

Executor Duties Checklist

Below is a checklist of executor duties you may need to carry out when a testator passes away. It is provided as general guidance to help you navigate your responsibilities more efficiently. The order of your duties may vary according to each individual's estate.

You may wish to contact an estate lawyer immediately after the testator/testatrix passes away to assist you with the estate and paperwork.

A personal representative's duties can take up to a year or longer depending on the size and value of the estate and the time it takes to fully settle all of the deceased's financial affairs, through probate and otherwise.

Once you have completed your duties, you may apply to the probate court for official release of your executor duties, at which point the estate will also be closed.

Immediately After Death

Locate and review the will

- Find and review Last Will and Testament (as well as any Codicils)
- Meet with estate attorney, if necessary
- Note any special instructions as per the will
- Decide if probate is necessary, and file the will with probate court

Arrange the funeral

- Take care of remains (cremation, burial, organ donation, etc.)
- Plan funeral, if not preplanned
- Provide assistance to family
- Obtain death certificate

Arrange guardianship for dependent children and pets

- Arrange care for dependent children and pets

Within Days of Death

Organize and secure assets

- Freeze all accounts, and seize control of all assets and property
- Keep assets safe until they are allocated to the proper parties
- Insure property and valuables
- Locate security deposit box, and gather all important documentation, including property deeds, share certificates, identification, insurance policies, and all other contracts (leases, business agreements, marriage/separation papers)
- Conduct inventory and appraisal of assets
- Arrange for the transfer of any assets that are jointly owned to the surviving owner
- Determine if non-probate assets may be included in the estate

Notify Parties

- Notify beneficiaries of their interests
- Notify all other parties that were affiliated with the deceased, including banks, brokers, landlord/tenants, utility providers, insurance agent, doctor, Social Security Administration, and employer/employees
- Redirect or forward mail

Manage finances and pay debts

- Stop all necessary payments or subscriptions, and cancel credit cards
- Open estate account
- Claim life insurance and any other benefits, such as veteran's or Social Security benefits, as well as outstanding money owed to the deceased, such as wages or dividends
- Pay for funeral or medical bills (this step may be omitted for preplanned arrangements)
- Review investments (both property and business)

- Locate all ongoing payments or debts
- Advertise for creditors to file claim against the estate, and evaluate these claims
- Arrange for spousal and/or child support payments through court
- Pay or arrange to pay all outstanding debts and bills
- Sell assets, if applicable

Within Months of Death

Pay taxes and final fees

- File income tax return for deceased
- Pay estate tax if required
- File necessary federal and state tax returns for estate and/or inheritance tax
- Pay any outstanding fees (lawyer, accountant, etc.)
- Claim executor fees

Distribute estate

- Deliver gifts and/or assets to recipients or organizations/charities
- Disperse residue of estate to beneficiaries according to Last Will

Close Estate

- Maintain, organize, and file all records, including receipts and evidence of disbursements
- Contact beneficiaries with final report about the closing of the estate, including what was collected and disbursed by the estate
- Close estate bank account after all payments are made and checks have cleared
- Apply for tax release by probate court

For a more detailed explanation on the above executor's duties, read Executor Duties: Your Step-by-Step Guide to Closing an Estate, found here:

<http://www.lawdepot.com/estate-articles/executor-duties/>

