

Trust Administration Checklists

Guidelines for the Trust Administration Process

Estate Administration Outline

Overview of Estate Administration Process

- **Review & Summarize Trust & Will**
- **Notification Requirements**
- **Immediate Post-Death Arrangements**
- **Assets – Inventory; Character & Title Determination; Valuation; Possession and Control**
- **Liabilities & Debts – Identify and Value**
- **Finalize Estate Inventory; Record Keeping Requirements**
- **Income Taxes**
- **Gift Taxes**
- **Estate Taxes**
- **Distribution – Manner, Timing and Other Issues**
- **Administration of Continuing Trusts**
- **Trustee, Legal, Accounting and Appraisal Fees**
- **Coordination of Responsibility among Trustee, Attorney, Accountant and Others**
- **Duties and Responsibilities of Trustee**

1. **Review & Summarize Trust & Will**

- Review documents for terms and any ambiguities or other issues
- Trustee contact information and SSN
- Insurance and Retirement Plan beneficiary determination, responsibility for collection of benefits, elections, etc. & responsibility for payment of estate taxes, if any
- Identify issues affecting funding of subtrusts
- Identify interpretation or other issues

2. Notification Requirements

- Heirs and beneficiaries – names and addresses (SSN if a beneficiary)
- Pensions, annuities & other benefit payors (Social Security Administration, Department of Veterans Affairs, decedent's employer, annuities, charitable trusts)
- Advisors (trustees, investment, tax, personal banking, real estate, insurance, lawyer, accountant, financial planner)
- Post Office: have mail forwarded
- Credit Cards: cancel

3. Immediate Post-Death Arrangements

- Funeral arrangements (flowers, obituary, memorial service, burial, cremation, order death certificates)
- Security arrangements for home or surviving spouse
- Lodge original will and any Codicils with Court (County of residence)

4. Assets – Inventory; Character & Title Determination; Valuation; Possession and Control

- Identify
 - Cash on hand
 - Bank and brokerage accounts
 - Bond and mutual fund accounts
 - Life Insurance
 - Annuities
 - Safety deposit box contents
 - IRAs and other retirement accounts
 - Real property
 - Automobiles, boats, and other vehicles
 - Other personal property
 - Business Interests
 - Other assets
- Determine Title – trust, name of decedent, joint tenant, co-owner, other
- Value – appraise assets as appropriate
- Take possession and/or re-title as appropriate

5. Liabilities & Debts – Identify and Value

- Regular household bills
- Mortgage statements
- Healthcare statements
- Credit cards
- Closely held business records
- Personal accounts
- Income taxes
- Property taxes

- 6. Finalize Estate Inventory; Record Keeping Requirements**
 - Complete forms to claim benefits due estate or family members (insurance, annuities, survivors' benefits, veterans' benefits, death benefits, lump sum distributions, etc)
 - Collect bank & brokerage accounts
 - Cancel club memberships & collect unearned portion of dues
 - Cancel magazines & obtain refund for unused portion
 - Obtain alternate values
- 7. Accounts and Reports (see Trustee Guidelines for Preparing Trust Accountings)**
- 8. Income Taxes**
 - Decedent's final income tax returns
 - Estate income tax returns
- 9. Gift Taxes**
 - Review all gift tax returns
 - Determine whether gift tax returns for prior years and year of death must be filed
- 10. Estate Taxes**
 - Determine whether estate tax return must be filed
 - Alternate Valuation Date if taxes will be due
 - Extension of time to file and to pay
 - Deferral of payment alternatives
- 11. Distribution - Manner, Timing and Other Issues**
- 12. Administration of Continuing Trusts**
- 13. Trustee, Legal, Accounting and Appraisal Fees**
- 14. Coordination of Responsibility among Trustee, Attorney, Accountant and Others**
- 15. Duties and Responsibilities of Trustee**
 - Duty to Administer the Trust
 - Duty of Loyalty
 - Duty of Impartiality
 - Duty to Avoid Conflicts of Interest
 - Duty to Take and Keep Control of and Preserve Trust Property
 - Duty to Make Trust Property Productive
 - Duty to Keep Trust Property Separate and Identified as Trust Property
 - Duty to Enforce Claims Owed to the Trust
 - Duty to Defend Actions Against the Trust

- Duty Not to Delegate What Can Reasonably Be Performed and to Supervise Those to Whom Matters Are Delegated
- Duties with Respect to Co-Trustees: to Participate; to Prevent Breach of Trust or to Redress a Breach Already Committed
- Duty to Apply the Full Extent of Trustee's Skills
- Duty to Exercise Reasonable Skill, Care and Prudence in Administration of the Trust
- Duty to Invest and Manage Assets as a Prudent Investor Would
- Duty to Diversify
- Duty to Furnish Information to Beneficiaries
- Duty to Keep and Render Accounts