

A properly drafted Will is the only way to make sure that, no matter what happens to you, your loved ones will be financially secure. It is important to ensure that the person who is drafting your Will is a fully qualified solicitor.

# Baldock Stacy & Niven

## Solicitors and Notaries

### About Us - Baldock Stacy & Niven

#### Who are we?

**Baldock Stacy & Niven** is a firm of lawyers with offices in Western Sydney and in Central Western New South Wales. We have a heritage going back more than 100 years to the firm's founding by Herbert Henry Lee in 1891.

#### What is our aim?

Over a century after the firm's founding our focus remains unchanged: a belief in the importance of understanding our client's needs, of adapting to the continuing challenges of business, and of delivering quality professional services in a timely and cost effective manner.

#### Who are our clients?

**Baldock Stacy & Niven** has a wide range of city and country clients from various industries and lifestyles. We offer a broad legal practice offering professional legal advice and service in many varied areas.

### Contact Us

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## Appointment as an Executor

### Introduction

This document has been given to you as you have been named as an Executor in a Will made by a client of **Baldock Stacy & Niven** Solicitors. This document explains the role of the Executor and the responsibilities involved.

### What is an executor?

Being named as executor in someone's Will means the person wants you to manage his or her estate after they die, perhaps together with another person.

Sometimes an appointment as an Executor may be conditional upon the death of another person (e.g. it is usual for married couples to appoint each other as executor and then to appoint someone else as an alternative executor in case both of them die).

### What are an executor's responsibilities?

In general terms, an executor's duty is to take charge of a deceased person's assets and property, see that the funeral and administration expenses as well as debts and taxes are paid and finally to distribute the assets to the beneficiaries in accordance with the Will.

### Does an Executor have any responsibilities during the person's lifetime?

No. An executor is appointed under a Will and the Will has no effect during the lifetime of the person making the Will. It is only after the Will maker has died that an Executor's role commences.

### How do I carry out my responsibilities as an Executor?

After the Will maker dies, we suggest that you contact **Baldock Stacy & Niven** so that we can assist you in relation to your role as an Executor.

#### **Baldock Stacy & Niven** can:

- Inform you in detail about the rights and responsibilities of an executor
- Assist you in ascertaining all of the assets and property of the deceased.
- Assist you in locating the beneficiaries (if necessary)
- Assist you in applying for Probate (court approval of the Will) if necessary
- Assist you in dealing with the asseholders (banks, Land Titles etc) to collect the assets
- Assist you in distributing the assets to the beneficiaries.

*The material in this information sheet is not a replacement for legal advice and is only general in nature. You should not act solely on the basis of this information. It is not legal advice and your possession of this information sheet does not create a client/lawyer relationship. If you would like to discuss your particular circumstances please contact **Baldock Stacy & Niven** and we would be pleased to be of assistance to you.*