



# Trust Admin Client Consultation Checklist

Creating a comprehensive client consultation checklist for post-death trust administration can greatly streamline the process for lawyers and their clients. This structured checklist can serve as a reference and be used to plan ahead, and lists topics to discuss with your client.

## Prep Work

### Request the client bring and/or provide

- Client identification
  - Verify the identity of your client and any other parties involved.
- Client's legal relationship to the deceased
- Copy of the Death Certificate
- Original Will, Codicils, Trust, and any amendments/restatements
- Inventory of Assets and Liabilities

## Consultation

### Understanding the Will and Trust

- Review:** Read and interpret the Will and Trust with the client
- Executor/PR:** Confirm the appointment and willingness of the trustee, executor or personal representative to serve
- Beneficiaries:** Identify all beneficiaries named in the Will/Trust and any specific bequests to them
- Special Instructions:** Note any special instructions regarding the disposition of the estate/trust

### Estate Liabilities

- Mortgages and Loans:** Mortgages, personal loans, and other debts
- Credit Cards:** Credit card debts
- Utilities and Bills:** Outstanding utility bills or service charges
- Taxes:** Potential estate tax liabilities and any unpaid income taxes

### Before you go

- Run a [trusuite](#) search, bank quick search, retirement search

### Estate Assets v. Trust Assets

Determine what is a probate asset versus what is in the trust or is otherwise non-probate

- Real Estate:** Real estate holdings, including location, value, and any mortgages
- Bank Accounts:** Bank accounts with current balances
- Investments:** Inventory stocks, bonds, mutual funds, and other investments
- Personal Property:** Valuable personal property items (e.g., jewelry, art, vehicles)
- Life Insurance:** Life insurance policy, beneficiaries, and payout amounts
- Retirement Accounts:** Retirement accounts, including IRAs, 401(k)s, and pensions



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## Legal and Administrative steps

- Determine if Probate Process Necessary:** If so, outline timelines and key steps
- Tax Filings:** Requirements for filing the final income tax return for the deceased and any estate/trust tax returns
- Notices to Creditors:** Process for notifying creditors and settling debts
- Closing Liabilities and Paying Expenses:** Closing out any open and/or ongoing bills and expenses of the Decedent and their estate, and how that protects the client from future liability down the road
- Distribution of Assets:** Process for distributing assets to beneficiaries
- Final Accounting:** Necessity of preparing a final accounting for the estate and/or ongoing accountings for the trust

## Other Considerations

- Disputes:** Potential disputes among beneficiaries or challenges to the Will
- Ongoing Communication:** Expectations for ongoing communication and updates

## Closing

- Summary of Next Steps:** Next steps and any immediate actions required
- Deadlines and Timelines:** Where the client will be needed, and where you will step in to assist them in making sure they comply with any open items in the appropriate timeframe
- Fees and Costs:** Estimate of legal fees and other costs related to the estate administration
- Questions and Concerns:** Address any remaining questions or concerns the client may have

## Documentation

- Engagement Letter:** Prepare an engagement letter outlining the scope of services, fees, and other terms
- Checklist and Documents Received:** Document the checklist and any documents received from the client

This checklist aims to cover the essentials of trust administration but may need to be adapted based on the specific laws of the jurisdiction and the unique aspects of each case.