ESTATE EXECUTOR'S DUTIES DURING THE PROBATE PROCESS

Tanya Walker
AmeriDream Realty LLC
(617) 955-1709
probates@ameridreamrealtyllc.com

READS WILL
Expedites burial instructions

Meets members of family and other interested parties who desire aid and information, confers with attorney who drew the Will and persons familiar with financial affairs.

SAFEGUARDS ASSETS
Takes such immediate protective measures as are desirable prior to appointment as executor.

- Secure knowledge of ongoing business interests.
- Looks to insurance and protection of both real and personal property.
- Gives notice of death to banks, safe deposit companies and others.
- Examines all books and files.

PETITIONS THE COURT FOR PROBATE OF WILL
Obtains proof of heirship; locates witnesses; through attorney for estate, petitions for probate of Will and, from time to time, applies for all necessary court order in administration of estate; an appointment as executor, files oath of office, order in administration of estate; an appointment files oath of office.

ASSEMBLIES AND INVENTORIES ALL OF ASSETS

- Takes proper steps to collect policies of life insurance. Secures tax waivers and collects all cash.
- Inventories and appraises household goods and effects, removing valuables to vault.
- Presses all claims for amounts due, locates evidence and witnesses on contested claims.
- Arranges proper supervision and management for ongoing business interests. and witnesses on contested claims.
- Inventories and appraises household goods and effects, removing valuables to vault.
- Obtains custody of securities. Collects all interest and dividends.

PROCURES APPRAISAL OF ALL ASSETS
Gathers complete and satisfactory evidence of the value of all assets at the date of death.

ADMINISTERS ESTATE
Governed by the wishes expressed in the Will, the requirements of estate, and the local probate law.

- Gives exhaustive study to business interests and determines policy of continuance, liquidation, or sale with due regard to expressions in the Will. Carries out or adjusts incomplete contracts.
- Gives special study to valuable collections; determines method and time of sale for articles not bequeathed; makes a careful estimate of amount of cash to be raised for payment of taxes, legacies, and expenses of administration and of probable net estate for distribution.
- Investigates all real estate from standpoint of earnings, market, and desirability in case circumstances require its sale.
- Makes comprehensive review of market conditions for each security to decide which should be sold first, if necessary to meet taxes, expenses, claims, and specific bequests.

MAKES ALL TAX RETURNS
An intricate and involved procedure in which particular forms of information and return must be prepared and filed with each taxing body.

- Pays income taxes.
  - Attends to Income Tax for part of year prior to death.
  - Files return and pays tax for part of year after death.
  - Makes careful survey of all possible tax claims to see that no further liability exists upon review by the government.
- Pays inheritance and estate taxes.
  - Arranges for necessary proceedings to release securities of property located in other states.
  - Ascertains and pays inheritance tax in state of residence; obtains waivers for transfer of securities.
  - Files preliminary notice, prepares return, and pays both State Inheritance and Federal Estate Tax.

SETTLES ALL PROPER CLAIMS
Publishes notice to creditors; obtains all available evidence regarding propriety of each claim filed, resists all improper claims; pays out of estate funds all approved and allowed claims.

DISTRIBUTES PROBATE ESTATE
Prepares data for final account showing in detail all receipts and disbursements; notifies interested persons of hearing on account, after settlement of account by court, distributes remaining property of your estate as directed by court.

OBTAINS FINAL DISCHARGE
After final payment and distribution to legatees and devisees, secures final discharge as an executor.