust for, § 537

VENUE

- Adoption, § 1804
- Actions, § 1806
- Family actions, § 1886
- Fiduciary actions
 - Superior court, § 1885
- Mentally deficient and mentally ill persons
 - Special medical guardian, § 752 et seq.
- Probate proceedings, § 1920

VERIFICATION

- Complaints relating to estates of decedents, § 3041.5

INDEX

VETERANS

Guardian and ward, § 777

WITNESS TO WILL

Both together witnessing same act, § 50

Cognizant of execution, § 50

Excessive number of testamentary witnesses, § 50

Formalities required of him, § 50

Mentally incompetent witness, § 50

More than two witnesses, § 50

Notary public, § 50

Number required for probate, § 129, 132

Sign his name, § 50

Subscribes will, § 50

WORDS AND PHRASES

Class gift, § 212