



## Connelly Law Offices, Ltd. *Certified Elder Law Attorney*

Connelly Law is an elder law firm that specializes in estate planning and probate law, as well as a variety of fiduciary services. Our firm, established in 1970, continues to serve Rhode Island, Connecticut and Massachusetts. To ensure that our clients' assets are not only protected throughout their lives, but after they pass away as well, our firm helps clients create clear and concise estate plans.

For clients who are facing probate regarding a loved one's estate, we have the ability to assist them throughout the entire process.

Our firm offers clients the highest quality in legal representation and we are licensed to practice before the Rhode Island, Massachusetts, Connecticut and Federal Bars.

## RJ Connelly III

*Attorney and Counselor at Law*

Certified Elder Law Attorney  
Member National Elder Law  
Foundation

Member National Academy of  
Elder Law Attorneys



Attorney Connelly practices in the area of elder law. This area of law involves Medicaid planning and asset protection advice for those individuals entering nursing homes, planning for the possibility of disability through the use of powers of attorney for the both health care and finances, guardianship, estate planning, probate and estate administration, preparation of wills, living trusts and special or supplemental needs trusts.

Our firm handles contested and uncontested probate court matters and provides a wide range of fiduciary services to our clients in acting as trustee, attorney-in-fact, representative payee or other court appointments.

Attorney Connelly represents clients primarily in the states of Rhode Island, Connecticut and the Commonwealth of Massachusetts.

# Decedent Estate Probate

*Estate Administration*



CLIENT SATISFACTION  
ESTATE PLANNING DIVISION  
American Institute of  
Legal Counsel™



[www.connellylaw.com](http://www.connellylaw.com)

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**Pawtucket, Rhode Island  
Mystic, Connecticut  
East Chop, Massachusetts**

# 401-724-9400

## What is Probate?

Probate is the legal process through which a deceased person's estate is properly distributed to heirs and designated beneficiaries and any debt owed to creditors is paid off.



Generally, probate property is distributed based on the wishes of the decedent as outlined in the last will and testament. If one does not exist, property is distributed according to the law of the state.

### Step 1 ~ The Initial Consultation

Connelly Law's estate administration process begins with an initial telephone consultation. When a loved one passes away, it is important that the fiduciary (Executor, Administrator or Trustee) seek legal guidance to navigate the estate settlement process of the state in which the decedent lived. Contact us at **401-724-9400** to begin the process. It is important to know that every state has a different process in place.

### Step 2 ~ Gathering Information

Our staff can assist you, the fiduciary (Executor, Administrator or Trustee), in gathering the information we need for the preparation of various documents required for the administration of the estate or trust of the deceased.

Our elder law attorneys, with over two decades of experience, can also act as the fiduciary (Executor, Administrator or Trustee) should you feel more comfortable in taking this course of action.

### Step 3 ~ Opening the Estate

Our legal and fiduciary staff will prepare and explain the necessary documents the Executor, Administrator and/or Trustee needs in order to acquire the legal authority to act as fiduciary. If the deceased individual died without a Will, we will file an administration proceeding in the applicable State Court. If the deceased individual died with a Will, we will file a probate proceeding in the court.

### Step 4 ~ Managing the Estate

Executors and Administrators are responsible for protecting all estate property until debts and taxes are paid. In general, Executors and Administrators have three responsibilities:

1. Collect, inventory, and appraise all the assets of the estate.
2. Pay the bills, taxes, estate expenses, and creditors of the decedent.
3. Transfer property to the beneficiaries according to the Will or, if there is no Will, then according to the state laws of intestacy.

### Step 5 ~ Closing the Estate

The final step of the process, the distribution of assets, occurs after the executor or administrator files an accounting with the court showing the inventory, value of assets and all money paid out of the estate up to that point. Once the court approves the accounting, the executor or administrator may distribute the remaining assets of the estate to the beneficiaries. Transfer property to the beneficiaries according to the Will or, if there is no Will, then according to the state laws of intestacy.

## Is All Property Subject to Probate?

There are some types of assets that do not enter probate (called non-probate assets), such as life insurance policies that designate a beneficiary or bank accounts with a "payable upon death" beneficiary specified as part of a legal contract. Real estate held in joint names with rights of survivorship can bypass the probate process as well. You can make almost all of your assets non-probate if you place them into a living trust through estate planning.

### Who is the "Typical Client?"

Connelly Law handles estate administration and probate matters across the entire spectrum of net worth.

### Court Appointed Fiduciary

When a court appointed fiduciary is desirable, Connelly Law has over two decades of experience. Our fiduciary services include serving as a trustee, as an estate executor or as a guardian in matters concerning trust or estate administration or litigation.

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*"Connelly Law has an in-depth understanding of the complexities and requirements involved in probate cases. We offer the expert legal representation you need while handling your case with the care, respect and compassion you and your loved ones deserve. Call my office today at **401-724-9400**."*

