

## Rules to Show Cause FAQs

Q: I received a Rule to Show Cause. What is it? And why did I get it?

A: A Rule to Show Cause is a summons to appear in Court. If you received one from us, it means that you have not fulfilled your obligation to complete the estate you opened.

Q: What didn't I file?

A: As the Personal Representative, you were required to file an inventory of assets and an accounting of how the estate money was used to pay expenses. Either one or both forms have not been filed with us.

Q: How do I know which forms I need to file?

A: Search for the estate under [Will Search](#). Look for dates in the inventory and accounting fields. If a field is blank, then you need to file that form.

Q: Where do I get the forms?

A: Go to [Forms](#). Both the inventory and accounting forms are available in both fillable and printable versions. Also, there are instructions and samples to assist you in filling out the forms correctly. If you do not have access to a printer, please give us a call at 302.395.7800.

Q: I'm done filling out my form(s). What do I do now?

A: You can either mail in or drop off your forms to our office during office hours. An appointment is not necessary to drop off paperwork. Our office information is as follows:

Office Hours: 8:00-12 noon and 1PM-4:00 PM Monday through Friday.

Location/mailling address: Louis Redding City/County Building, 800 North French Street, 2nd floor, Wilmington, DE 19801. [Link to Google Maps](#)

Q: Anything else I should know about filing my documents?

A: Yes. Inventories must be notarized prior to being accepted for filing. You may either have a notary of your choice notarize the form, or you can bring it to our office, and have a member of our staff notarize it for you. Accountings must have receipts for the expenses claimed on the accounting included with their package. Accountings must also be accompanied by the NC5 List of Beneficiaries form as well as NC2 forms from each beneficiary. These forms are available under [Forms](#).

Q: I don't have receipts anymore. What do I do?

A: Only expenses that can be proved with a proof of payment can be listed on the accounting form.

Q: My attorney was supposed to be taking care of this....

A: Please call your attorney for further guidance on completing the probate process.

Q: Is there going to be a fee?

A: Yes. There is a \$25 Rule to Show Cause fee, as well as penalties for not filing documents timely, and other fees that may be assessed at the closing.

Q: Once I file my documents, am I done?

A: No, not yet. You will need to close the estate. Closings are done by appointment with a deputy that has been assigned to the estate. When the deputy has completed a review of your paperwork, you will receive a call from that deputy to make an appointment. The deputy will review your filing briefly on the phone so that you will know what else is needed to close the estate (fees, additional forms, etc).

Q: Can I wait until the day before the Court date to file my paperwork?

A: You could, but we very strongly recommend that you file your paperwork at least a week or two prior to your court date to give our staff sufficient time to review it. As stated on the Rule to Show Cause summons, merely filing paperwork with our office may not be enough to excuse your appearance in Court.

Q: How do I know which deputy to call in your office?

A: Deputy information should have been included with your summons. This is your point of contact with our office.

Q: I filed everything I was supposed to. Why am I getting this?

A: If you filed all of your paperwork, there are apparently items that still need to be filed or completed in order for our office to close the estate. Contact your deputy.

Q: I simply cannot complete this paperwork before the date on my summons. What will the judge do? Will the Judge give me more time?

A: We cannot give you any opinions about what a judge may decide with regard to your case.

Q: I filed my paperwork. Do I still have to show up in Court?

A: Possibly. Simply filing your paperwork does not excuse you from appearing on your assigned Court date. Communicate with your assigned deputy.

Q: Where do I need to go on my Court date? Where do I park? Are there rules for entering the Courthouse?

A: See your Rule to Show Cause summons/notice for the location of your Court date.

- State Building Mezzanine Auditorium, Carvel State Building, 820 N. French Street, Wilmington, DE 19801 [Directions to the State Building](#). Parking options: parking is available at local garages located at 9<sup>th</sup> and French Streets as well as the Doubletree Hotel. There is also metered on-street parking available.
- New Castle County Courthouse, 500 N. King Street, Wilmington, DE 19801. For information about the Courthouse, parking, rules for entry, etc., click here: [New Castle County Courthouse](#)

Q: What happens in Court? What do I need to tell the Judge?

A: We cannot give any guidance as to what can/will happen in Court, or further, give any opinions as to what decision a Judge will make.

Q: What if I don't show up on the Court date?

A: We cannot make any assumptions as to what a Judge will decide if you do not show up for your scheduled date.

Q: I've been removed by the Judge. What now?

A: Being removed does not excuse you from filing the required documents or paying the applicable fees.