HARRIS-PERO
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Executor Guide

Running the Probate Marathon

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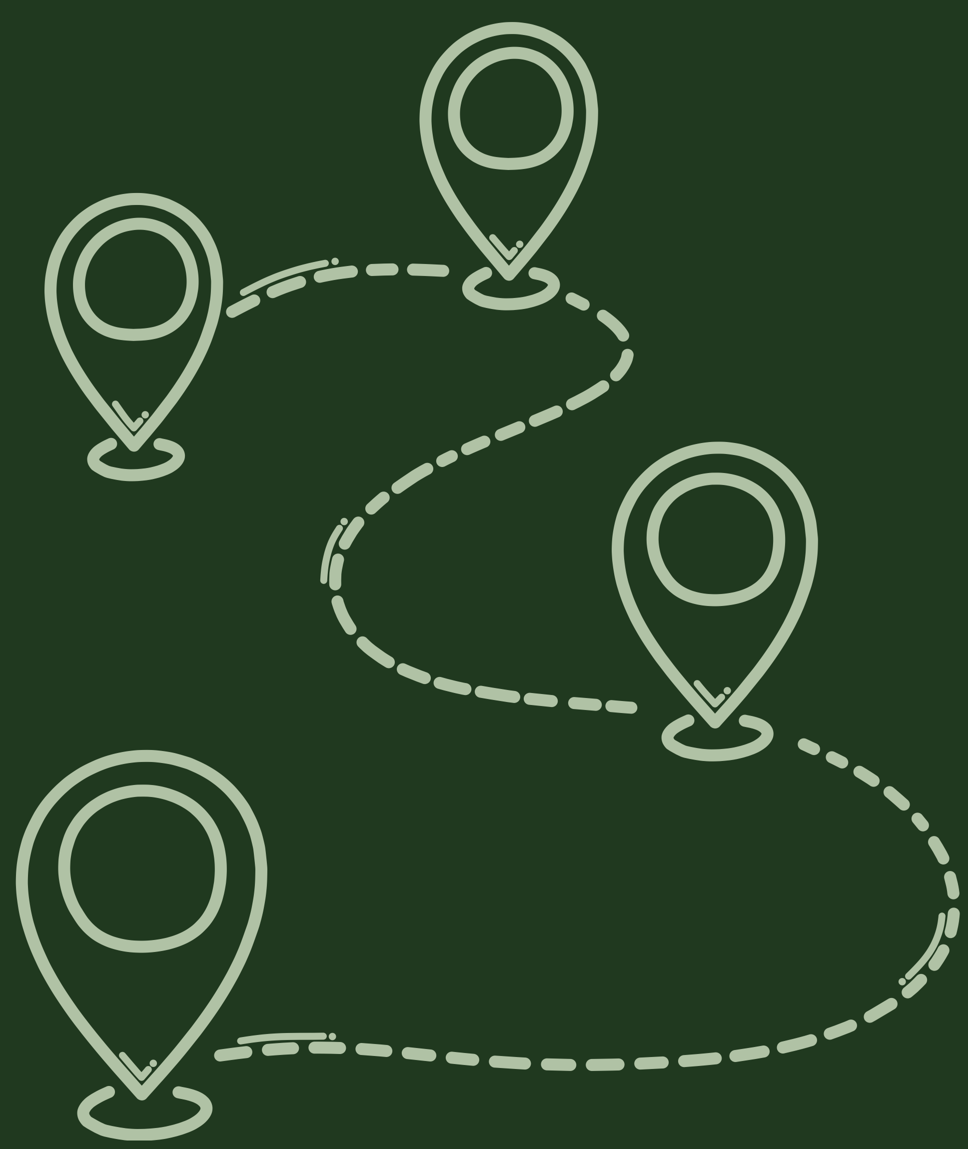
Losing a loved one is never easy, and being named the Executor of their estate can feel like you've been handed the responsibility of running a marathon you never trained for. The path ahead may seem long and uncertain, but with the right coaching and a solid race plan, you can reach the finish line successfully.

Just like a runner relies on their coach for strategy, pacing, and guidance, you don't have to go through the probate process alone. We're here to be your support team, making sure you stay on track, avoid obstacles, and finish strong. This guide will help you understand the steps of the probate process in New York and what to expect as you take on the role of Executor.

Understanding the Course: What Is Probate?

Probate is the official process of verifying a Last Will and Testament in the Surrogate's Court. This ensures that:

🏁 The Will is valid and properly signed.
🏁 The wishes of the deceased are followed.
🏁 The Executor has legal authority to handle estate matters.



Once the court approves the Will and appoints you as Executor, you'll have the green light to move forward in managing the estate.

Coaching & Support:
How We Help You Through the Race

As your legal coaching team, we help you:

- ✓ Initiate the probate process by filing petitions with the court.
- ✓ Obtain legal authority so you can act on behalf of the estate.
- ✓ Work with beneficiaries to ensure they receive their proper distributions.
- ✓ Guide you through each stage of the process, keeping things on track.

Starting Line: What to Do First

1. Plan the Funeral (Pre-Race Warm-Up)

- Determine if pre-arrangements were made.
- Save all funeral, burial, cremation, and memorial service bills and receipts. These may be reimbursable by the estate.

2. Order Death Certificates (Essential Race Gear)

- The funeral home typically handles this. Order a certificate for each major asset, one for court filings, and one for the Executor.
- Additional copies can be requested later from the county's Vital Statistics or Department of Health office.

3. Locate the Will (Mapping the Course)

- The original Will must be submitted to the Surrogate's Court.
- Common storage locations include the decedent's home, safe, or with their attorney. If a copy of the Will is found but the original is missing, probate may still be possible through a more complicated process.

4. Gather Information (Training for the Race)

Collect important documents, including:

- Divorce decree or separation agreement
- Spouse's death certificate (if applicable)
- Financial statements near the date of death
- Beneficiary designations (Transfer/Payable on Death)
- Income and gift tax returns
- List of debts (credit cards, unpaid bills, etc.)
- Citizenship or permanent resident information

Phase One: Appointing Executor

Before any race begins, a runner needs proper preparation, a solid game plan, and official clearance to compete. As Executor, your first step is to get legally appointed so you have the authority to handle the estate. Think of this as getting your race bib, stretching, and stepping up to the starting line. With our coaching team guiding you, you'll be set up for a strong and confident start.

1. Initial Meeting
2. Determine Probate Assets
3. Court Filings
4. Court Review
5. Executor Appointment

1. Initial Meeting (Race Strategy Session)

Once you've had time to grieve and gather essential documents, we recommend setting up a meeting with us to start the process.

We will ask that you provide us with initial documentation including, but not limited to:

- The original Will
- A Certified Death Certificate
- Recent Financial Statements

2. Determine Probate Assets (Define the Race Course)

Before we file a petition with the court, we need to get a general idea of the value of the estate. To do this, we will determine probate assets vs. non-probate assets.

Probate Assets

Any assets owned solely by the Decedent (no beneficiaries)

Non-Probate Assets

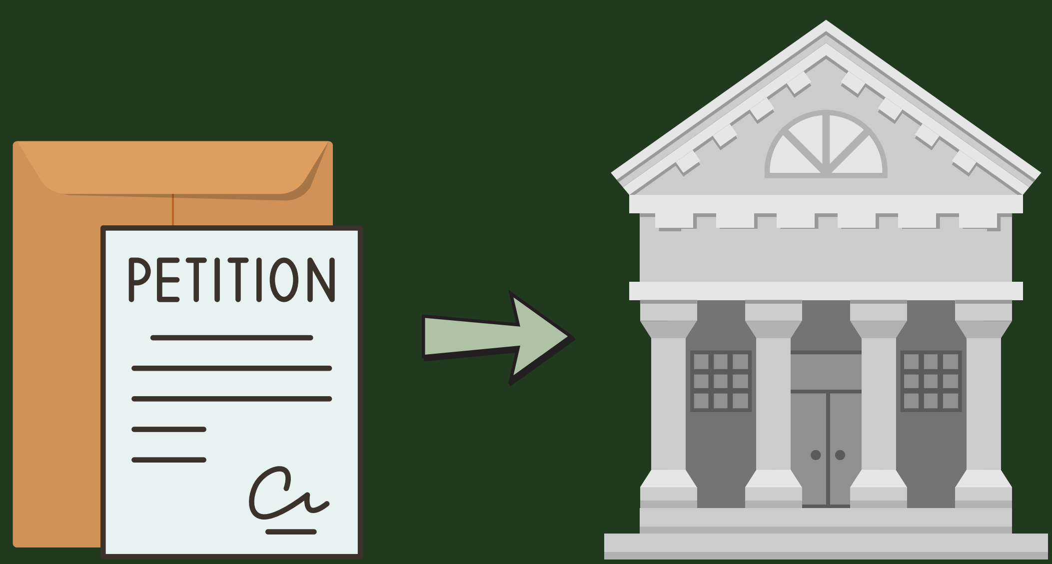
Jointly-owned property, accounts with named beneficiaries, and assets held in trusts.

Only the *probate assets* will be included in the estate's valuation.

3/4: Court Filing and Review (Qualifying Match)

To get started, the court commonly requires:

- Petition for Probate
- Waiver and Consent to Probate
- Notice of Probate
- Affidavit of Heirship and Family Tree
- Original Will
- Certified Copy of Death Certificate
- Filing Fee



Once everything is signed and returned to us, we will file the petition and the supporting documents with the court and the Surrogate's Court will review the filings.

5. Executor Appointment (Official Clearance to Race)

If all steps are completed correctly, the court will issue Letters Testamentary, granting the Executor legal authority to act on behalf of the Estate. The time frame for appointment varies by jurisdiction.

Duties of an Executor

Before a runner takes their first stride, they need to warm up, check their gear, and mentally prepare for the race ahead. Similarly, as Executor, it's important to make sure you understand your responsibilities and have everything in place before the real work begins.

Your key responsibilities include:

- Pay estate bills and taxes.
- Notify financial institutions of the decedent's death.
- Maintain and safeguard property until the estate is settled (for example, upkeep of a house).
- Distribute assets according to the will.

With these responsibilities in mind and our guidance as your coaching team, you'll be ready to take your position at the starting line and begin the probate marathon with confidence.

Phase Two:
Running the Probate Marathon

1: Get your Guide

2. Identify and Gather Assets

4: Report Estate Value

3: Pay debts and Expenses

5: Prepare to Close

6: Submit to Court

7: Distribute and Close

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Now that you're officially in the race, it’s time to keep up the pace and tackle the key responsibilities of estate settlement.

1. Get Your Guide

(Your Race Plan & Coaching Support)

We will give you a Settlement Advice Letter to help you understand what to do. We’re always here to help.

2. Identify and Gather Assets:

(Check your Gear)

This includes locating bank accounts, real estate, investments, personal property, and other valuables.

3. Report the Estate’s Value

(Check Point at Miles 7-9)

Around 7-9 months in, we will send you a form called an Inventory of Assets to sign. This tells the court how much the estate is worth.

4. Pay debts, taxes, and expenses

(Clearing Hurdles Along the Way)

The executor or administrator must use the estate's assets to pay any outstanding debts, taxes, and expenses, such as funeral costs and legal fees.

5. Get Ready to Close the Estate

(The Final Stretch)

We will prepare a simple financial report and a Receipt and Release form for each beneficiary (the people who will inherit) to sign.

6. Submit Everything to Court

(Crossing the Last Checkpoint)

Once we have all the forms, we file them with the court for approval.

7. Distribute the Money & Close the Estate

(Crossing the Finish Line!)

After the court says everything is in order, the estate’s money and property can be distributed to the beneficiaries.

The estate is then closed.

The probate process may feel like a long and challenging race, but you're not running it alone. With our legal team as your coaches, you'll have personalized guidance at every turn, ensuring you stay on course and avoid unnecessary delays.

Our goal is to help you navigate the process smoothly, avoid obstacles, and reach the finish line with confidence. Step by step, we'll ensure that your loved one's final wishes are honored and the estate is settled properly.

Schedule Your Consult

Proudly serving clients in Saratoga Springs, the North Country, and throughout New York, virtually and in-person.

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