

Probate Court of Forsyth County

Instructions to Fiduciaries for completing Annual Return Form

The return is a report of every receipt and every expenditure, similar to a checkbook register for a checking account. It is the responsibility of the fiduciary to fully and properly complete the returns required. It is not the responsibility of court staff to prepare or correct returns. Incorrect, incomplete, or unbalanced returns will be returned for completion or correction. All returns must be typed or legibly printed to be accepted for filing.

On Page 1 of the Annual Return Form which is the summary page:

1. **Complete the name of the case and case number on the top line.**
2. **Complete your name, address, phone, and email address on next lines.**
3. **Complete the dates in the from and to spaces to show the time period that the transactions listed in this return cover.** If this is your first annual return, then the date would be the date you were appointed as fiduciary to one year later unless the Court has required you to file returns more frequently than once a year. If this is your second or subsequent annual return, then the from date would be one day later than the ending date on your last return filed and cover a period of one year of transactions unless the Court has required you to file returns more frequently.
4. On the first line in the box that states "My last filing showed I held money and property with a total value of:" **you would enter either the total value of the estate listed on your previously filed inventory form if this is your first annual return OR you would enter the total amount listed at the bottom of page 1 from your last filed annual return.** The number listed must match the number on the inventory form or the ending balance of the last filed annual return.
5. On the second line in the box that states "Since my last filing, I have received money totaling [Receipts]:" **you would enter the total from the bottom of page 3 of this annual return.**
6. On the next line in the box that states "Since my last filing, I have received tangible property totaling [Assets] **you would enter the total value amount of any personal property items, automobiles, boats, etc. you have received since filing your inventory or last annual return.**
7. On the next line in the box that states "Since my last filing, I have received real property totaling [Assets]:" **you would enter the total value amount of any real estate you have received since filing your inventory or last annual return.**
8. On the last line in the top box for TOTAL value, **you would add up all the amounts listed on the four lines above in the top box to place for the TOTAL value line** on the last line in the top box.
9. On the first line in the bottom box that states "I transferred money as shown on Expenditures and Disbursements totaling:" **you would enter the total amount of cash and check expenditures and disbursements made from the cash category listed on page 4 of the return.**
10. On the second line in the bottom box that states "I transferred tangible property as shown on Expenditures and Disbursements totaling:" **you would enter the total amount of tangible property such as personal property, autos, boats, jewelry, stocks, etc. that was disbursed as listed in the tangible property category in the middle of page 4 of the return.**
11. On the third line in the bottom box on page 1 of the return **you would list the total value of the real property that was transferred as listed in the real property category at the bottom of page 4 of the return.**

12. On the fourth line in the bottom box on page 1 of the return that states "TOTAL I transferred this period:" **you would add up all the amounts listed on the three lines above in the bottom box to place for the TOTAL transferred line on the last line in the bottom box.**
13. On the last line at the bottom of page 1, you would subtract the last line of the bottom box for Total transferred from the last line of the top box for Total value held and received to show the ending balance amount for the time period. **The number at the bottom of page 1 of the return should match the number at the bottom of page 2 of the return.**

On Page 2 of the Annual Return Form which is the Assets page:

You should list all of the current assets with their value held as of the last day of the reporting period. List separately on each line any checking or savings bank accounts, stocks, and bonds in the first category under investments. List any other assets such as real estate, autos, boats, jewelry, personal property, etc. on separate lines in the second category under other assets. Use additional pages if necessary. Add up the values in the far right column for all the assets to list on the last line of "Total Value of the Assets in the Estate". **This total value number should match the number at the bottom of page 1 of the return.**

On Page 3 of the Annual Return Form which is the Receipts page:

You should list separately all monies received from deposits, refunds, interest, and market increases on accounts for the time period being reported. Add up the values in the far right column for all monies received to list on the last line of "Total Receipts". **This total value number should match the second line of the top box on page 1 of the return.**

On Page 4 of the Annual Return Form which is the Expenditures & Disbursements page:

You should list separately for each category on the page all of the expenses and disbursements you made during the time period being reported. If there are any market decreases in value for any account or property that is not listed elsewhere on the form then you should list them in the appropriate category on page 4. All of the expenses and disbursements listed on page 4 of the return should be listed on a bank account statement, receipt, or other written documentation. Use additional pages if necessary. Add up the values in the far right column for all expenditures and disbursements paid out to list on the last line of "Total Expenditures". **This total value number should match the fourth line of the bottom box on page 1 of the return.**

On Page 5 of the Annual Return Form which is the Verification page:

You should list the name and address of each heir, beneficiary, guardian ad litem, and attorney that you are sending a copy of the return to by hand delivery or first class mail. Use additional pages if necessary.

In the box on page 5 of the return, list your name, your role, the name of the case and whether the return is an annual return or final return for the case. **Only sign your name in the box before a notary or Clerk of the Probate Court.**

On Page 6 of the Annual Return Form:

Initial each box to indicate that you have read and completed each item listed.

Please be sure to file your return on time along with any supplemental documentation with the Clerk of Court. There are filing fees and recording costs for the return but not for any supplemental documentation. **Please be sure any supplemental documentation is a copy as it will not be returned by the Court.** Any supplemental documentation will be shredded by the Court upon approval of the return. If you would like any supplemental documentation to be recorded as public record, then recording fees for each page will be required. Also be sure to redact any sensitive information on any documents that are being recorded as public record.

It is your duty to file an accurate return each and every year at the time period(s) required by law and the Court. If you have completed all of your duties for the case, then you must file a Final Return showing a zero ending balance AND a petition for discharge or final settlement of accounts. You are not relieved of filing returns until you receive a final order releasing you from the case.

The Fiduciary may wish to consult the Court's website at

www.forsythco.com/departments-offices/probate-court

for an instructional video on how to complete an Annual Return.