PRACTICE AREA

Probate & Estate Administration



ATTORNEYS

Brent W. Barringer

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OVERVIEW

When a loved one has died, Hackett Feinberg counsels and guides you not only in probate law and trust administration but also in practical and logistical matters that need to be addressed at each stage of the process. We lay out the pros and cons of options and tax elections available and help you weigh the trade-offs.

We prepare court and tax filings (or coordinate with any existing tax preparer or financial advisor, as you wish and is most efficient) and can take on as much of the other work as needed. An important part of estate administration is coordinating the disposition of all assets – whether owned individually, jointly, in an account, or an insurance policy; with a beneficiary or pay-on-death designation; or in a trust, LLC, corporation, or other entity. Beyond purely legal counsel, we also act as an independent intermediary to help minimize conflict and preserve family relationships.

We also advise and assist trustees who have taken over responsibility for trusts established by the person who died. Trust administration usually does not require court filings, but often presents more tax and legal issues that need to be considered, which can have a substantial impact on the beneficiaries.

Our experience is comprehensive and includes:

- All probate court proceedings, including probate of the will and appointment of the personal representative or executor
- Advising trustees to make sure all requirements of the trust are properly implemented, and the rights of the beneficiaries are properly managed
- Collecting, preparing an inventory of, and valuing all assets
- Analysis of debt, valid creditor claims, and tax payments due, as well as guiding proper payment of debts and expenses

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- Handling insolvent estates where debts and expenses are more than the assets
- Preparing and filing estate tax returns and coordinating with income tax returns for both the deceased person and the estate
- Distributing assets according to the will, trust, or probate law, as applicable
- Resolving disputes about the distribution of assets or other issues, ideally through negotiation, mediation, or arbitration, or through litigation, if necessary

Let's Get to Work!

To learn more about how we can help, please contact Brent Barringer or Richard Kraft at 617.422.0200.

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