

BUTTERMORE AND FOLTZ  
ATTORNEYS AT LAW

**Contested Probate**

Too often in Estate Administration, one sibling allows another to take care of the details, and then discovers at the end of a 12 to 24 month period that the money is gone. An Executor is generally given 1 year to perform the proper duties. After that, you can go to Court to enforce your right to a Proper Accounting. The Executor must account all assets received, all gains and losses, all expenditures and the balances remaining on hand. Some assets may be difficult to value, like lawsuits and other claims. The Executor should be made to prove any sales or exchanges were made at arm's length in the normal course of business, and not sweetheart deals with acquaintances or relatives.

An Estate Administration Attorney can advise you as to the proper instigation of a Motion to Compel an Accounting, as well as understanding the mechanics of the Accounting itself. Remember that any beneficiary or other interested party has a right to information about the administration of any Estate.

©2014 David B. Foltz, Esq.