PROBATE CASE WORKSHEET

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USING THIS ORGANIZER WILL ASSIST US BY PROVIDING THE INFORMATION NECESSARY TO ADMINISTER YOUR ESTATE.
ALL INFORMATION PROVIDED IS STRICTLY CONFIDENTIAL.

PLEASE RETURN THE COMPLETED WORKSHEET TO OUR OFFICE VIA EMAIL OR FAX.

GENERAL INFORMATION

The probate process is highly technical. California law requires notice to what sometimes is a long list of people. Notice is jurisdictional. The court is very concerned that notice is properly given because court orders will be void if it is later discovered that someone was left out. Therefore, the court will not appoint a personal representative until the court is satisfied that the notice requirement has been met. Therefore, please give us complete contact information for all interested parties and beneficiaries from the outset and advise us of any problems you may have in obtaining the information.

As personal representative you are managing someone else's money. Here is a short list of responsiblities:

- there cannot be any speculative investments;
- estate assets must be kept in a separate estate account;
- estate assets must earn interest [except for an amount kept aside to pay expenses];
- distributions cannot be made without prior court approval;
- neither fees to the personal representative nor attorney fees can be paid without prior court approval;
- the personal representative must take possession of all estate property;
- the personal representative must report to the court the property in his/her possession within 4 months of appointment;
- sales of property require notice to heirs and court approval;
- debts and taxes must be paid;
- the personal representative must account to the court.

The actions of the personal representative are authorized and limited by statute. For instance, a personal representative usually cannot sell property without either prior consent of the heirs, or prior approval by the court. Title companies are well aware of these requirements and will not issue title insurance without compliance since a deed signed out of compliance is void.

A personal representative must administer the estate for the best interests of all heirs. Before an estate can be closed and assets distributed the personal representative is required to submit an accounting to the court of all activities occurring during the administration. Information regarding all assets, income, expenses, sales, gains and losses are reported to the court and shared with the heirs.

A personal representative has much responsiblity and can be held personally liable for any missteps. Historically personal representatives have made every mistake in the book such as failing to file tax returns and incurring penalties and interest; commingling estate funds with personal funds; failing to move the administration process forward; entering into contracts to sell estate property without following the legally required procedures; making distributions without court approval; selling/buying property from the estate without court approval [sometimes for less than fair market value but it doesn't matter even if the estate benefits greatly]

We will guide you through the estate legal requirements so that potential problems are avoided.

DECEDENTS PERSONAL INFORMATION

Decedents Legal Name____
(name most often used to title property and accounts)

Also Known As ____
(other names used to title property and accounts)

Birth Date ______________________________ SS# __________________ US Citizen? ______

Home Address ____________________________ City ___________________ State ____________ Zip ______________

❑ Married ❑ Divorced ❑ Widowed ❑ Single

Spouse [if living] ____
(name most often used to title property and accounts)

Also Known As ____
(other names used to title property and accounts)

Prefer to be called _________________________ Birth date ______________ SS# _________________ US Citizen? ______

Home Address ______________________________________ City ________________ State _________ Zip ___________

Home phone ___________________ Cell Phone ____________________________ Business Telephone _________________

Email ______________________ Employer _________________________ Position _______________________________

Business Address ____________________________________ City _______________________ State ____ Zip ________

Clients Name (if other than spouse) ____

Address ____ City______________________ State _______ Zip _________

Home Phone _______________________ Cell Phone ______________________ Email ___________________________

DECEDENTS FAMILY AND BENEFICIARY INFORMATION

(You must list all relatives to the second degree, Grandparents, Parents, Siblings,&Children as well as all individuals named in a Will) ***Social Security Numbers are only required for those individuals who are beneficiaries of the estate***

Name/ Address/ Phone number	**Birth date**	**Relationship**
1.____ ____	________________	________________
*****Social Security #** __________________________		
2.____ ____	________________	________________
*****Social Security #** __________________________		
3.____ ____	________________	________________
*****Social Security #** __________________________		
4.____ ____	________________	________________
*****Social Security #** __________________________		

DECEDENTS FAMILY AND BENEFICIARY INFORMATION

Name/Address/Phone number **Birthdate** **Relationship**

5.____ ________________ ______________

____

*****Social Security # ______________________________**

6.____ ________________ ______________

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*****Social Security # ______________________________**

7.____ ________________ ______________

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*****Social Security # ______________________________**

8.____ ________________ ______________

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*****Social Security # ______________________________**

9.____ ________________ ______________

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*****Social Security # ______________________________**

10.____ ________________ ______________

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*****Social Security # ______________________________**

11.____ ________________ ______________

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*****Social Security # ______________________________**

Are there any STEP CHILDREN that would have been adopted by the decedent, but were prevented from being adopted for any reason? Yes ____ No ____

If yes, please list their information below:

Name/ Address/ Phone number **Birth date** **Relationship**

1.____ ________________ ______________

____

Social Security # ______________________________

2.____ ________________ ______________

____

Social Security # ______________________________

NAMES AND ADDRESSES OF ALL NAMED EXECUTORS/ADMINISTRATORS

California law requires notice to all persons named as executor or alternate executor in a will.

Name/ Address/ Phone Number

1. **Executor/Administrator** Legal Name ____
(name most often used to title property and accounts)

Home Address ______________________________ City ________________ State _______ Zip _________

Home Telephone ______________ Cell # ____________________________ Email ______________________

Relationship to decedent ____

2. **Executor/Administrator** Legal Name ____
(name most often used to title property and accounts)

Home Address ______________________________ City ________________ State _______ Zip _________

Home Telephone ______________ Cell # ____________________________ Email ______________________

Relationship to decedent ____

3. **Executor/Administrator** Legal Name ____
(name most often used to title property and accounts)

Home Address ______________________________ City ________________ State _______ Zip _________

Home Telephone ______________ Cell # ____________________________ Email ______________________

Relationship to decedent ____

ADVISORS

Name	Telephone
Personal Attorney ______________________	______________
Accountant ______________________	______________
Financial Advisor ______________________	______________
Life Insurance Agent ______________________	______________

IMPORTANT QUESTIONS

Please rate the following on a scale of 1 to 5 (1 being least, 5 being greatest)	
What is the likelihood of anyone contesting the validity of the Will.	
What is the likelihood of anyone filing a lawsuit against the estate.	
Please answer YES or NO to the following (Y= yes, N= no)	
Are their any relatives, executors, alternate executors, or beneficiaries of the estate whose location is unknown?	
Has a tax ID number been issued for this Estate? (if yes please list below)	
Have any distributions been made from the Estate since the date of death?	
Have there been any Gift Tax (709) Returns filed for the Decedent?	

REAL PROPERTY

TYPE: Any interest in real estate including the family residence, vacation home, time share, vacant land, etc.

General Description and/or Address	Owner	Estimated Value
______________________	________	________
______________________	________	________
______________________	________	________
______________________	________	________
______________________	________	________
______________________	________	________
______________________	________	________
______________________	________	________
______________________	________	________
______________________	________	________

FURNITURE AND PERSONAL EFFECTS

TYPE: List separately only major personal effects such as, jewelry, collections, antiques, furs, and all other valuable non-business personal property

Type or Description	Owner	Market Value
	Total	

AUTOMOBILES, BOATS AND RVS

TYPE: For each motor vehicle, boat, RV, etc. please list the following: description, how titled, estimated value :

*********PLEASE PROVIDE COPIES OF STATEMENTS THAT WILL PROVIDE BALANCES ON DATE OF DEATH:***

BANK & SAVINGS ACCOUNTS

- Please provide copies of all Checking Account , Savings Account, Certificates of Deposit or Money Market accounts

Do any of the decedents bank accounts have TOD or POD designations? ("Transfer on Death" or "Pay on Death")?

___ yes ___ no

STOCKS AND BONDS

- Please provide copies of all investment accounts, paper stock certificates or bonds decedent owned

Do any of the Investment or Stock Accounts have TOD or POD designations? ("Transfer on Death" or "Pay on Death")?

___ yes ___ no

LIFE INSURANCE POLICES AND ANNUITIES

- Please provided copies of declaration pages for all insurance policies, annuities that name the estate as beneficiary.

RETIREMENT PLANS

- Please provide copies of Pension (P), Profit Sharing (PS), H.R. 10, IRA, SEP, 401(K) Statements that name the estate as beneficiary.

BUSINESS INTERESTS

TYPE: General and Limited Partnerships, Sole Proprietorships, privately owned corporations, professional corporations, oil interests, farm and ranch interests. **ADDITIONAL INFORMATION:** Give a description of the interests, who has the interest, your ownership in the interests, and the estimated value of the interests.

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____

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Total ____________________

MONEY OWED TO THE ESTATE

TYPE: Mortgages or promissory notes payable **to the estate,** or other moneys owed to the decedent.

Name of Debtor	Date of Note	Maturity Date	Owed to	Current Balance
			Total	

TRANSACTIONS IN PROGRESS

TYPE: Are there any sales or other transactions pending during decedent's life but not closed before death? ____ yes ____ no

Describe and provide copies of legal documents:

____

____

____

____

OTHER ASSETS

TYPE: Other property is any property that the decedent or estate may own that does not fit into any listed category.

Type	Owner	Value
	Total	

CREDITOR INFORMATION

List all creditors of the decedent including debts of all kind large and small. Provide copies of legal documents and statements. Use a separate sheet if necessary. This information is not necessary to open the estate but will be necessary early in the administration.

1. Creditor Name ____________________ Contact person: ____________________
Decribe debt: ____________________ Account # ____________________ __________
Address ____________________ City __________ State ______ Zip ______
Telephone __________ Fax # ____________________ Email ____________________

2. Creditor Name ____________________ Contact person: ____________________
Decribe debt: ____________________ Account # ____________________ __________
Address ____________________ City __________ State ______ Zip ______
Telephone __________ Fax # ____________________ Email ____________________

3. Creditor Name ____________________ Contact person: ____________________
Decribe debt: ____________________ Account # ____________________ __________
Address ____________________ City __________ State ______ Zip ______
Telephone __________ Fax # ____________________ Email ____________________

4. Creditor Name ____________________ Contact person: ____________________
Decribe debt: ____________________ Account # ____________________ __________
Address ____________________ City __________ State ______ Zip ______
Telephone __________ Fax # ____________________ Email ____________________

5. Creditor Name ____________________ Contact person: ____________________
Decribe debt: ____________________ Account # ____________________ __________
Address ____________________ City __________ State ______ Zip ______
Telephone __________ Fax # ____________________ Email ____________________

6. Creditor Name ____________________ Contact person: ____________________
Decribe debt: ____________________ Account # ____________________ __________
Address ____________________ City __________ State ______ Zip ______
Telephone __________ Fax # ____________________ Email ____________________

DOCUMENT CHECKLIST

Please provide the following documents:

- ❑ **<u>ORIGINAL</u> Will**
- ❑ **<u>Certified</u>** copies of death certificates
- ❑ Copies of ***<u>date of death</u>*** bank statements and stock statements,
- ❑ Retirement plan balance statements
- ❑ Copies of all deeds to real property
- ❑ Copies of any real estate tax statements for each parcel of real property
- ❑ Copies of any Promissory notes & trust deeds for money owed TO the Decedent or Estate
- ❑ Previously filed estate or gift tax returns
- ❑ Copies of declaration pages of life insurance policies
- ❑ Previous 2 years income tax returns
- ❑ Legal documents/statements regarding debts

OTHER ITEMS TO INCLUDE OR DISCUSS: