



O'Donnell, Weiss & Mattei, P.C.

Do I Need an Attorney to Help With An Estate?

A loved one has just passed away, and you learn that it will be necessary for you to manage the estate administration, as an Executor. Do you need an attorney to help you?

Most people find that using the assistance of an attorney at such a trying time is invaluable. Estate administration requires a seemingly endless stream of paperwork, including probate in order to obtain the mysterious "short certificates." An inheritance tax return must be filed. Many potential pitfalls can be avoided by the use of an experienced attorney.

The Executor's job is to probate the Will in the county where the decedent lived prior to passing. If no Will exists, someone needs to be appointed Administrator to handle the Executor's duties. The personal representative, whether an Executor or an Administrator, must collect and value all of the assets, pay the debts where necessary, send notice to all of the heirs, and pay the death taxes. Sometimes, disputes arise among heirs that must be mediated. Assets may be tied up in real estate that must be sold or transferred. Retirement funds may be involved which often requires some knowledge of the current tax laws to handle these funds appropriately.

Filing an inheritance tax return to make the most out of any possible deductions takes specific knowledge that most people do not possess. Often when a spouse dies, the surviving spouse does not need to open an estate, sparing the surviving spouse some money and headaches. However, if the surviving spouse is fortunate enough to have inherited a substantial sum of money, sophisticated planning will save the eventual heirs significant taxes at the death of the second spouse.

Administering an estate, especially when it is a loved one who has passed away, can seem overwhelming, and an attorney can be both a comfort and a valuable member of your team throughout the process.

***Call today and talk to one of our estate attorneys
(610) 323-2800***