

Probate & Estate Administration Questionnaire

Thank you for choosing The Law Office of Antony M. Eminowicz, PLLC, to assist you with the legal issues involved in administering an estate. Probate is the legal process through which the Last Will and Testament of a deceased person (the Decedent) is offered to the Surrogate's Court in the county where the Decedent lived at the time of his or her death, and is determined to be valid. The Executor is the person nominated in the Will to manage the affairs of the Estate and distribute the estate assets according to the terms of the Will. If the Decedent did not have a Will, he or she is considered to have died "intestate." The laws of New York State will govern how the estate assets are to be distributed, and an Administrator will be appointed. Though the actual responsibilities of an Executor and an Administrator are the same, and the process is similar in both a Probate and an Administration proceeding, the importance of having a Will is imperative to ensure that a decedent's wishes are followed.

The first step in starting a Probate or Administration proceeding is gathering relevant information. The questions below will assist us in having the necessary information to begin the process. Your attention to detail in completing this questionnaire will enable us to move quickly in preparing the needed paperwork. Should you have any questions, please do not hesitate to ask the attorney or paralegal on your legal team.

I. PERSONAL INFORMATION OF THE DECEDENT

Full Name of Decedent (please include middle initial or middle name)	
Alternative Name of Decedent (a/k/a if applicable)	
Decedent's Address (please list address of residence at time of death, even if Decedent was temporarily living elsewhere)	
Date of Death	
Spouse's Name and Address (if living)	
Spouse's Date of Death (if applicable)	

II. EXECUTOR OR ADMINISTRATOR INFORMATION

Name of Nominated Executor/ Administrator	
Address and Phone Number	
Social Security Number (this is needed because the Estate will need to secure a federal tax identification number)	
Name of Co-Executor or Alternate Executor named in Will	
Co-Executor/Alternate Executor's Address and Phone Number	
Co-Executor/Alternate Executor's Social Security Number	

III. FAMILY INFORMATION

A. Was the Decedent survived by any children? If yes, please complete:

Name	Address	Phone Number (including area code)	Date of Birth

B. Did any child of Decedent predecease him/her? If so, please list deceased child's name, date of death, and fill in information on that person's surviving children, if any:

Deceased Child's Name and Date of Death	Name of child surviving deceased child (grandchildren of Decedent)	Address	Phone #	Date of Birth

C. If Decedent had no surviving spouse, children, or grandchildren, please list Decedent's living parents and siblings:

Name	Address	Phone #	Date of Birth	Relationship

IV. DOCUMENTS NEEDED FOR SUBMISSION TO COURT

- Original Death Certificate for Decedent; Copies of Death Certificates for Spouse and any Children
- Original Last Will and Testament
- Funeral home receipt, if paid, or else statement of unpaid funeral bill

V. FINANCIAL

- Has Social Security been notified of Decedent's passing (if applicable)?
- Has retirement been notified of Decedent's passing (if applicable)?
- Information concerning income, such as pension, annuities, stock dividends, mortgage income, interest income, etc.
- Was Decedent receiving Veteran's benefits? Provide information on benefits, if any
- Did Decedent have an accountant who might help in the preparation of a final tax return? If so, please provide information.
- Please provide a copy of the most recent Federal Income Tax Return
- Please provide a copy of any gift tax return filed by Decedent
- Please list any unpaid debts of Decedent

VI. RESOURCES/DATE OF DEATH STATEMENTS FOR THE FOLLOWING (INCLUDING TITLES ON ACCOUNTS AND BENEFICIARY DESIGNATIONS, IF APPLICABLE):

It is going to be the responsibility of the Executor/Administrator to provide statements showing the date of death values of all of the assets of the Decedent, even those that are not subject to the Court's oversight. For example, life insurance policies and any other asset that has a named beneficiary will not be part of the probate estate, but we must still itemize the date of death values for these assets in a report to the Court. Therefore, please gather information on all assets, regardless of whether they are jointly owned, have a named beneficiary, or were owned individually by the Decedent.

- All bank accounts
- Life insurance policies
- 401Ks
- IRAs
- Mutual funds

VII. ADDITIONAL RESOURCES

- Savings bonds
- Stock certificates
- Safety deposit box (include location and contents)
- Titles to automobiles/recreation vehicles (including campers, boats, trailers, etc.)

VIII. RESIDENCE

- Deed for family residence
- Deed for any other property owned
- Tax bills for any property owned
- Tenant information, if applicable
- Mortgage information
- Where will mail be directed?

