The Responsibilities of an Executor â€“ a Multi-Layered Task by Juan Mabry

Article published on August 6th 2012 | Society

There is an old saying, "Nothing is certain but death and taxes." Unfortunately, both death and taxes can be extremely complicated issues upon a person's death, and it is necessary to name a person that is trustworthy as an executor. The executor responsibilities will vary according to the circumstances, but it is a tough job and not everyone will be able to handle it. If you are making your will, and are trying to decide whom to name as executor, you need to choose someone who is honest, detail oriented, and will follow your wishes in the best possible manner.

The responsibilities of executor may be different if there is no will. If there is a will, the first task of an executor is to file with the probate court. This will place the will's documentation under legal scrutiny, and allow all of the red tape to get started. Then the executor must begin proceedings to disperse property or assets as designated on the will. However, the property cannot sometimes be dispersed until after the probate court has cleared the document. At this time, the executor may need to pay off creditors, or even liquidate the assets to help settle the estate.

Another drawback to being an executor is that sometimes other people may feel that they should have been in charge of an estate. If this issue is being disputed, they can file a petition of executor change with the probate court. While this doesn't happen easily, it does happen, especially where the estate was a large one. If someone files for a change in executor, they must provide careful evidence of why they have the greater right to that role. Sometimes the executor may be in a position of bearing the brunt of bad feelings of the family or friends of the deceased.

This is a very tough position for anyone, so you must choose an executor who is not only honest and intelligent, but has enough backbone to make sure your last wishes are fulfilled, regardless of bad feelings by the inheritors. It can sometimes be a thankless task, but one that needs to be done. You are not required to name an executor, however. Sometimes the probate court will oversee that themselves if there is no executor, or they will name an executor for the estate. However, in order to make things easy on those left behind, make a will and name an executor.

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Article Keywords:
responsibilities of executor, executor responsibilities

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