



Guide

What does a personal representative do?

A PRACTICAL GUIDE FOR PEOPLE SERVING IN A MINNESOTA PROBATE

A personal representative, sometimes called an executor, manages a person's estate after they die. In Minnesota, the personal representative is appointed through probate. The will usually names who should serve, and if there's no will, Minnesota law sets out who has priority. Once appointed, you receive letters from the court that show your authority.

EXAMPLES OF WHAT A PERSONAL REPRESENTATIVE MAY DO

GETTING STARTED

Find the will and important papers, secure the home and valuables, work with the attorney to open the probate, and get a tax ID number for the estate.

NOTICES

Give required notice to heirs, beneficiaries named in the will, and creditors, including the Minnesota Department of Human Services when required.

INVENTORY

Find the estate's assets, list them, and figure out their values.

BILLS AND CLAIMS

Review creditor claims, pay valid debts and final expenses from estate funds, and keep the estate's money in a separate estate account.

TAXES

Work with the accountant to file the final income tax returns and any estate tax returns that are required.

PROPERTY

Maintain and insure estate property, and sell it when needed.

BENEFICIARY COMMUNICATION

Keep heirs and beneficiaries informed about how the estate is progressing.

DISTRIBUTION AND CLOSING

Distribute what's left under the will or Minnesota law, then close the estate.

Everbright LEGACY LAW

WHAT ISN'T PART OF THE PROBATE ESTATE

Some property passes outside probate, such as assets held in a trust, jointly owned accounts, and accounts with a named beneficiary. The personal representative generally doesn't control that property.

HOW LONG DOES IT TAKE?

It depends on the estate. Most estates stay open for at least several months, partly because creditors are given time to file claims. Estates with real estate, disputes, or tax issues can take longer.

REMEMBER

- Keep estate money separate from your own, and don't use estate property for your own benefit.
- Don't distribute property until debts, taxes, and claims are handled. You could be held personally responsible if you do.
- Keep good records of every transaction. You'll need them to close the estate.
- If you aren't sure about a step, ask the attorney before acting.

Minnesota law: Minnesota's probate law is found in Minn. Stat. Chapter 524, the Uniform Probate Code.

This is a general educational guide, not legal advice. Review the will and any court orders before taking action, because its terms may change your responsibilities.

Questions? Call Everbright Legacy Law at (952) 925-4147.