

EMRICH INTERNATIONAL PROBATE RESEARCH INC

# Glossary

## Administrator

Administrator is a person appointed by a court to manage the **assets** and **liabilities** of a **decedent** and to manage the affairs of the **estate**.

Every filing in a **Probate/Surrogate's Court** starts with a **petition** to appoint either **executor** (when there is a **Will**) or administrator. If there are no known heirs and there are assets to take care of, courts appoint **Public Administrators** in some states or just an attorney to manage the estate and look for **heirs**. If they do not succeed in locating all heirs, professional heir investigation companies, such as Emrich International Probate Research Inc, begin research of their own initiative.

## Administrative expenses

Costs actually and necessarily incurred in the administration of a **decedent's estate**; such as attorney's fees, expenses of the Office of the **Public Administrator**, real estate maintenance and real estate agent's fees, court fees, service fees, bond fees etc.

## Assets

Assets owned by the **decedent**, including real estate and/or personal property, including but not limited to bank accounts, investment accounts, stock bonds, furniture, jewelry, automobiles, etc.

## Beneficiary

refer to: **Heir**

## Commission

Refer to: **Contingency Fee**

## Community Property

**Assets** which are equally owned by both spouses and were acquired during the marriage or transformed from separate property into community property during the marriage.

## Contingency Fee

A contractually agreed upon fee that only becomes due in the event of success. Emrich International Probate Research Inc offers contracts with a contingency fee, meaning the **heirs** represented do not have to make advance payments nor do they bear any financial risk: If, for example, the **estate** is insolvent, or a last **Will** appears, the case cannot be successfully completed and Emrich International Probate Research Inc bears all costs incurred.

## Decedent

A deceased person who, upon their death, leaves behind an **estate**.

## Distributee(s)

A distributee is any person entitled to a share of an intestate **estate**. Typically, distributees are closely related by blood to the **decedent** and are also referred to as **heirs-at-law**.

## Distribution Amount

The distribution amount is the **estate's** total worth after deduction of all taxes, existing **estate liabilities** and **administrative expenses**. It is the net amount that will be distributed among the **distributees/heirs** according to the laws of **intestacy** of each state. The distribution amount is stated in the final **estate accounts** filed by the **administrator**.

## Estate

The estate is the totality of all goods and liabilities (see: **Estate Liabilities**) left behind by a deceased person (see: **Decedent**).

## Estate Accounts, Final

The final estate accounts detail the money that has moved through the **estate**; including **assets**, taxes, **estate liabilities**, **administrative expenses** and the final **distribution amount**.

## Estate Liabilities

The debt for which the **estate** may be liable to creditors is referred to as estate liabilities. This may be the debts of the **decedent** themselves, or debts that arise from the inheritance (so-called debts of the estate), such as **funeral costs** or court costs.

## Executor

An individual (or an institution) appointed by the **testator** to implement the terms of their will.

## Funeral Expense

Refer to: **Estate Liabilities**

## Genealogist

A genealogist conducts family research and establishes family connections. Emrich International Probate Research Inc employs professional genealogists in the search for heirs to an **estate**.

## Guardian

An individual appointed to manage the affairs of another person (often a minor or someone mentally and/or physically handicapped) legal and otherwise.

## Heirs

The **beneficiaries** or heirs of an **estate** are the legal successors of a **decedent** according to a **Will** or under the laws of **intestacy**.

## Intestacy

If the **decedent** left no **Will**, their **heirs** will be determined by law. The provisions thereof may vary from state to state.

## Petition for Probate

The petition for probate is a document filed with court, to commence the **probate** proceedings.

## Probate Court

A court having jurisdiction over **estate** cases at the **decedent's** place of death.

## Testator

A person (in most cases deceased) who has made and/or left behind a **Will**.

## Issue

Descendants of the **decedent**.

## Power of Attorney (POA)

A legal document granting another person, attorney, or agency permission to act on your behalf; powers are specified and can either be limited or broad. A POA is required to represent **heirs** in legal proceedings.

## Public Administrator

The Office of the Public Administrator is a city or county office. It is appointed as **administrator** of an **estate** if there are no family members able or willing to manage the estate. The Public Administrator also takes care of an estate in the absence of known family members. For more information refer to: **Administrator**

## Vital Records

**Heirs** must prove their relationship with the **decedent** and their entitlement to inherit by means of civil birth, marriage and death certificates. If vital records have been destroyed, alternative evidence must be used.

## Kinship

The degree of relationship between two individuals related by blood.

## Probate

The legal process in which a **Will** is determined to be valid or invalid. If there is no **Will**, the proceedings will be called Administration and the succession will be determined according to laws of **intestacy**.

## Surrogate's Court

Refer to: **Probate Court**

## Will

A **Will** is the legal document that expresses the **testator's** decisions on how their **estate** will be managed and distributed after their death. If there is no **Will**, the laws of **intestacy** apply.

## CONTACT

### CONTACT US!

You are welcome to contact us via mail, telephone or email.

 Our phone number  
888-205-2668

 Our fax number  
888-828-6393

 Our address  
Emrich International Probate Research Inc  
2598 E. Sunrise Blvd, Suite 2104  
Fort Lauderdale, FL 33304  
[www.EMRICH-IPR.com](http://www.EMRICH-IPR.com)

 Our email address  
[info@emrich-ipr.com](mailto:info@emrich-ipr.com)

 Our office hours  
Mo-Fr: 9 am - 6 pm

Name  Email address

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