

Albany County Surrogate's Court
Albany County Courthouse • 16 Eagle Street, Room 123
Phone: (518) 285-8585 • Fax: (518) 285-8237
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ALBANY COUNTY SURROGATE'S COURT'S REQUIREMENTS FOR BOND

1. The bond must be a fiduciary's bond.
2. Filing fees (SCPA 2402 [9] [vi]):
 - a. \$20.00 (value of bond is under \$10,000); OR
 - b. \$30.00 (value of bond is \$10,000 and over)

Check must be made payable to Albany County Surrogate's Court.
3. There must be a recital in the bond that the surety is authorized to execute the undertaking (CPLR 2502 [a] [1]).
4. There must be a recital in the bond that the bond shall run to the People of the State of New York for the security and benefit of the persons then or thereafter interested in the estate (SCPA 801 [4]).
5. There must be an acknowledged instrument submitted by the surety pursuant to SCPA 802 (2) that states:
 - A. The surety's domiciliary address; and
 - B. The surety's designation of the chief clerk of the court and his/her successors in office as a person upon whom any process of any court of the state may be served in any action or proceeding relating to the bond in those instances when the surety, after due diligence, cannot be found and served within New York State.
6. The bond must be signed by
 - a. The nominated fiduciary; AND
 - b. A person authorized to sign for the surety.
7. Both of the above-mentioned signatures must be acknowledged by a notary public in the form required to entitle a deed to be recorded (CPLR 2502 [d]).
8. A copy of the power of attorney by the surety authorizing the representative to sign the bond must be submitted.
9. A financial statement of the surety dated within one year showing the surety to be solvent and capable of binding itself to the obligation must be submitted AND*a current Certificate of Solvency issued by the NYS Insurance Department must be on file with the Court (CPLR 2506; Insurance Law § 1111)

*In cases where the Court does not have a current certificate of solvency on file for a particular surety, the Court may require that such a certificate be provided in addition to the financial statement. The Court has current certificates on file from the following companies:

Continental Casualty Company of Chicago, Illinois
American Casualty Company
The Continental Insurance Company
National Fire Insurance Company of Hartford
Western Surety Company
Surety Bonding Company of America
NGM Insurance Company