

NEW JERSEY PROBATE DEADLINES & TIMELINES

TYPE OF FILING/ACTION	DEADLINES	AUTHORITY
Action for fraud	Commenced within 2 years after discovery of fraud BUT no proceeding later than 5 years after commission of fraud	3B:1-9
Admitting will to probate	No sooner than 10 days from death of testator	3B:3-22
Notice of probate of will	Within 60 days after the date of probate of will	N.J.R. Ct. 4:80-6
Proof of mailing notice of probate	Within 10 days thereof	N.J.R. Ct. 4:80-6
Will contest	Within 4 months after probate or of grant of letters of appointment OR 6 months after grant of probate or letters if aggrieved person resided out of state	N.J.R. Ct. 4:85-1
Action to recover dower or curtesy; damages	If right not assigned within 40 days after death of spouse, may recover with damages	3A:36-1
Complaint for elective share	Within 6 months after appointment of personal representative	3B:8-12
Withdrawal of demand for elective share	Any time before entry of final judgment	3B:8-14
Time for disclaiming	Any time after effective date of governing instrument, or in intestacy, any time after death, and if required to be filed, filed before right to disclaim barred by 3B:9-9	3B:9-4.2
Grant of letters of administration	To any fit person if no heirs, or if heirs do not claim administration within 40 days after death	3B:10-2
Administration by creditor of nonresident decedent	If personal representative fails to apply within 60 days of death	3B:10-8
Removed or discharged fiduciary to deliver assets to successor	Within 60 days after accounting and settlement	3B:14-5
Account of removed or discharged fiduciary	Within 60 days after removal or discharge	3B:14-7
Written objection by current income beneficiary to notice of compensation to bank	Within 30 days of receipt of notice	3B:14-23
Payment of debt or delivery of certain personal property to domiciliary foreign fiduciary	After expiration of 60 days from appointment of domiciliary foreign fiduciary	3B:14-25
Action against personal representative	No action against personal representative within 6 months of grants of letters	3B:14-40
Notice by fiduciary of intention to prove administration	20 days before trial	3B:14-41

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Custodian to comply with request to disclose digital assets or terminate account	Not later than 60 days after receipt of required information from fiduciary or designated recipient	3B:14-61.16
Discharge of surety for fiduciary or assignee after final account	Any time 3 months after entry of final judgment of distribution	3B:15-19
Order of discharge – executor, administrator or substituted administrator	Upon proof that 9 months have elapsed after entry of an order to limit creditors; no unpaid or pending claims	3B:15-23
Inventory and appraisal	Not required until 3 months after grant of letters; if exemption to be set off, within 3 months	3B:16-2
Accounts of personal representative	No requirement until after expiration of 1 year after appointment	3B:17-2
Annual statement relating to corpus commissions taken	Within 60 days after the end of each tax year	3B:18-7
Exceptions to action to settle account	At least 5 days before return of order to show cause	N.J.R. Ct. 4:87-8
Creditor claim	Within 9 months from date of death	3B:22-4
Allowance or rejection of creditor claim	Within 3 months after presentation of claim	3B:22-7
Commencement of action by creditor on disputed claim	Within 3 months after notice that claim has been disputed	3B:22-8
Commencement of action upon claim	Within 1 month after being notified to establish claim by judgment	3B:22-13
Liability of real property for debts	For 1 year after death	3B:22-22
Objection to proposal of distribution from personal representative	Within 30 days after mailing or delivery of the proposal	3B:23-4
Presentation of claim where assets of estate exceed amount needed to pay claims presented within time in 3B:22-4	Any time before the remaining assets of the estate shall have been distributed or paid over pursuant to law	3B:22-10
Interest on general pecuniary devise	Beginning 1 year after first appointment of personal representative until payment	3B:23-11
Distribution of property of intestate	Not until 1 year after granting of administration unless order to limit creditors entered, in which case distribution can be made 6 months after that order	3B:23-18
Presumption of death	After 5 years absence or exposure to specific catastrophic event	3B:27-1