

Estate Settlement

An estate needs to be “settled” after the person to whom its property belonged dies. The process of settling an estate includes many steps, including paying funeral expenses, taxes and debts, and liquidating assets to make such payments possible, if necessary. Estate settlement also includes distributing the remainder of the estate to distributees in accordance to the deceased individual’s wishes, if he or she had a will, through a process referred to as “probate.” If the deceased lacked a will, the estate will be distributed in accordance to New York’s laws of intestacy, through a process called “administration.” Both probate and administration proceedings will occur at a county surrogate’s court. Under probate law, the person responsible for settling an estate is called an “executor,” who is usually appointed in the will. Under administration law, the task of settling the estate falls on an “administrator.” People must petition to the court to be named an administrator, but the law gives priority status to certain family members. **How We Can Help**

All estates must be settled – even small ones. Disputes over how estates are settled – from how debts are paid to who gets what – are common. The estate planning attorneys at Tully Rinckey PLLC in Buffalo, N.Y. can help guide executors, administrators, distributees, and other third parties through the estate settlement process. We will provide you with a free

initial consultation with an experienced estate planning attorney. If you are an executor or administrator, we can advise you on your duties and obligations. If you are a distributee who is dissatisfied with how the executor or administrator is settling the estate, we can help you petition to the court and ensure you receive that to which you are entitled under the law. Our estate planning attorneys can also represent parties in will contest litigation. In will contests a party usually alleges the person who drafted the will, called a “testator,” lacked testamentary capacity or created or revised the document under undue influence. Allegations of fraud or breach of fiduciary duties may also be raised in this type of litigation. Don’t make the loss of a loved one any harder than it already is. If you are in need of representation in estate settlement proceedings, call Tully Rinckey PLLC in Buffalo, N.Y. and schedule your free

initial consultation with an experienced estate planning attorney. Tully Rinckey PLLC’s estate planning attorneys can represent individuals and families throughout Western New York, including Buffalo, Hamburg, Kenmore, Tonawanda, Amherst, Williamsville, West Seneca, Lackawanna, Cheektowaga, Depew, North Tonawanda, Niagara Falls, and Lockport. Call today to schedule a free initial consultation with one of our estate planning lawyers at 716-439-4700 or e-mail at info@1888law4life.com

If your legal matter is urgent, call 716-439-4700 to speak to an attorney 24 hours a day, seven

days a week. The firm is responsive to the needs of current and prospective clients. We will respond to phone calls within normal business hours and e-mails within hours on the same business day.