

## *WHAT TO DO WITH THE WILL OF THE DECEDENT*

### **WHAT SHOULD BE DONE WITH THE WILL OF A DECEDENT?**

The will should be probated as soon as possible after the death of the decedent.

### **HOW IS THIS DONE?**

The will should be delivered to the deceased's lawyer, usually the one who prepared the will, as quickly after the death as is possible.

### **IS THAT ALL THAT NEEDS TO BE DONE AT THAT STAGE?**

Yes. The lawyer will begin the probate process, and inform you of additional information you may need to provide and any further steps you will need to take.

### **WHY IS IT IMPORTANT TO PROBATE THE WILL?**

The will transfers the property of the deceased to the beneficiaries of the will, but the will is not effective until it is probated.

### **WHY IS IT IMPORTANT TO PROBATE THE WILL QUICKLY AFTER DEATH?**

When a person dies, there is no one authorized to represent the deceased's estate until the will is probated and the court appoints the executor. A delay in probating the will may jeopardize the estate if a matter arises which needs immediate attention.

### **IS THERE ANYTHING WHICH THE MAKER OF A WILL CAN DO BEFORE DEATH TO HELP IN THIS PROCESS?**

Yes. The maker of the will can help by being sure that the executor and family know where the will is kept. This will eliminate the need to search for it on the death of the maker.

### **IS A SAFE DEPOSIT A GOOD PLACE TO KEEP THE WILL?**

No. A safe deposit box is not a good place to keep the will because the safe deposit box may be sealed. If this happens, court orders will be required to enter the box. Of course, this delays the probate and adds to the cost.

### **HOW CAN ADDITIONAL INFORMATION ABOUT THIS SUBJECT BE OBTAINED?**

Please do not hesitate to contact us for additional information.