

NEW YORK PROBATE DEADLINES & TIMELINES

TYPE OF FILING	DEADLINES	SOURCE
Death Certificate	Upon application for letters testamentary, letters of administration or voluntary administration	Uniform Rule 207.15(b)
Inventory	Within 9 months from issuance of letters	Uniform Rule 207.20(b)
Proof of kinship in accounting proceeding (in kinship matter)	Within 1 year from the date fixed for hearing or date of referral	Uniform Rule 207.25(a)
Proof of kinship in administration or withdrawal proceedings (in kinship matter)	Within 6 months from the date fixed for hearing or date of referral	Uniform Rule 207.25(b)
Renunciation of beneficiary's interest in disposition	Within 9 months after the effective date of the disposition	EPTL 2-1.11
Incorporation of unincorporated association to receive disposition of property by will	Within 3 years after probate of the will	EPTL 3-1.3
Elective share election	Within 6 months from the date of issuance of letters	EPTL 5-1.1-A(d)
Action by personal representative for wrongful act causing death	Within 2 years after decedent's death OR at least 1 year from termination of criminal action	EPTL 5-4.1
Annual report to Attorney General re. charitable residuary share	Within 6 months of end of each fiscal year	EPTL 8-1.4
Copy of letters and affidavit of foreign personal representative	Within 10 days after commencing action in New York in capacity as personal or other legal representative	EPTL 13-3.5
Application for order directing compliance with request for disclosure of digital assets	No sooner than 60 days after compliant request if custodian has failed to comply	EPTL 13-A-4.2
Petitioner demand for jury trial	Within 6 days after the service upon him of an answer or objections	SCPA 502(2)(a)
Demand for jury trial by party to a transferred action	Within 10 days after service upon him of a copy of the order of transfer with notice of entry thereof	SCPA 502(2)(b)
Motion to confirm or reject verdict of advisory jury	Within 15 days after the verdict	SCPA 502(6)
Filing of referee report	Within 30 days after matter has been finally submitted	SCPA 506(3)
Motion to confirm or reject report of referee	Within 60 days after service of notice of filing of report	SCPA 506(4)
Notice of motion to modify or overrule the report	Within 10 days from date of mailing the report of court appointed person taking testimony	SCPA 506(6)(a)

TYPE OF FILING	DEADLINES	SOURCE
Petition by nominated fiduciary formerly in war service to be appointed executor	Within 6 months from the date the nominated fiduciary ceases to be engaged in war service	SCPA 718
Action on fiduciary's bond or against surety	After 10 days from date of entry of a judgment or decree against the fiduciary	SCPA 809
Petition for temporary administrator to account	No sooner than 7 months from issuance of letters of temporary administration	SCPA 908
Payment of certain debts without administration	Upon death/not less than 30 days after/not less than 6 months after death of creditor, lawful for debtor to pay up to certain amounts to certain persons	SCPA 1310
Objections to probate of an alleged will	On or before return day of process BUT if examination is requested pursuant to 1404, THEN within 10 days after completion of such examinations	SCPA 1410
Submission for issuance of a citation by proponent of will upon filing of objections	Within 30 days after the filing of objections	SCPA 1411/ Uniform Rule 207.26
Transmission by ancillary fiduciary to domiciliary probate or beneficiaries	No sooner than 7 months from issuance of ancillary letters in New York, and upon proof that no will contest is pending in domicile AND either time for contest has expired or 1 year has expired since will was admitted to ancillary probate	SCPA 1603
Presentation of Claim	Within 7 months from the date of issue of letters	SCPA 1802
Allowance of claim by personal representative	Within 90 days from the date claim presented to personal representative	SCPA 1806
Claimant's filing of objection to the account	Within 8 days from return of process of notice of rejection	SCPA 1808(4)
Personal representative's service and filing of reply to objections	Within 5 days from service upon personal representative of a copy of the claimant's objections	SCPA 1808(4)
Interested person's filing of reply to objections setting forth any defense to claim	Within 8 days from the filing of objections by a claimant	SCPA 1808(4)
Answer to petition to determine validity and enforceability of claims	Within 8 days from return day of process of petition to determine validity and enforceability of claim	SCPA 1809(2)
Personal representative's reply to answer to petition to determine validity and enforceability of claims	Within 5 days from the service upon the personal representative of a copy of the answer	SCPA 1809(2)
Claimant's action at law or in equity on claim	Commenced within 60 days after claim rejected or deemed rejected pursuant to 1806	SCPA 1810
Proceeding under Article 19 to satisfy a debt of decedent	Within 18 months from date when letters were issued to original fiduciary (must have been granted within 2 years after date of death of decedent)	SCPA 1903(2)
Proceeding under Article 19 to satisfy a legacy charged on the real property	Within 10 years from the date of death of decedent	SCPA 1903(3)

TYPE OF FILING	DEADLINES	SOURCE
Decree of distribution of property or payment of proceeds	Cannot be made in proceeding commenced within 3 months from the grant of letters until time for presentation of claims has expired or 7 months have expired since letters issued to original fiduciary and all interested persons and creditors have appeared	SCPA 1911
Action to set aside any disposition of real property of a decedent pursuant to Article 19 order for lack of jurisdiction or procedural defect	Within 10 years after date of order or within 1 year after effective date of article, whichever is later	SCPA 1922
Serve and file answer to fiduciary's petition for the continuation of a business	Within 8 days after the return of process or such further time as the court directs	SCPA 2108
Renunciation of executor's compensation	4 months from letters	SCPA 2307(5)(b)