



ORIGINAL WILLS IN ERIE COUNTY SURROGATE'S COURT

1. **FILE A WILL FOR SAFEKEEPING** – To file an original will for safekeeping, the following must be completed:
 - a. The will must be enclosed in a sealed envelope with all required information completed. An example of how to complete a will envelope is attached.
If you plan to handwrite the will information on the envelope, please ensure you clearly print the information. If the handwriting is illegible, we will mail the original will back to you.
 - b. Drop off or mail the will to Erie County Surrogate's Court located at 92 Franklin Street – 2nd Floor, Buffalo, NY 14202.
 - c. It is suggested that you use a trackable mailing method to ensure the will is received by the Court.
 - d. Please provide an email address or a self-addressed stamped envelope for return of the will receipt to you.
 - e. For attorneys filing a large number of Wills, please see the attached notice.

2. **WITHDRAW A WILL FROM SAFEKEEPING** - You may request the withdrawal of your original will or you may authorize someone else to withdraw your will. Please know that you should include all prior addresses, especially your address at the time your original will was executed. The withdrawal form must be signed and notarized.
 - a. To Request the withdrawal of your will form, please click [here](#).
 - b. To Authorize someone else to withdraw your will, please click [here](#).

3. **TRANSFER A WILL TO ANOTHER COURT FOR PROBATE** – To transfer a will to another court to be probated, you must do the following:
 - a. An employee from the court where probate is intended must contact Chief Clerk Linda Wiedrick at lwiedric@nycourts.gov requesting that the original will be transferred to their court.
 - b. The attorney or self-represented litigant must provide proof of death and \$10.00 payable to the Erie County Surrogate's Court to transfer the will via registered mail. Payment may be made by bank check, money order, business/attorney check or credit card.

NOTE: Please know that our Court will not release original wills to attorneys or self-represented litigants who would like to petition to probate the will. The will must be transferred to the court where probated is intended.

LAST WILL AND TESTAMENT FILED FOR SAFEKEEPING
Erie County Surrogate's Court
Hon. Acea M. Mosey, Surrogate Judge

INSTRUCTIONS FOR FILLING OUT ENVELOPES

1. **ENVELOPE SIZE 4" x 9 ½"**
2. **LEAVE 2 INCHES BLANK AT THE TOP OF THE ENVELOPE**
3. **ALL ENVELOPES MUST BE SEALED**
4. **If you would like the will receipt emailed to you, please provide an email address.**
5. **If you would like the receipt mailed to you, please provide a self-addressed stamped envelope.**

<p>TESTATOR'S NAME: _____</p> <p>A/K/A _____</p> <p>TESTATOR'S ADDRESS: _____</p> <p style="text-align: center;"><i>(only one executor is needed)</i></p> <p>EXECUTOR'S NAME: _____</p> <p>EXECUTOR'S ADDRESS: _____</p> <p>DATE OF WILL:</p> <p>ATTORNEY'S NAME: _____</p>
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