Cereta A Lee
Prince George's County
Register of Wills

"Assisting the Families of Prince George's County in their Time of Need"

5303 Chrysler Way, Suite 300
Upper Marlboro, MD 20772
www.registers.state.md.us

Phone: 301-952-3250
Fax: 301-952-4489

Directions

From 95, take exit 17 to Route 202/ Landover Road towards Upper Marlboro. Make a left onto Old Marlboro Pike Road, then bear to the right onto Route 301 South, Crain Highway. Make a right onto Chrysler Drive (after the Wendy's restaurant), then drive to the end of the road until you see the building.

From Route 4/ Pennsylvania Avenue, take exit Route 301 North/ Crain Highway towards Baltimore. Make a left onto Chrysler Drive (before the Wendy's restaurant), then drive to the end of the road until you see the building.

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The Register of Wills offers free speaking engagements to your community or church group. If you are interested in scheduling a speaker for your group, please contact us.

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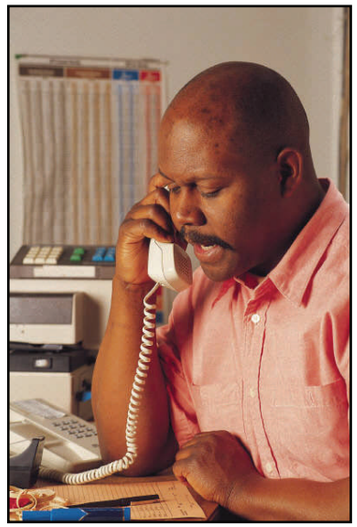

Personal Representative (Executor) Of an Estate

www.registers.state.md.us

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"Our Will is to Serve."

Every year a vast majority of Americans die without a Will. They lose the opportunity to determine how to leave their assets to their loved ones. However, you can avoid the same mistake. Creating a plan is the first step to protecting your family, and the assets you have accumulated over a lifetime.

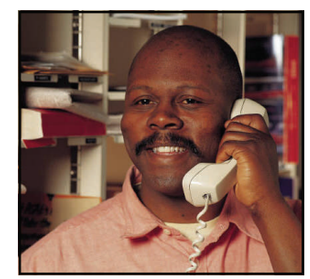
As your Register of Wills, I believe "Preparation is the Best Protection." It is important for you to know what to do before and after a loved one passes away. The Register of Wills Office provides seminars and information booths to assist in the process of settling an estate. So when the time comes to use our office, your pre-planning will reduce some of the stress and burden to your family.

The Register of Wills Office takes pride in serving the families of Prince George's County with professionalism, compassion, dignity and respect. Please feel free to contact us with your questions or concerns.

Sincerely,

Cereta A. Lee

Register of Wills
Prince George's County



All required forms may be obtained from the Register of Wills Office or online at www.registers.state.md.us.
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Personal Representative (Executor)

A Personal Representative (also known as an executor) is the person responsible for settling a deceased person's estate. A Personal Representative is named in your Will. If you do not have a Will, the Register of Wills or the Orphans' Court will appoint a Personal Representative for you. Once appointed, Letters of Administration are issued from the Register to the Personal Representative.

The duties of a Personal Representative include collecting, appraising and distributing assets, paying taxes, and settling debts owed by the deceased. They are legally obligated to act in the interests of the deceased, following the wishes expressed in the Will.

A U.S. citizen over the age of 18 who hasn't been convicted of a felony can be named the Personal Representative of a Will. Some people choose a lawyer or accountant because of their expertise. Others choose a spouse, adult child, relative or friend, especially if the estate is small.

There is also a Foreign Personal Representative in the case that a decedent dies and owns real property outside of Maryland at the time of death. The appointed Personal Representative must also file an application to become a Foreign Personal Representative in the jurisdiction that the property is located.

How to Choose a Personal Representative

The person chosen to be the Personal Representative should be:

- Willing to do the job
- Trustworthy and Organized
- Good at communicating with people,
- Nearby (if possible, makes it easier to collect mail and find documents), and
- Familiar with your financial matters.

An alternate should also be named if the first personal representative can not fulfill their duties. Discuss it together before you finalize your Will.

Modified Administration

Modified Administration is an option available to a Personal Representative within three months from the date of appointment. The process must be completed within 12 months. It is available only if all legatees or heirs receiving anything from an estate are: 1) Exempt from inheritance tax, or all trustees of any trusts are limited to the decedent's Personal Representative, spouse and children of the decedent, and 2) If the estate is solvent and sufficient to satisfy all testamentary gifts. All of the stated persons must file a written consent. *Note: Only for persons dying on or after October 1, 1997.*

Commission and Fees

The Personal Representative is entitled to payment. The exact amount is regulated by Maryland law and is affected by factors such as the value of the deceased person's assets and what the probate court decides is reasonable under the circumstances. Commonly, close relatives and close friends (especially those who are inheriting from the estate) will not charge the estate for their services. The Estate will incur any other expense to administer the estate.

Checklist for a Personal Representative

- Retrieve the Will, if any
- Petition for Probate: Includes opening an estate, appointing a personal representative, and receiving Letters of Administration
- Post a Bond (if required by Maryland law)
- Notify beneficiaries named in the Will
- Arrange for publication of notice to creditors and mail a notice to each known creditor
- Send notices of the person's death to the post office, utilities, banks, credit card companies, etc.
- Inventory all assets and have them appraised, if necessary
- Collect debts owed to the estate
- Check with the deceased's employer for unpaid salary, insurance and other employee benefits
- File for Social Security, civil service or veteran benefits
- File for life insurance and other benefits
- File city, state and/or federal tax returns, if necessary
- Pay state inheritance tax, if any
- File state and federal estate tax returns, if necessary
- Pay valid claims against the estate
- File papers to finalize the estate
- Distribute assets and obtain receipts from beneficiaries

The Register of Wills Office will assist and advise the Personal Representative through Administration of Estates.