

Minnesota Probate Checklist



**Peterson Law Office, LLC
40 Years of Legal Experience**

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Dear Family Member,

When a Loved One passes in Minnesota, it is always a difficult time for the family. After the funeral, it is necessary to conclude the Loved One's unfinished matters and distribute his or her property according to the Will or Trust the decedent left. If he or she did not a written testament, the property of the decedent is distributed according to the Intestacy Law of the State of Minnesota.

With 40 years of experience, I understand the challenges you may be facing at this time. That's why I made this simple, easy-to-use Minnesota Probate checklist for you. This checklist is meant to be a general guideline, and does not constitute specific legal advice regarding any specific situation of probate or non-probate. One of our goals is to keep clients out of probate, through the use of revocable or irrevocable trusts. Some or most of the checklist duties may not be required if the assets do not constitute a probatable estate. Once you have filled out what you can, please give me a call and I would be pleased to discuss the action that needs to be taken and the choices you have. The call is free and there is no obligation. **Our toll free number is 1-888-910-5297.**

Sincerely,

A handwritten signature in blue ink that reads "Bill". The signature is written in a cursive, slightly slanted style.

Bill Peterson

CHECKLIST

To do immediately:

Date completed:

- | | | |
|--------------------------|--|-------|
| <input type="checkbox"/> | Read will/trust/other estate documents | _____ |
| <input type="checkbox"/> | Notify relatives | _____ |
| <input type="checkbox"/> | Notify friends | _____ |
| <input type="checkbox"/> | Begin funeral arrangements | _____ |
| <input type="checkbox"/> | Notify clergy | _____ |
| <input type="checkbox"/> | Notify medical personnel for anatomical gift
(if applicable) | _____ |
| <input type="checkbox"/> | Conclude funeral arrangements
(request 10-20 copies of death certificate) | _____ |
| <input type="checkbox"/> | Publish obituary notices in newspaper | _____ |
| <input type="checkbox"/> | Notify Veteran's Administration & apply
for benefits (if applicable) | _____ |
| <input type="checkbox"/> | Notify landlord, change utilities, etc. | _____ |
| <input type="checkbox"/> | Advise Post Office to forward mail | _____ |
| <input type="checkbox"/> | Check homeowners insurance for unoccupied
house coverage | _____ |
| <input type="checkbox"/> | Stop publications mail to house | _____ |
| <input type="checkbox"/> | Arrange for lawn care, other home maintenance | _____ |
| <input type="checkbox"/> | Arrange care for any pets | _____ |

To do within 30-60 days

- Obtain certified copies of death certificate _____
- Change name on any joint checking and savings accts. _____
- Change name on securities accounts and funds, if beneficiary is designated _____
- Notify IRA and Keogh accounts _____
- Notify insurance companies and file claims _____
- Notify Social Security to stop/apply for benefits _____
- Notify Medicare, if applicable _____
- Notify decedent's employer benefits office _____
- Review auto insurance for accidental death, medical, or other coverage _____

- Review medical policies for limits or additional coverage _____
- Check for travel accident coverage, if applicable _____
- Check for Workers' Compensation benefits _____
- Check credit card and club membership benefits _____
- Check for safe deposit box and who has access _____
- When access allowed, inventory contents _____
- Obtain safe deposit box in your name and inventory contents transferred there _____

- Retain attorney experienced in probate and estate administration _____
- Retain accountant competent in estate/inheritance taxes _____
- Retain financial advisor _____
- Keep record of expenses for funeral and last illness _____
- Transfer real estate to heirs' name _____

- Change name on homeowners' insurance policy _____
- Change name on auto policies _____
- Change name on credit accounts, or close _____
- Change name on utility accounts _____
- Change name in phone directory _____
- Notify creditors of death _____
- Review beneficiaries on your insurance policies _____
- Review your medical insurance _____
- Review your will/trust _____

6-9 Months Later:

- Consult with attorney and tax advisor to disclaim any asset you wish by 6 months after date of death _____
- Complete a new budget for yourself _____
- Review your insurance and investment plans _____
- Consider your disability coverage _____
- Review old records of bank and check statements _____
- Obtain a new written valuation of assets, where needed _____
- File appropriate tax returns (death taxes by 9 months) _____

The above list includes most items required or advisable when proceeding through probate in many states, but is not presented as all-inclusive of the duties of a Personal Representative of a testamentary will in Minnesota. Please call our offices toll free at 1-888-910-5297 for specific advice when needed.

BRING TO PETERSON LAW OFFICE FOR INITIAL APPOINTMENT:

- Original Will***
- Death certificate
- Name, address, phone number and social security number of the nominated Personal Representative
- Approximate dollar values of decedent's personal property and real estate
- Names, addresses, and ages of heirs at law. These are not necessarily the beneficiaries of the Will. Heirs at law are determined by kinship to the deceased according to law.
- Debts and bills of decedents
- Cash, check, or credit card to pay fees

If the Personal Representative (Executor) nominated in the Will does not wish to serve, he or she should submit a renunciation statement. If the Personal Representative nominated in the Will is deceased, a death certificate should be obtained.

If the decedent left no Will, bring the remaining items above to our office. If the decedent was married at the time of death, preference is given to the surviving spouse as Personal Representative. The spouse may relinquish duties of Personal Representative by submitting a written statement expressing intent not to qualify as Personal Representative.

Out of State Residents

If you do not live in Minnesota, please call our office to arrange for sending these items to our office. Under Minnesota law, a person can be appointed Personal Representative (Executor) even if he or she is not a resident of Minnesota. Often we can arrange for the probate to be filed and administered without the Personal Representative physically appearing in court in Minnesota.