

Learn the risks and rewards of being an executor

(NC) Fulfilling a loved one's final wishes as the executor of their estate can be both rewarding and challenging. The role of executor has some weighty responsibilities and obligations attached, so it's important to understand the risks and rewards if you are asked to be one.



The days and months after a loved one has passed are typically a time of high emotions for all parties involved, and conflict between family members or beneficiaries can occur. Even if a loved one's last wishes are clear and easy to understand, distributing assets, maintaining proper documentation and following the correct legal procedures to execute a will's instructions can be a daunting task. In addition to the significant time commitment that may be required, you are also personally liable for losses caused to the estate. Issues might arise for instance, if you are slow to file the estate's taxes, if you sell property or assets without the proper due diligence, or if your executor costs and expenses are unreasonable.

While all of this may sound overwhelming, there are rewards for executors, such as pride and a sense of peace you may attain through the role. Additionally, you may be entitled to executor pay (depending on the circumstances) and can manage the distribution of your own assets if you are the main beneficiary.

"It can be a great honour to see your loved one's last wishes realized, and to play a part in sharing his or her legacy," says Ray Leclair, vice president of public affairs at LAWPRO[®], the provider of professional liability insurance for lawyers in Ontario, and TitlePLUS[®] title insurance for home owners and lenders across Canada. "A lawyer can help you prepare for your role and assist you along the way. Other professionals, such as financial planners and tax specialists, can also provide valuable help, and executor's insurance can reduce some of the risks involved with being an executor."

If, after some consideration, you feel the role of executor isn't right for you, you have a right to decline the assignment. While communicating your concerns or the impracticality of the situation may be a difficult conversation, it can help ensure the estate is managed by someone with the time and resources available to truly meet your loved one's final wishes.

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