



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 and properly addressed. For an example of how to properly address a will envelope, please click [here](#).
 - i. 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. 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.
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. Also, please know that the original withdrawal form must be submitted to the court. A paper copy or an efiled form will not be accepted. The withdrawal forms are located under “local forms” on our website. Please click [here](#) to access our local forms.
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 eriesurrogatehelp@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 \$10.15 payable to the Erie County Surrogate's Court to transfer the will via registered mail. Payment may be made by bank check, money order, or business/attorney check. You may also pay with a credit card or with cash at the courthouse.

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.