

# The Complete Executor's Guidebook

*Benjamin H Berkley*

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# THE COMPLETE EXECUTOR'S GUIDEBOOK

A Step-by-Step Guide for Executors  
and Personal Representatives

Understanding Your Role • Managing Your Time Commitment •  
Prioritizing Your Responsibilities to the Estate • Dealing with  
Special Circumstances • Providing Emotional Support •  
Navigating through the Probate Process • Distributing Property •  
Conducting an Inventory • Paying Financial Obligations • Closing  
the Estate and Terminating the Trust

Benjamin H. Berkley, Attorney at Law

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**Benjamin H Berkley : The Complete Executor's Guidebook** before purchasing it in order to gage whether or not it would be worth my time, and all praised The Complete Executor's Guidebook:

1 of 1 people found the following review helpful. Very good informationBy Angela ShirleyI am thirty one and my ninety five year old grandfather asked me to be executor of his will...I wanted to show him he could trust me so I started to research what my responsibilities will be when the time arises...My first purchase was this book, first of all because of other product reviews I read but secondly because it was a cheaper option compared to other similar texts. I really didn't need to look no further as far as informational executors guides books go...it answered all my questions...even gives me hard copies of forms that I should have completed before death and after death of your loved one.1 of 1 people found the following review helpful. VERY helpfulBy OfficeProfessional518VERY helpful book if you are going to settle an estate. Even better advice: IF you are going to settle an estate, call your attorney

(ESPECIALLY if real estate is involved!) 2 of 3 people found the following review helpful. Needed truth By The Lord's Table When the end of days comes, a chosen representative is seldom prepared to take more than a first step in closure of things tangible. The Complete Executor's Guidebook pretty well fits the next steps. It could be strengthened by telling more clearly what form or forms are needed to change banking over from Social Security Number as the recognized ID to the type of ID needed for that or those accounts and where does one go to get information and do this.

A step-by-step guide to settling a loved one's estate. Being an executor or personal representative is no easy task. For many, the job comes at a time of high emotion and is something that has never been done before. The Complete Executor's Guidebook is here to help ease this troubling time and make this overwhelming task manageable. It gives you everything you need to navigate through all the paperwork and responsibility that comes with this role. It takes you step-by-step through all of the legal and financial matters that must be completed and provides you with a plan to timely settle an estate. With it you will feel confident that you are doing everything you need to do, such as:- Preparing for your role as an executor or trustee- Making claims for insurance, social security and other benefits- Understanding the will or trust provisions- Handling situations when documents are missing- Going to court- Dealing with taxes- Finding your state's laws- Working with lawyers, accountants, insurance agents and others

From the Back Cover A Step-By-Step Guide to Settling a Loved One's Estate You've lost someone close to you, and now you've been named the executor of the estate. What does that entail? What does that even mean? The Complete Executor's Guidebook takes you step-by-step through the confusing probate process from start to finish. This book explains everything you need to know to successfully serve as an executor of an estate in a simple, easy-to-understand way. --I'm not a lawyer. What do all of these words mean?--Do I have to be the executor of an estate if I'm named, or can I turn it down?--What exactly does an executor have to do?--What if I make a mistake? --Can I get in trouble?--How long will the entire process take?--Will I get paid for being an executor?--What if there is something wrong with the will? --What if there isn't a will at all? The Complete Executor's Guidebook will help you through the entire process and keep you from making some very costly mistakes. This is the best book to give you the legal support you need at a time when you need it the most. ?This easy to read, well-organized and practical guide for executors is...written from personal experience by an estate planning attorney who knows his stuff.? -John Palmer, Host, The Prudent Advisor, Retirement Living Television and former news anchor, The Today Show About the Author Benjamin Berkley has practiced law for more than twenty-eight years, specializing in estate planning and estate administration. He earned his law degree from Western State University. In addition to being admitted to the State Bar of California and the United States Supreme Court, he is also licensed by the State of California and the Department of Justice as a private fiduciary for court appointments as a conservator and trustee of estates. Mr. Berkley also serves as a panel referral attorney for the nation's largest prepaid legal programs, including ARAG Legal, Hyatt Legal, and GE Consumer Signature Legal. He is a network attorney for AARP members. He regularly conducts seminars on estate planning and has become an advocate for senior rights. Ben lives with his wife and two children in southern California. Excerpt. copy; Reprinted by permission. All rights reserved. Excerpt from the Introduction of The Complete Executor's Guidebook The Complete Executor's Guidebook is an instructional guide for anyone administering and managing an estate. Regardless of whether the decedent left a will or a trust, or died without making any estate planning decisions, this book provides step-by-step instructions, checklists, and resource information. If it is determined that the estate must go through court procedures, the book provides a simple-to-follow explanation for navigating through the probate process. In addition, it discusses the many nonlegal and personal issues you must address when representing the survivors of an estate. The Complete Executor's Guidebook also helps you avoid what could become very costly mistakes for the estate, as well as minimize or eliminate your personal exposure as the representative of the estate. From preplanning discussions with your loved one, to your role at the time of death, and concluding with the closing of the estate, the book will provide both legal and emotional support at a time when it is needed the most. Finally, it provides a discussion of the ways of avoiding probate. The frequently asked questions section starting on page xix acts as a brief introduction to immediate issues. After these, the book is divided into two parts. PART ONE: PREPLANNING AND TRANSITION Chapter 1 provides an overview of estate administration and translates the often misunderstood legal terminology into everyday language. Chapter 2 explains what is expected of you as the representative of the estate so that you can decide if you wish to accept your appointment. If you have been informed, prior to someone's passing, that you have been appointed as the representative of that person's estate, Chapter 3 discusses conversations you should have with your loved one so that you will be better prepared to assume your role upon his or her passing. If death is imminent, you may be called upon to make legal decisions on behalf of your loved one. Chapter 4 discusses powers of attorney, alternative living arrangements, and hospice care. Chapter 5 discusses the most immediate issues that must be addressed at the time of passing, including funeral arrangements and the placement of children. Chapter 6 discusses managing the immediate needs of the survivors at the time of passing, as well as how it is important for you to remain focused on your role and not allow others' personal agendas to

interfere with your responsibilities. Chapter 7 discusses who must be notified upon the deceased's passing and the steps you must take in preparation for commencing a probate. PART TWO: ESTATE ADMINISTRATION Chapter 8 discusses locating the will and other estate planning documents, as well as organizing, itemizing, and categorizing the assets of an estate. Chapter 9 takes you step by step through the formal probate process and concludes with your court appointment as representative of the estate. It also discusses will contests. Chapter 10 discusses all the steps required in completing a formal probate, including filing reports with the court, notifying creditors, and distributing assets. If a person leaves an estate but does not leave a will, you may wonder how his or her property is divided. Chapter 11 discusses the laws of intestate succession. Even if there is a will, it may be subject to interpretation or may be unenforceable. These matters are discussed in Chapter 12. Chapter 13 discusses when a formal probate is not required and how the assets can be transferred by affidavit or an informal probate process. Chapter 14 provides a complete discussion of the management of both the assets and liabilities of an estate, including when assets need to be sold and invested. Also, it discusses which bills must be paid even though the estate has not closed. The loss of a loved one can create an immediate financial hardship for the survivors. Chapter 15 discusses obtaining benefits for the estate. Chapter 16 discusses the decedent's personal tax liability as well as whether the estate will owe federal and estate taxes. Chapter 17 discusses your legal rights to receive compensation from the estate for performing your role as the representative of the estate. Chapter 18 provides a discussion of your role as an advisor to the estate's survivors, who may seek your recommendations for avoiding probate. In addition, it provides information for revising the survivor's estate planning documents as a result of the loss of the decedent. Chapter 19 provides an overview of revocable living trusts and how to administer a trust after the trustor's passing. Chapter 20 discusses the role of an attorney in representing an estate. It discusses when an attorney may be necessary. It also provides practical information to assist you in finding the right attorney. Chapter 21 is my favorite chapter. Though very brief, it makes sense of the reason why books on estate administration are ever written. It provides information for saying thanks to your loved one. Following Chapter 21 is a glossary of the most commonly used legal terms. Appendices A - G include reference material, worksheets, questionnaires, and sample forms.