

Ask the Probate Judge—Passports and U.S. Bonds
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Q: My passport application says, “Please complete and submit this application in person to one of the following acceptance agents: a clerk of a Federal, State, or County Court of record or a judge or clerk of a probate court accepting applications; a designated municipal or county official; a designated postal employee at an authorized post office....” Do probate courts really process passport applications? V.H., Albuquerque

This question arose at the recent statewide training of probate judges in Santa Fe. We passed around a U.S. Department of State Application for a U.S. Passport, which did indeed include the language you quoted. We asked the probate judges to raise their hands if their court accepted passport applications. No hands were raised.

I then searched on the Internet and discovered that there are more than 9,000 passport acceptance agents nationwide. Courts in numerous states serve as acceptance agents, including the District Court Clerks in Clovis, Portales, and Ft. Sumner, New Mexico, and various courts in Arizona and Texas. However, almost all acceptance agents in New Mexico are U.S. Post Offices.

Intrigued by the fact that some courts serve as passport acceptance agents, I called the U.S. Department of State. A helpful fellow in Washington, D.C. explained that a court or clerk can only accept passport applications if the court or clerk is an “authorized acceptance facility.” To become “authorized” requires training. He further explained that while a post office, court, or clerk may accept the passport application, only the passport agency can process and adjudicate the application.

To obtain a passport for the first time, one must appear in person to a passport acceptance facility with two photographs of oneself, proof of U.S. citizenship, and a valid form of photo identification such as a driver’s license. One must also take an oath.

The role of the acceptance facility is to accept the paperwork and fees, verify the signature, check proof of identity and citizenship and then forward all documentation to the passport agency. If the application passes inspection, the U.S. Department of State will issue the passport. It may decline to issue a passport for various reasons, for example, if back child support is due by the applicant.

A few days later the Department of State’s Houston office called me to offer additional information. This knowledgeable woman added that new acceptance agents must complete 6 to 8 hours of training, pass a test, and have their paperwork supervised until they are familiar with the process.

The Department of State’s excellent website, <http://travel.state.gov/passport>, contains extensive information about passports.

Q: I own some U.S. savings bonds in my name and my sister’s name as co-owners. We are both senior citizens. If my sister were to die before me, is there a way to make sure her children receive the bonds after my death? M.W., Albuquerque

I am finding the U.S. Government to be very helpful this week. According to the U.S. Treasury, savings bonds may only have up to two people listed in the registration, an owner and one co-owner or beneficiary. Federal regulations that govern the savings bond program establish this to minimize multiple claims on the ownership of savings bonds.

In your example, if one of the two co-owners on the savings bonds died, the surviving owner could hold the bonds in the current registration until the time he or she wished to redeem the bonds. A certified copy of the co-owner's death certificate would be required at the time of redemption.

Alternatively, the surviving owner could request a "reissue" to register the bonds in his/her sole name with a beneficiary designation. The surviving owner would complete form PD F 4000 to do this. A certified copy of the death certificate would be required for the reissue. When the owner died, the registered beneficiary could decide whether to redeem or reissue the bonds. Reissue forms are available on the U.S. Treasury's website, www.treasurydirect.gov/forms.htm.

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