



How to Be a Good Executor



What to know about managing someone's final wishes



by Sharon Waters, **AARP** (<http://www.aarp.org>), May 7, 2021



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[En español \(/espanol/dinero/presupuesto-y-ahorro/info-2021/como-ser-un-buen-albacea.intcmp=AE-RET-TOSPA-TOGL-ES\)](#) | The wave of people prompted by the [COVID-19 pandemic \(/health/conditions-treatments/info-2020/coronavirus-facts.html\)](#) to write their wills is creating yet another wave in estate planning: all the people being asked to one day put those wills in effect.

They are the executors — the relatives or friends designated in a will as the final administrator of a deceased person's estate. If you have agreed to serve as an executor, you likely know the outline of the task you face: closing accounts, inventorying assets and distributing bequests. Even in what seems like a relatively simple situation — one spouse dies and leaves everything to the other — the paperwork is daunting. But when it gets more complicated, like if a widow dies and there are multiple children and assets, there's more. Much more.

"Being an executor is not an easy job," says Los Angeles estate planning attorney Terrence Franklin. The paperwork can exceed your worst expectations. The human side can be difficult too: You may need to pacify impatient heirs or mediate domestic squabbles. Taking on this role is a true sign of devotion, Franklin says. And although you might get paid for the work, it is primarily a labor of love.

Follow these steps to ensure that, when the time comes for you to serve, you honor the decedent, serve his or her heirs, and do your job as efficiently as possible.

Talk it over

To ensure you understand the will writer's wishes, [ask the person to be specific \(/money/retirement/giving-kids-access-to-assets/\)](#) about what he or she truly wants to happen with the estate after that person's death. Then ask if all that is detailed in the will. "Go out for coffee, sit down and say, 'So, this might be an uncomfortable conversation, but let's just have it,'" says Abby Schneiderman, co-CEO of Everplans, a digital estate planning website. Be prepared for surprises, she warns. The person may leave assets to a current or former lover. One of several children may be purposefully excluded. If your stomach is churning about how you'll handle the bombshell when revealed, ask the will writer to explain himself in a last letter of instruction, an informal document to be read after he dies that explains his decisions.

Start the paperwork

Upon the person's death, nothing can happen until you [locate the will \(/money/retirement/estate-planning-documents-suzanne-orman/\)](#) — the original, not a copy. File the will and the death certificate with the probate court to obtain a letter of testamentary, which recognizes you as executor, a required step before you can take any actions on behalf of the estate. Order at least a dozen extra certified copies of the death certificate; you may need more than 20 depending on the estate. You'll need those copies for a host of tasks: canceling credit cards, selling a home, transferring title to a car, shutting off utilities. "It's a pain in the neck to go back and say, 'I need more of them,'" says Kurt Grube, coauthor of *Please Don't Die! But if You Do, What Do I Do?*

Safeguard property

A vacant house can attract thieves who scan the obituaries; relatives and neighbors can act up too. "The second somebody passes, you need to lock up and secure all of the stuff," says Steve Gascón Hafen, an estate planning attorney in San Diego. Quickly [move jewelry and other valuables to a safe place \(/money/personal-finance/what-to-lock-in-safe-deposit-boxes/\)](#).

Photograph the inside of the home to document its contents, recommends Grube. “People t stuff is theirs,” he says, recalling a decades-old family story about a relative who drove a U-I up to her mother's home soon after her death.



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Create an organization system

Prepare for administrative hassles to add up — duties like maintaining and selling an unoccu house, stopping Social Security payments, settling any debts, closing financial accounts and meeting tax filings. “You are running another life,” says Sheila Samuels, a trusts and estates attorney in New York and New Jersey. To keep costs down and to maximize efficiency, start detailed to-do list, maintain meticulous records and create a spreadsheet of assets and liabi

Hire an attorney

You and other family members can save on professional fees by doing a lot of the administrat work yourselves, resulting in more assets left over for heirs. But even if the estate that you a handling is small, it is wise to hire a lawyer (/caregiving/financial-legal/info-2020/online-wil trusts-facts.html) for at least an initial consultation. That's what Grube did when his mother even though his brother is an attorney, to ensure the siblings weren't overlooking any unpaid taxes or debts. “It was the liability backstop — that nobody could come and claw back money from us,” Grube says.

Brace yourself for conflicts

Closing out an estate is more than a financial and legal endeavor. You'll have to manage the emotions of heirs, who may also be your siblings — and who may be jealous and resentful of authority you've been given. If you're in this situation, providing regular updates is the best v smooth bad feelings that may arise. “Most of the conflict that I see happen — it all comes from mistrust,” Hafen says. “And it comes from either lack of transparency or a seeming lack of transparency.”

Carefully distribute personal items

Allocating assets (/money/retirement/accounts-and-heirs/) can be tense. Ensure the process is fair by putting a system in place, such as switching who goes first each round when dividing possessions. Tight-knit families can fight about who gets which sentimental items, such as Grandma's old candy dish. "The smallest items of value could cause the most amount of aggravation for the executor," says Boston attorney William D. Kirchick, president of the National Association of Estate Planners & Councils.

5 things to tell your future executor

1. **Where the original will is.** Identify the exact spot in your home. If it's filed with an attorney, provide the contact information; if it's stored online, specify the website. Don't put it in a safe deposit box, where it can be difficult to access after your death.
2. **Whom to notify.** List people your executor or family might not think to tell or know how to reach, such as doctors, your employer's HR chief, or clubs you belong to. Include contact info to make things easier for the person delegated this task.
3. **Your passwords.** Share passwords and access codes (/caregiving/financial-legal/info-2019/digital-assets-planning.html) for email, social media and other online accounts, and for any cellphones or computers. Provide instructions about how to handle the accounts and devices. Don't want your executor to be able to access all this while you're alive? Give the passwords to someone else you trust.
4. **Who gets what.** Specify what happens to nonfinancial items such as recipes, photos and mementos. "Think about the things in your life that are special to you, that tell a little bit about you to future generations," says Abby Schneiderman of Everplans.
5. **Where your secrets are hidden.** Point the executor — or another trustworthy person — to any skeletons you want cleaned from your closets, such as love letters from an ex, nude photos and medicine you have been covertly taking.

Prepare heirs to be patient

Heirs can't be paid until all taxes and debts of the estate (/money/retirement/states-with-estate-inheritance-taxes/) are settled. Be upfront that it might take a year or more before they will receive payment, says New York and New Jersey trusts and estates attorney Allison J. Busch.

When payments are distributed, you'll want heirs to sign documents releasing you from further liability and agreeing to pay their fair share of any estate debts that may arise, Busch says. Do not feel obligated to give beneficiaries quick answers about how you'll handle aspects of the estate. Take time to give yourself time to think through all your decisions, Kirchick says.

Find joy in mundane work ...

Filling out forms and completing checklists can be oddly comforting while an executor is mourning a loved one. "I thought, *Here's how I can continue to help Mom with what she wanted*" says Grube about handling her estate. "It really was cathartic."

... or just say no

If you don't feel up to all these responsibilities, you're allowed to decline. No one can force you to be an executor, and a court can't appoint you to the role without your consent. Saying no, when someone asks you to be her executor, can be as simple as, "I'm flattered that you would ask me, but I don't think it is a good idea," Franklin says.

End on a high note

Your final steps as an executor include paying any debts and taxes owed by the estate, distributing assets and providing an accounting for the estate to the beneficiaries. Perhaps more important than paperwork is whether the beneficiaries believe you handled the process fairly. "If you're all still talking, you've done a good job," Grube says.

Sharon Waters, a former CPA, has written for Wired.com and other publications.

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 - [Choose family caregivers who will help when you need them \(/caregiving/financial-legal/info-2021/choosing-a-legal-representative.html\)](/caregiving/financial-legal/info-2021/choosing-a-legal-representative.html)
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