

Caveat to Will

If you have evidence that a Will was not prepared properly, the signer was incompetent, or there was undue influence, you may be able to prevent the filing of the Will in probate if you file a Caveat to Will. A. **Caveat**

Is a formal notice given by someone to prevent the proving of a Will or the grant of administration of an Estate.

The following is one of the NJ Court Rules dealing with a Caveat to Will

RULE 4:82. MATTERS IN WHICH THE SURROGATE'S COURT MAY NOT ACT

Unless specifically authorized by order or judgment of the Superior Court, and then only in accordance with such order or judgment, the Surrogate's Court shall not act in any matter in which (1) a caveat has been filed with it before the entry of its judgment; (2) a doubt arises on the face of a will or a will has been lost or destroyed; (3) the application is to admit to probate a writing intended as a will as defined by N.J.S.A. 3B:3-2(b) or N.J.S.A. 3B:3-3; (4) the application is to appoint an administrator *pendente lite* or other limited administrator; (5) a dispute arises before the Surrogate's Court as to any matter; or (6) the Surrogate certifies the case to be of doubt or difficulty.

http://www.njlaws.com/Caveat_to_Will.htm

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