CORUM MABIE COOK PRODAN ANGELL & SECREST, PLC

Estate Administration Checklist

Decedent's Name: Date of Death:

	Pre-Probate Tasks	**N/A**	**Completed By**	**Date**
1	Provide attending physician with accurate information for death certificate.			
2	Provide funeral director with information concerning funeral arrangements, cemetery deed, and burial or cremation instructions.			
3	Obtain death certificates from funeral director.			
4	Help family to draft obituary. Retain copy in file.			
5	Provide immediate care and security for family members, pets, plants, and business and personal assets.			
6	Dispose of any perishables.			
7	Advise family members to retain receipts for all funeral-related expenditures.			
8	If decedent is unmarried, arrange for all mail to be held at Post Office pending appointment of executor or administrator (hereafter "executor").			
9	Consider timely disclaimers to effect more appropriate division of estate.			
10	Draft Form SS #4 for fiduciary to request Taxpayer ID# for estate. File with IRS at: https://sal.www4.irs.gov/modiein/individual/index.jsp; or by fax to (859) 669-5760; or have fiduciary call IRS at (800) 829-4933.			

	Obtaining Appointment for Executor or Administrator			
1	Locate and examine Will.			
2	Meet with family to explain estate proceedings, clarify responsibilities, and obtain:			
	a. Names and addresses of all parties mentioned in Will, as well as Social Security Numbers of residuary legatees, and those receiving bequests of $5,000 or more in taxable estates.			
	b. Family tree, and names and addresses of all heirs.			
3	Provide executor list of items to obtain.			
4	Provide engagement letter to executor.			

5	Advise executor to keep record of time expended and expenses incurred to facilitate preparation of accounting.			
6	Estimate value of decedent's probate estate.			
7	Draft Petition to Open Decedent's Estate (Probate Court Form PE 1). Attach death certificate and entry fee. (*See* 32 VSA §1434(a)) Court entry fees as of July 1, 2014: $10,000 or less $30.00 $ 10,001 to $50,000 $80.00 $50,001 to $150,000 $210.00 $150,001 to $500,000 $395.00 $500,001 to $1,000,000 $660.00 $1,000,001 to $5,000,000 $1,050.00 $5,000,001 to $10,000,000 $1,575.00 Greater than $10,000,000 $1,840.00 Draft List of Interested Persons (Probate Court Form PE 2)			
8	Draft Notice of Appearance (Probate Court Form No. 148).			
9	Draft Estate Administration Bond (Probate Court Form PE 20), and secure commercial surety if not waived in Will and required by Court. If Executor or Administrator is not a Vermont resident, draft Appointment of Resident Agent (Probate Court Form PE 26).			
10	File death certificate and entry fee, and Probate Forms listed above with, and hand-deliver original Will to appropriate Probate Division of the Superior Court 30 days after Will custodian learns of decedent's death. 14 V.S.A. §103. *See* https://www.vermontjudiciary.org/GTC/probate/default.aspx for addresses of Probate Districts.			

	Consolidating Assets Within Estate			
1	Obtain appraisals for real and personal property. If estate is expected to be taxable, consider commissioning more than one appraisal, and estate and income tax effects of "high" and "low" appraisals. Coordinate appraisals to minimize inconvenience to family and administrative expense.			
2	If inventory cannot be filed within 30 days of appointment, file motion to extend time for filing to 90 days with Probate Division of the Superior Court, (Probate Court Form PE 45). V.R.P.P. 66(a).			
3	Publish Notice to Creditors, (Probate Court Form PE 32), in newspaper of record, or file Motion to Waive Notice to Creditors (Probate Court Form PE 33), with Probate Division of the Superior Court. Promptly send copy of Notice to			

	Creditors and Written Statement of Claim (Probate Court Form PE 34) to all known creditors. V.R.P.P. 64(a). Creditor's period expires:			
4	Upon receipt of Letters Testamentary and Taxpayer ID number, establish estate checking account. Encourage executor to permit attorney or accountant to write checks, make deposits and receive duplicate account statements. Obtain copy of executor's driver's license and the executor's Social Security number to facilitate establishing estate checking account.			
5	Review adequacy of property insurance and obtain confirmation in writing.			
6	File claimant's statements for all life insurance policies and obtain Forms 712 for taxable estates.			
7	Notify annuity payers of death of annuitant, and request Forms 712 for taxable estates.			
8	Obtain copies of decedent's last income tax return, and last three years if it is a taxable estate, to determine sources of income.			
9	Calculate date-of-death values for all securities to update basis.			
10	Notify banks of decedent's death and close accounts.			
11	Request information for all bank accounts, loans, and safe deposit boxes.			
12	Inventory safe deposit box and home safe.			
13	Check for abandoned property at: https://secure.vermonttreasurer.gov/unclaimed/ownersearch.asp			
14	Upon receipt of appraisals, draft Inventory (Probate Court Form PE 30).			
15	Send copies of Inventory to all parties entitled to notice (V.R.P.P. 66(a)), and file Inventory and Certificate of Service (Probate Court Form No. 124) with Probate Division of the Superior Court.			
16	Within 30 days of appointment, Probate Division of the Superior Court will advise surviving spouse of statutory rights, (Probate Court Form PE 49). V.R.P.P. 13(a).			
17	Advise Spouse that (s)he may wish to retain independent counsel when considering statutory rights.			
18	File (Probate Court Form PE 49) Notice of Elections and/or Waiver by Surviving Spouse with Probate Division of the Superior Court.			
19	File copy of Notice to Creditors with Probate Division of the Superior Court within 10 days of last publication. V.R.P.P. 64(a).			
20	Pay funeral expenses.			

21	Confirm that Social Security lump sum death benefit and VA burial allowances were obtained.			
22	Cancel unused newspaper and magazine subscriptions, and request refunds.			
23	Cancel credit cards and charge accounts.			
24	Consolidate all securities, brokerage accounts and mutual funds, or arrange to have duplicate statements sent to attorney or accountant.			
25	Estimate cash required to discharge bequests and pay estate taxes and administration expenses.			
26	Raise necessary cash.			
27	Determine fiscal year for fiduciary income tax returns, and party responsible for filing returns.			
28	Establish ticklers on computer and in calendars 1, 4 and 8 weeks before due dates for initial returns and subsequent years.			
29	Establish ticklers for March 1, March 20 and April 10 on computer and in calendars, and determine party responsible for filing decedent's final income tax returns.			
30	Inquire about employee benefits – group life insurance, profit sharing, accrued salary, and stock options.			
31	After 4 month creditor's period has run, pay debts. *See* 14 V.S.A. §§ 1205 and 1207 for priority of claims.			
32	Determine if any personal injury or wrongful death claims should be pursued.			
33	Pay specific bequests and obtain Receipts (Probate Court Form No. 153).			
34	Distribute tangible personal property in accordance with decedent's Will or memorandum attached thereto. Obtain Receipts (Probate Court Form No. 153) for all property distributed.			

	Real Estate			
1	Secure property, and change locks if necessary. Arrange for periodic inspections and maintenance.			
2	Obtain property tax vouchers and pay outstanding taxes.			
3	If real estate is to be sold, file Motion For License to Sell or Convey Real Estate (Probate Court Form PE 35). Note $55.00 filing fee.			
4	Serve copies of Motion on all estate beneficiaries unless Will contains power of sale. V.R.P.P. 5.1 (b)(1).			

5	After real estate has been sold, file Report on License to Sell, Mortgage, or Lease Real Estate or Personal Property (Probate Court Form PE 43). Cancel homeowner's insurance policy and request refund.			
6	Record License to Sell in land records with Executor's Deed.			
7	If real estate was owned as tenants by the entirety or joint tenants with right of survivorship, check with Town Clerk to determine if local practice is to file copy of decedent's death certificate in Town Land Records.			
8	File Form HS-132, a Withdrawal of Homestead Declaration, by April 1 of the year following the date of death, unless the property is sold before that date.			

	Taxable Estates			
1	Schedule federal estate tax return on computer and in calendars 1, 2, 4 and 8 weeks prior to due date.			
2	Request copies of gift tax returns from decedent's tax preparer, and from Internal Revenue Service on Form 4506.			
3	If decedent's spouse predeceased him/her, obtain copy of his/her estate tax return.			
4	Calculate alternate values 6 months after date-of-death if there will be an estate tax liability.			

	Continued Probate Responsibilities			
1	If estate cannot be terminated within one year of appointment, file Interim Account (Probate Court Form PE 56). Note $30.00 filing fee if filed more than one year after appointment.			
2	Serve Interim Account on persons entitled to notice, V.R.P.P. 66(b). File Certificate of Service (Probate Court Form No. 124).			
3	Consider partial distribution to estate beneficiaries and requesting Decree of Partial Distribution from Probate Division of the Superior Court. 14 V.S.A. § 1743. Note $105.00 filing fee.			
4	Upon receipt of federal estate tax clearance, or if no estate tax return must be filed, request tax clearances from Vermont Department of Taxes on form E2A. Indicate that no tax will be due on final fiduciary income tax return.			
5	Draft final account (Probate Court Form PE 56).			

6	Serve final account on all persons entitled to notice. V.R.P.P. 66(b).			
7	If requested by Probate Division of the Superior Court, draft Decree of Distribution (Probate Court Form PE 57A)			
8	File final account and Certificate of Service (Probate Court Form No. 124) and Motion to Allow Account (Form PE 56A) with Probate Division of the Superior Court. Note $26.25 filing fee for accounts filed for periods ending more than one year following the opening of the estate.			
9	Request consents to allowance of Account (Probate Court Form No. 155).			
10	Establish any testamentary trusts by filing Petition to Open Trust Estate (Probate Court Form No. 110), List of Interested Persons in Trust Estate (Probate Court Form No. 111), and Trustee's Bond (Probate Court Form No. 113).			
11	Pay outstanding executor's and attorney's fees.			
12	Confirm that basis information has been provided to beneficiaries.			
13	Upon receipt of Decree, transfer securities and accounts in accordance therewith, and obtain Receipts (Probate Court Form No. 153).			
14	File final Federal and Vermont fiduciary income tax returns.			
15	File Closing Report (Probate Court Form No. 152) within one year of Decree.			

ESTATE OF __________________
LIST OF ITEMS FOR EXECUTOR TO OBTAIN

The following is an initial list of items for the executor to obtain to enable us to assist with the administration of the estate. Please bring these documents with you to our initial conference.

_____ 1. Copy of death certificate.

_____ 2. Original Last Will and Testament.

_____ 3. Inventory of personal effects; jewelry, autos, boats, collectibles.

_____ 4. List of all bank accounts, including savings accounts and certificates of deposit.

_____ 5. List of all investments - stocks, bonds, mutual funds.

_____ 6. List of pension and IRA funds.

_____ 7. Life insurance policies.

_____ 8. Copies of deeds, mortgage deeds and statements, and property tax bill.

_____ 9. Legal description of property located in other states.

_____ 10. Gift tax returns, and list of lifetime gifts by the decedent.

_____ 11. Copies of all trust agreements where the decedent was a grantor, trustee, or beneficiary.

_____ 12. Copies of last year's federal and state income tax returns.

_____ 13. Schedule K-1's from partnerships and S corporations for the last three years.

_____ 14. List of all administration expenses, including funeral expenses.

_____ 15. Names, addresses, ages, relationship, and social security numbers of all heirs.

_____ 16. Names and addresses of all professional advisors of decedent; attorney, stock broker, trustees.

_____ 17. Copy of executor's driver's license to facilitate establishing estate checking account.

_____ 18. Copies of documents filed with Probate Court.