

Introduced by: Mr. Smiley, Mr. Cartier  
Date of introduction: April 25, 2017

**ORDINANCE 17-~~034~~**

**TO REVISE *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”),  
ARTICLE 3 (“OFFICERS AND EMPLOYEES”) SECTION 2.03.006 (“FEES FOR THE  
REGISTER OF WILLS”)**

**WHEREAS**, it is in the interest of the Register of Wills Office and all citizens of New Castle County that estates are closed in a timely manner; and

**WHEREAS**, the Register of Wills remains attentive to costs when managing the funds and resources of the public office to which he was entrusted to oversee; and

**WHEREAS**, the costs of bringing delinquent estates into compliance should be borne only by those estates which become delinquent; and

**WHEREAS**, the Register of Wills Office is making efforts to adjust the fees of the Register of Wills Office ~~that will to~~ encourage the closure of estates ~~to be closed~~ in a timely manner and to re-allocate ~~the~~ costs borne when estates are not timely closed ~~in a timely manner~~ or otherwise consume ~~utilize~~ additional resources of the Register of Wills Office.

**NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

Section 1. *New Castle County Code* Chapter 2 (“Administration”), Article 3 (“Officers and Employees”), Section 2.03.006 (“Fees for the Register of Wills”) is hereby amended by deleting the ~~material language~~ that is stricken and adding the ~~material language~~ that is underscored:

**Sec. 2.03.006. Fees for the Register of Wills.**

The fees for the Register of Wills shall be as follows:

1. ...
58. Complex case assessment.....~~\$25.00~~ \$25.00 per hour of additional time necessary for the Register of Wills to facilitate the administration of the estate, up to \$500.00
59. Late fee for filing overdue documents, per document.....~~\$25.00~~ \$100.00 for every twelve (12) months late
60. Issuing estate closing document, per estate.....~~\$20.00~~ \$50.00

Section 2. The provisions in this ordinance shall ~~commence~~ take effect on July 1, 2017.

Section 3. This ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* § 1156.

Adopted by County Council of  
New Castle County on: 5/9/17

\_\_\_\_\_  
President of County Council of  
New Castle County

Approved on:

\_\_\_\_\_  
County Executive  
New Castle County

**SYNOPSIS:** This ordinance, if approved, would adjust the fees of the Register of Wills Office of New Castle County in an effort to encourage estates to be closed in a timely manner and re-allocate the costs borne when estates are not timely closed ~~in a timely manner~~ or otherwise ~~utilize~~ consume additional resources of the Register of Wills Office.

**FISCAL NOTE:** The proposed fees ~~changed~~ changes in this ordinance would generate approximately \$100,000 in additional annual revenue.