

The Executors Checklist

There's a lot to keep track of when you're an executor. This checklist may come in handy:

Find the will, if any.

Sometimes this is easy—and sometimes it's not. Look in desks and filing cabinets (home and office), fireproof boxes, and anywhere else the deceased person was likely to stash important documents. If there's a safe deposit box, even if you don't have a key you will be allowed to open it for the sole purpose of looking for the will.

File the will with the local probate court.

Make a copy for yourself, and then file the original with the probate court. Even if you don't think you're going to need to conduct a formal probate court proceeding, you're required by law to deposit the will with the court.

Notify the post office, utility companies, credit card companies, banks, and other businesses of the death.

Notify the Social Security Administration and any agencies from which the deceased person was receiving benefits.

You can call the Social Security Administration at 800-772-1213. The more quickly you do this, the more quickly direct deposits (or checks) will be stopped, and you won't have to worry about returning payments to which you're not entitled.

Inventory all assets and, if necessary, have valuable ones appraised.

You'll need a thorough inventory if you conduct a probate court proceeding. In any case, it will help you keep track of valuables, determine how you can transfer different items (because you'll note how title to assets is held), divide property among beneficiaries who are supposed to get equal shares (typical with siblings), and determine whether or not the estate will owe state or federal estate tax.

Determine whether or not probate is necessary; if it is, conduct the probate court proceeding or hire a lawyer to do it (or help you).

To make this determination, you'll have to tally up the value of the property subject to probate, see how title is held, and learn your state's rules on what estates qualify for simplified procedures. If you need to conduct a probate court proceeding, you can probably get help from

the court's website or other materials. You may also want to hire a lawyer to help with probate paperwork or to help solve any disputes among beneficiaries or creditors.

If there's a living trust, work with the successor trustee to coordinate bill-paying, property management, and other tasks.

A living trust is like a will in that it lets someone leave property to named beneficiaries. The big difference is that trust property doesn't have to go through probate before it can be turned over to the people who inherit it. If the deceased person left both a will and a living trust, as many people do, you'll need to work closely with your counterpart who's in charge of trust assets, the successor trustee.

Notify beneficiaries named in the will or people entitled to inherit under state law.

Your court, or a lawyer, can help you with this. If the estate goes through probate, you'll have to send very particular kinds of notices to a certain group of people. Whether or not there's a court proceeding, it's always a good idea to be in regular communication with beneficiaries.

Take good care of estate assets until you turn them over to the beneficiaries.

This is a key part of an executor's job. You must keep real estate well maintained, small valuables secure, and everything of value insured. Keep investments safe—the goal is to avoid losing money, not to reap big returns.

Get beneficiaries' input on and consent to important decisions such as selling assets or changing investments.

Beneficiaries can grow unhappy—or suspicious of wrongdoing—when they aren't kept in the loop about what's going on with the estate. Even if nothing is going to happen for a while, let them know you're moving ahead as fast as you can to get them their inheritance. Don't surprise them with big moves like selling real estate—if they think you're incompetent or dishonest, they can go to court and try to have you removed.

Collect money owed to the estate—for example, final wages or insurance benefits.

This will take some time to fill out paperwork and make phone calls, but it should be pretty straightforward. You can deposit the money you collect in the estate bank account.

Pay bills owed by the estate.

You're responsible for paying legitimate bills, as long as there is enough money in the estate to pay them. You don't have to pay the deceased person's debts out of your own pocket. If you

think there won't be enough money to go around, stop paying bills—and get some guidance from the court or an attorney about which debts should take priority.

File final income tax returns for the deceased person.

You'll need to file income tax returns for the deceased person and possibly for the estate. The deceased person's tax preparer can be a big help here.

If the estate was large, file estate tax returns.

Hardly anyone needs to worry about federal estate tax, which affects only people who leave more than \$5 million in assets. Smaller estates may owe a separate state estate tax; it all depends on where the deceased person lived and owned property. New Jersey taxes estates of \$675,000 or more; other states tax larger estates or don't impose their own estate tax at all.

Distribute the assets.

When the debts and taxes are paid, when the probate (if any) is closed, your last job is to distribute property to the people who inherit it under the will or state law. (Then congratulate yourself for a job well done.)