**PROBATE CHECKLIST**

1. Locate an original copy of the decedent’s Last Will and Testament. If you do not have a copy yourself, check with the decedent’s spouse, children, and/or estate planning attorney.
2. Obtain several certified copies of the decedent’s death certificate. This can be done through funeral directors and/or the New York State Department of Health
3. Confirm that you are named as the Executor in the Will.
4. Look for additional estate planning documents. Specifically, look for a list of estate assets.
5. Make a list of all known estate assets and debts. Provide statements.
6. Identify an independent person that knew the decedent personally i.e. date of marriage/divorce, number of children ( in/out of wedlock), if left surviving spouse, etc.
7. Locate and secure all assets. This may require things such as closing accounts or locking up real property.
8. Divide assets into “probate” and “non-probate” assets. Non-probate assets are not required to go through the probate process. Non-probate assets may include things such as assets held in a trust, certain types of jointly held property, IRA’s/401ks and insurance proceeds.
9. Determine if the estate requires formal probate. Small estates may qualify for an alternative to formal probate.
10. Determine who the decedent’s legal heirs are.