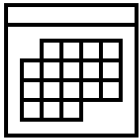
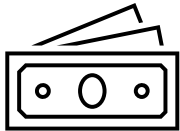


How long does it take to administer an estate?



The **average estate should take about one year** to conclude the administration. Large or complex estates may take considerably longer to administer.

What fees are paid during estate administration?



Fees paid during estate administration **vary by estate**. Personal representatives should consult the ROW fee schedule, which provides a sliding scale of fees depending on the size of the estate as well as addition to court costs, fees (usually based on a percentage of the gross value of the estate) are paid to the attorney and to the personal representative. These fees are paid out of the assets of the estate.

Disclaimer of Liability: Please note that this document is just an informational tool and does not constitute legal advice. Every estate is different. If you have questions, please consult with an attorney.

INTRODUCTION TO ESTATE ADMINISTRATION



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What is estate administration?

Estate administration is the ***process followed to settle an estate*** when a person passes away, which involves requirements relating to collecting assets, satisfaction of obligations such as debts and



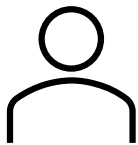
taxes, and beneficiaries. The word ***decedent*** is used to identify the person who passed away. The word ***estate*** is used to describe the property and obligations of the person who passed away. Both state and federal law establish certain requirements that must be followed.

When is estate administration required?

Estate administration is required ***in most cases*** in which a decedent had personal property or real estate.

Who administers the estate?

The person who administers the estate is the ***personal representative***. If the decedent executed a will, the will should designate the personal representative, who is usually called an ***executor***. If the decedent did not execute a will, the laws of intestacy will determine who serves as the personal representative, who is usually called an ***administrator***. The administrator will often be the surviving spouse or a child of the decedent, but each estate is different. A personal representative often works with an attorney in complying with the necessary legal requirements.



What does a personal representative do?

A personal representative obtains the necessary legal documents and completes all duties to settle the estate. The personal representative petitions for either ***letters testamentary*** (for an executor, where the estate involved a will) or ***letters administration*** (for an administrator, where the estate did not involve a will) are



obtained through the Register of Wills in the county in which the decedent lived at the time of death. Other duties include locating the decedent's original will and presenting it to the Register of Wills for probate, protecting the assets of the estate, paying the debts and taxes of the estate, and notifying the beneficiaries and heirs.

Is an attorney necessary in estate administration?

An attorney is ***not necessary but strongly recommended***. As a practical matter, it is very difficult for a non-lawyer to correctly follow the required procedures in administering an estate without the assistance of an attorney, and the Register of Wills office is not able to guide the personal representative through all the legal requirements.



If you are looking for recommendations or a referral for an estate attorney, you may consider contacting the Delaware county Bar Association at (610) 566-6625.