

## Responsibilities Of An Executor

Arranging the funeral	Although the deceased's wishes should be followed, the Executor has complete discretion as to how the body is disposed of. The Executor is liable for the funeral expenses (being reasonable given the value and size of the estate) with a right to be indemnified out of the estate.
Ascertain & recover the estate assets	<p>The Executor must thoroughly examine the deceased's records, including all property titles, investments, bank accounts etc.</p> <p>Most wills contain a direction to the Executor to sell, call in and convert the whole estate as soon as practicable. In some cases these actions must be postponed until certain conditions have been met.</p>
Ascertain & discharge the liabilities	<p>Must once again thoroughly examine the deceased's records.</p> <p>Liabilities can only be discharged if there are sufficient funds available. Creditors should be advised of all delays.</p>
Keep proper accounts & records	The Executor is accountable to the beneficiaries for what assets have been realized and what liabilities have been paid. This information will be required for taxation purposes and in the event Executor actions are challenged.
Avoid a conflict of interest	The Executor has a duty to the beneficiaries to act in their best interests at all times. They must avoid a conflict of interest between their interests and that of the beneficiaries.
Apply for probate	Applying for probate may be necessary in order to proceed with the settling of the estate. It is the responsibility of the Executor to apply for probate and obtain legal assistance where warranted.
Taxes due at death	It is the responsibility of the Executor to make certain that all filings are completed with the appropriate government authorities.
Distribute to the beneficiaries	The estate must be distributed in accordance with the will. If any amounts must be held in trust for any reason the Executor shall act as the "Trustee".
Use of a lawyer	A lawyer should be used in all situations where their expertise is warranted. Care must be exercised when selecting a lawyer to make certain that they have experience in administering estates.