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ST. LOUIS GUIDE TO PROBATE ADMINISTRATION

A Plain-English Roadmap for Missouri Executors, Personal Representatives, and Families

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Introduction: A Word Before You Begin

Nobody asks to become an executor. It happens because someone trusted you — trusted you enough to put your name in a legal document and say: *when I'm gone, I want this person to handle things.* That's an enormous honor. It's also, if you're being honest, an enormous amount of work arriving at the worst possible time.

I'm Terry Peterson. I'm a Certified Probate Expert and Senior Real Estate Specialist at MORE, REALTORS®, and the founder of St. Louis Family Resources. For more than 20 years I've worked with St. Louis families navigating some of the most difficult moments of their lives — settling estates, selling inherited homes, managing the financial and legal maze that follows a loved one's death.

Before real estate, I spent years in residential mortgage banking, including regional management roles that gave me a financial background most agents simply don't have. I bring that background to every family I work with, because probate isn't just an emotional process — it's a financial one, with real deadlines, real liability, and real money at stake.

This guide was written for you: the executor, the personal representative, the heir who just got appointed by a probate court and doesn't know what comes next. It is organized chronologically — from the first week after a death through the final closing of the estate — because that's how life actually works.

How to Use This Guide

You don't need to read this cover to cover before doing anything. If you're in your first week, start with Part 3, Chapter 6. If the estate has real property and you need to understand your options, go to Part 4. If you want to understand what you're signing up for legally, start with Part 1.

The Appendix contains the full Missouri Probate Administration Checklist — a practical, task-by-task reference you can use throughout the entire process. Print it. Check things off. It's designed to be a working document.

IMPORTANT This guide is an educational resource written from the perspective of a real estate professional. It is not legal advice. Probate is a court-supervised legal process, and Missouri law has specific requirements and deadlines. Please work with a qualified Missouri probate attorney for guidance specific to your situation. I'm happy to provide referrals to trusted attorneys in the St. Louis area.

PART ONE

Understanding the Landscape

What probate is, how it works, and what your role means

CHAPTER 1

What Is Probate in Missouri?

Probate is the court-supervised process of settling a deceased person's estate. It involves validating the will (if one exists), identifying and valuing assets, paying debts and taxes, and distributing what remains to the rightful heirs or beneficiaries. In Missouri, probate proceedings are governed by Title XXXI, Chapters 472–474 of the Missouri Revised Statutes.

Missouri is divided into 46 judicial circuits, each with a Probate Division. The circuit court in the county where the deceased person lived at the time of death has jurisdiction over the estate.

Testate vs. Intestate Probate

Testate probate occurs when the deceased left a valid will. The will names an executor (called a *personal representative* in Missouri) to administer the estate according to its terms. Missouri has a strict and unforgiving rule: a will must be filed with the probate court within **one year of the date of death** or it becomes invalid. There are no exceptions. If this deadline is missed, the estate is distributed under Missouri's intestate succession laws — regardless of what the will said.

Intestate probate occurs when there is no valid will. Missouri law dictates who inherits, following this general order:

- Spouse with children (who are also the spouse's children): spouse receives first $20,000 plus 50% of the remainder
- Spouse with children from a prior relationship: spouse receives 50% of the entire estate
- Spouse with no children: spouse receives the entire estate
- No surviving spouse: estate passes to children, then parents, then siblings, per statutory hierarchy

Small Estate Procedures

For estates with a total value under $40,000 (excluding liens and mortgages), Missouri offers a simplified Small Estate Affidavit process. However, most Missouri counties — including St. Louis County and St. Louis City — still require attorney representation even for small estates. Don't assume the simplified process means you can navigate it alone.

IMPORTANT Missouri's one-year will filing deadline is one of the harshest in the country. I have seen families lose the right to honor a loved one's clearly stated wishes because this deadline was missed during the shock and grief of early loss. If a will exists, filing it with the court is one of the very first things that must happen.

What Does and Does Not Go Through Probate

Not everything a person owns goes through probate. Assets with named beneficiaries or joint ownership often transfer automatically. Understanding this distinction is critical for knowing what you, as personal representative, are responsible for.

Assets that typically go through probate:

- Property owned solely in the deceased's name
- Bank accounts without a designated beneficiary or POD (payable on death) designation
- Investment accounts without TOD (transfer on death) designations
- Personal property (vehicles, furniture, jewelry) titled to the deceased
- Business interests without succession agreements

Assets that typically bypass probate:

- Life insurance with named beneficiaries
- Retirement accounts (401k, IRA) with named beneficiaries
- Property held in joint tenancy with right of survivorship (JTWROS)
- Bank and investment accounts with POD or TOD designations
- Real estate held in a properly funded trust

CHAPTER 2

Types of Administration

Missouri law provides for two primary types of probate administration. The type that applies to a given estate affects how much court oversight you'll face and how quickly things can move.

Independent Administration

Independent administration allows the personal representative to manage the estate with minimal court supervision. It is available when the will specifically directs it, or when all heirs consent. Because it doesn't require a court order for every action, it is generally faster and less expensive.

Important caveat: even in independent administration, Missouri law (RSMo. 473.153) requires that the personal representative be represented by an attorney in court proceedings. If you are not an attorney, you cannot appear in court on behalf of the estate without one.

Supervised Administration

In supervised administration, the court closely monitors the process. The personal representative must obtain court approval for many actions, including selling real estate. This provides greater protection for heirs and creditors but typically takes longer and incurs higher attorney fees.

Which type applies depends on the will's instructions, the consent of heirs, and the court's determination. Your probate attorney will help identify the appropriate path.

> **NOTE** Missouri probate typically takes six months to over a year to complete. The six-month creditor notice period alone sets the minimum floor. Plan accordingly — particularly with respect to real estate, which cannot always be sold until the estate has proper legal authority and, in some cases, court approval.

CHAPTER 3

Property Ownership & What Goes Through Probate

How property is legally owned determines what happens to it at death. This is one of the most important things a family can understand — and one of the things most families don't discover until they're already in the middle of a difficult time.

When I say "property," I mean everything a person can own — real estate, bank accounts, investment portfolios, vehicles, business interests, personal belongings. The legal structure of ownership determines whether each asset goes through probate or transfers automatically.

Individual Ownership

The default. Property is owned solely in the deceased's name and becomes part of the probate estate. The personal representative must manage and distribute it through the court process.

Joint Tenancy with Right of Survivorship (JTWROS)

When one owner dies, the surviving owner(s) automatically inherit the full interest. No probate required for this asset — but paperwork must still be filed to make it official. This is the most common form of spousal co-ownership.

Tenancy by the Entirety

Available only to married couples in Missouri, this form of co-ownership is similar to JTWROS — when one spouse dies, the survivor automatically inherits the full interest without probate. It also offers creditor protection that JTWROS does not: a creditor of one spouse generally cannot reach property held as tenancy by the entirety.

Tenancy in Common

Each owner holds a defined percentage. When one owner dies, their percentage becomes part of their estate and goes through probate. The heirs may end up co-owning property with people they've never met.

Transfer on Death (TOD) / Payable on Death (POD)

The modern solution for many financial accounts and, in Missouri, real estate. A beneficiary is named in advance and inherits automatically at death — no probate for that asset. Death certificates and some paperwork are still required, but no court involvement.

Trust Ownership

Property held in a properly funded trust generally avoids probate entirely. However — and this is critical — the property must be legally titled in the name of the trust before death. I have seen families discover, at the worst possible time, that their parents created a trust but never recorded the deed into it. The property then goes through probate regardless of the trust's existence.

Community Property — A Note for Families Who Moved to Missouri

Missouri is not a community property state. However, if you moved here from Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington, or Wisconsin, some property acquired during marriage while living there may retain its community property character. This can affect how it's treated at death. If your family has lived in multiple states, mention this to your probate attorney early.

CHAPTER 4

Your Fiduciary Duty in Plain English

When a probate court appoints you as personal representative, it gives you legal authority to act on behalf of the estate. Along with that authority comes a **fiduciary duty** — a legal obligation to act in the best interests of the estate and its beneficiaries, not your own.

Missouri law holds you to the standard of a "reasonable, prudent individual." That means you don't have to be perfect. But you do have to be thoughtful, organized, and honest.

Protect the Assets

From the moment you're appointed, you are responsible for safeguarding everything in the estate — securing real estate, maintaining insurance, preventing waste or theft, and managing investments responsibly. If the family home sits vacant, change the locks, verify the insurance covers a vacant property, and post no-trespassing signs.

Meet Every Deadline

Estate tax filings, property taxes, inventory submissions, and annual settlements all have firm deadlines. Missing them can make you personally liable for resulting damages. Your calendar becomes your most important tool.

Act Within Your Authority

You cannot sell real estate without proper legal authority. In supervised administrations, many actions require court approval before you can proceed. When in doubt, ask your attorney before acting — not after.

Treat All Heirs Fairly

Every beneficiary is entitled to receive their proper share, on time, and with full transparency. Keep detailed records of every decision, transaction, and communication. These records protect you if anyone questions your actions later.

Keep Estate Finances Separate

Open a dedicated estate bank account. Never commingle estate funds with your personal accounts. Every dollar in and out of the estate should be documented and traceable.

> **IMPORTANT** Serving as executor is a job with real legal exposure. If you mismanage assets, miss deadlines, make unauthorized sales, or distribute improperly, you can be held personally liable. This is why the right probate attorney isn't a luxury — it's protection.

PART TWO

Assembling Your Team

The professionals who make the difference

CHAPTER 5

The Professionals You Need — and What to Ask Them

Settling an estate is not a solo endeavor. Even the most capable, organized people benefit from professional support — because probate involves legal deadlines, court filings, tax decisions, and real estate transactions that require specialized expertise. The good news: you don't need to find everyone at once. Start with two.

The Probate Attorney

Your probate attorney is the legal architect of the process. Missouri law requires that personal representatives be represented by an attorney in court proceedings, so this is not optional. Choose an attorney who:

- Specializes in Missouri probate — not just a general practice attorney who "does some probate"
- Is familiar with the specific procedures in your county's Probate Division
- Understands that in Missouri, real estate transactions typically close through a title company — and can coordinate effectively with the title company handling the estate property sale
- Communicates clearly and keeps you informed of deadlines

I work closely with several trusted probate attorneys in the St. Louis area. Call me for referrals — I'm happy to connect you.

The Probate Real Estate Agent

If the estate includes real property — and most do — you need an agent with probate-specific experience, not just general real estate experience. An experienced probate agent understands court timelines, required authorizations, and the emotional complexity of selling a family home. They also serve as a project manager, coordinating the many moving parts involved in preparing estate property for sale.

Questions to ask when selecting a real estate agent:

1. Do you specialize in probate and inherited properties?
2. Are you familiar with the specific requirements of Missouri supervised vs. independent administration?

3. Do you have a vetted network of estate sale companies, junk removal, contractors, and other services?
4. How do you keep clients informed throughout the process?
5. Can you provide references from past probate clients?
6. Are you familiar with the St. Louis sub-market where the property is located?

The CPA or Tax Advisor

The estate itself becomes a taxpayer from the day after death. A CPA with estate experience helps you navigate final personal income tax returns, estate income tax returns, and the step-up in basis calculations that can save heirs significant capital gains taxes when inherited property is eventually sold. Missouri follows federal guidelines including the stepped-up basis rule — but the details matter enormously.

The Financial Advisor

For larger estates or those with investment accounts, a financial advisor can guide decisions about how to manage assets during the administration period, minimize tax exposure, and structure distributions to align with beneficiaries' financial goals.

Estate Sale & Clean-Out Services

Most probate properties contain years — sometimes decades — of personal belongings. A professional estate sale company can liquidate personal property efficiently, which often simultaneously satisfies the probate court's inventory and appraisal requirements. Your real estate agent should have trusted relationships in this area.

"I've Got A Guy" — Your Agent's Vendor Network

One of the most underrated advantages of working with an experienced probate real estate agent is access to a vetted network of service providers. Preparing estate property for sale often requires a surprising range of professionals and tradespeople — many of whom need to be available on short notice and understand the sensitivities of working in a deceased person's home.

After 20+ years working with St. Louis families, I maintain an active referral network covering:

PROFESSIONALS	TRADES & SERVICES
Probate Attorney	Estate Sale Company
Estate Planning Attorney	Cleanout & Junk Removal

Elder Care Attorney	Handyman
Certified Public Accountant	General Contractor
Certified Financial Planner	HVAC Contractor
Registered Financial Advisor	Plumbing Contractor
Real Estate Appraiser	Roofing Contractor
Tax Preparation	Foundation Contractor
Insurance Agent	Flooring Contractor
Social Worker	Electrical Contractor
Senior Moving Service	Waterproofing Specialist
Probate Cash Advance*	Mold Remediation
Title Company	Pest Control Specialist
Real Estate Management	Tree Trimming & Removal

** A Probate Cash Advance (also called an estate advance) allows heirs to receive a portion of their expected inheritance before the estate formally closes — useful when estate assets are tied up in real estate that hasn't yet sold. This is not a loan; there are no monthly payments. The advance company collects their amount directly from estate proceeds at closing. Ask me for referrals to reputable providers.*

PRO TIP The best time to start assembling your team is the first week. You don't need all the answers before making your first call. A good probate attorney and an experienced probate real estate agent can each point you to the other professionals you'll need along the way.

PART THREE

The Executor's Timeline

From the first week through final settlement

CHAPTER 6

Before & Immediately After the Death

If your loved one is still living and you know you'll eventually serve as executor, there are steps you can take now that will dramatically reduce the burden on the family later. And if the death has already occurred, the first week is about stabilization — protecting people, protecting property, and starting to gather information.

If Time Permits Before Death

You don't need to discuss every detail — but knowing *where to find* information is the gift that reduces enormous stress later. Have the conversation now.

- Consult an estate planning attorney to ensure all documents are current, complete, and properly executed — will, power of attorney, healthcare directives
- Understand how real estate is titled. Is the family home in joint tenancy? In a trust? The title must match the intent or probate may be required regardless
- Discuss end-of-life medical care wishes and funeral preferences

The Location List — Ask About These Now

You don't need the account numbers today. You need to know *where* to find them. Ask your loved one for the location of:

- The will — and any codicils or amendments
- Trust documents, if any
- Safe deposit box location and keys
- Social Security card and number
- Property deeds and vehicle titles
- Financial account statements (bank, investment, retirement)
- Life insurance policies — and confirm the beneficiary designations are current
- Contact information for their attorney, accountant, and financial advisor
- Any advance medical directives or healthcare proxies
- Keys, combinations, and access codes to the home, garage, and safes
- **Digital accounts** — email, financial accounts accessed online, and where passwords are stored. This is increasingly important as more financial activity moves online

NOTE Digital assets are the new blind spot in estate planning. Cryptocurrency wallets, online brokerage accounts, PayPal and Venmo balances, and even valuable social media accounts can be lost permanently if login credentials aren't documented. Ask about digital accounts before the time comes.

The First Week After Death

This is a time of grief and shock. The administrative tasks can feel overwhelming. Focus on the essentials — and don't let well-meaning relatives "help" by taking items for safekeeping before the inventory is done.

Notifications:

- Notify immediate family, close friends, and employer
- Arrange the funeral or memorial service — the funeral director is a valuable resource and can facilitate Veterans Administration benefits if applicable
- Notify Veterans Affairs directly if your loved one served — these benefits have specific timelines
- **Locate the will immediately** — Missouri's one-year filing deadline starts at the date of death
- Order at least 10–15 certified death certificates from the funeral home — you will need more than you expect

Securing the property:

- Change the locks — even if family members have keys
- Post a No Trespassing sign inside and notify local police the home is vacant
- Verify insurance covers a vacant property — standard homeowner policies often exclude vacancy. Get a vacant home rider immediately
- Lock away valuable, portable items (jewelry, cash, collectibles) in a secure location
- Cancel newspaper delivery and any scheduled deliveries — an accumulating paper or package announces vacancy
- Install light timers to maintain the appearance of occupancy
- Set up mail forwarding to an address you can monitor — incoming mail is a roadmap of assets and debts
- Arrange for regular lawn care and exterior maintenance — a neglected exterior invites problems

Other first-week priorities:

- Do not distribute, give away, or discard any personal property yet
- Do not pay any debts yet — wait until you understand the full picture

- Note: well-meaning relatives who take items 'for safekeeping' can complicate probate and create family conflict. Hold the line gently but firmly

IMPORTANT Securing the property is one of the first things to do — and one of the most frequently overlooked. Vacant homes are vulnerable to theft, vandalism, and weather damage. Insurance companies may deny claims if they learn a property was vacant without proper coverage. Act on this in the first few days.

CHAPTER 7

The First Month — Opening Probate

The first month is primarily about establishing your legal authority to act. Without Letters Testamentary or Letters of Administration from the probate court, you cannot access financial accounts, sign contracts, or make legal decisions on behalf of the estate. Getting those letters is the central objective.

Build Your System First

Before you do anything else — before you call the attorney, before you open a single piece of mail — set up a physical filing system. Missouri courts expect detailed records, and documents accumulate faster than most people anticipate.

- **Death Certificates** — keep all certified copies here
- **Legal Documents** — will, Letters Testamentary, court filings
- **Financial Accounts** — statements, account numbers, correspondence
- **Real Estate** — deed, tax records, insurance, appraisal
- **Creditors & Debts** — bills, notices, correspondence
- **Receipts & Expenses** — every dollar spent on behalf of the estate
- **Heir Communications** — keep records of all significant conversations

> **PRO TIP** Create a system now, or chaos will create one for you. Every receipt, every appraisal, every communication matters when you're accountable to the court and the family. A well-organized file protects you if anyone questions your decisions later.

Retaining a Probate Attorney

Your first substantive action should be engaging a Missouri probate attorney. They will file the petition with the appropriate circuit court, submit the will for validation, and shepherd the process of getting you officially appointed as personal representative. If you need a referral to trusted probate attorneys in the St. Louis area, please call me.

What Your Attorney Will File

- Petition for probate with the county clerk
- The original will (if one exists)
- Request for Letters Testamentary (with will) or Letters of Administration (without will)

- Publication of Notice to Creditors in a qualifying local newspaper — this starts the six-month creditor claim period

Other First-Month Tasks

- Notify Social Security Administration of the death
- **Set up mail forwarding** — you can do this online at usps.com or in person at your local post office with proof of your executor status. If your loved one lived in an assisted living facility, contact them directly, as USPS forwarding can be unreliable for institutional addresses
- **Handle credit cards early** — call each issuer and ask specifically for 'Deceased Account Services' or the 'Estate Unit.' These departments are accustomed to working with executors and can guide you through the process efficiently. Don't just call the general number
- Cancel unneeded subscriptions and services
- Determine personal representative compensation (more on this in Chapter 13)
- Begin identifying all heirs and collecting their contact information
- If applicable, establish whether dependents are entitled to a family allowance under Missouri law

PRO TIP The Letters — Testamentary or Administration — are like a master key. Without them, banks won't talk to you, insurance companies won't pay out, and you can't access accounts you're supposed to be managing. Getting the letters is priority one.

CHAPTER 8

Your First 90 Days — Discovery & Foundation

Once you have your Letters, the real work begins: building a complete, accurate picture of what the estate owns and what it owes. This is the asset discovery phase. It is more thorough than most first-time executors expect — and the completeness of your inventory matters legally.

The Hidden Asset Checklist

Almost every estate contains assets that aren't immediately obvious. I've worked with families who discovered forgotten brokerage accounts worth tens of thousands of dollars — and others who were blindsided by tax liabilities they never knew existed. Cast a wide net.

Start with the obvious:

- Review the will and any codicils — they often specifically mention assets
- Contact the estate planning attorney, tax accountant, and financial advisor immediately — they often have the most comprehensive view of the financial picture
- Check filing cabinets, desks, and safe deposit boxes for financial statements and legal documents
- Monitor incoming mail for weeks — financial statements and notices continue arriving long after death
- Check creative hiding spots — older generations sometimes kept cash and documents in unusual places: old purses, between book pages, in coat pockets, or tucked inside furniture

Free databases most people don't know about:

- **NAIC Life Insurance Policy Locator** (naic.org) — free search for life insurance policies and annuity contracts
- **MIB Group** (mib.com) — formerly the Medical Information Bureau, covers approximately 99% of individual life insurance policies in the US and Canada. A small fee applies but the search is comprehensive
- **Missouri Unclaimed Property** (treasurer.mo.gov) — forgotten bank accounts, uncashed checks, utility deposits, and more
- **National Registry of Unclaimed Retirement Benefits** (unclaimedretirementbenefits.com) — for 401(k)s and similar plans
- **Pension Benefit Guaranty Corporation** (pbgc.gov) — free database of unclaimed pension benefits from terminated employer pension plans
- **IRS** — request tax transcripts using Form 4506-T to identify unreported income sources

Digital Assets: The New Estate Frontier

Digital assets represent a growing and frequently overlooked category in estate administration. They are easy to miss and can be permanently lost without proper access.

- **Online financial accounts** — PayPal, Venmo, and similar platforms often hold balances. Check email for statements from any financial service
- **Cryptocurrency** — Bitcoin, Ethereum, and other holdings may exist in digital wallets or on exchanges. Without login credentials or recovery phrases, these assets may be unrecoverable
- **Online brokerage accounts** — many investors hold accounts accessible only through online portals
- **Employer benefits portals** — retirees may still have life insurance or other benefits accessible online
- **Social media accounts** — these may have memorialization value or, in some cases, contain monetized content

PRO TIP If passwords and digital access information weren't documented in advance, check the decedent's email inbox — it often contains statements, confirmations, and account notifications that reveal the full digital financial picture.

Tax Returns: The Executor's Secret Weapon

The decedent's last 3–5 years of tax returns are one of the most valuable documents an executor can review. They reveal investment accounts, rental properties, business interests, deductions that suggest hidden assets, and ongoing income streams. Obtain them early — from the decedent's files, their accountant, or directly from the IRS.

To obtain prior tax returns directly from the IRS: complete **Form 4506**, attach your Letters Testamentary, include the death certificate, pay the copying fee, and mail to the appropriate IRS address.

NOTE If you haven't yet been appointed by the court and don't yet have Letters Testamentary, you can still notify the IRS of your role by filing Form 56 (Notice Concerning Fiduciary Relationship). This establishes your authority with the IRS before the court process is complete — useful when time-sensitive tax matters arise early in the administration.

Practical Inventory Guidance

Missouri courts require a formal Inventory and Appraisement, but don't let the legal requirement make you over-engineer the day-to-day list. Here are two practical rules that save significant time:

Group small items. You don't need to catalog every coffee mug and kitchen utensil. Instead of listing "dining table, 6 chairs, china cabinet, full set of dishes," write "dining room furnishings." Focus your detail on items with individual significant value. If there's a brokerage account with 15 stock positions, list it as the account — not each holding.

Handle utility bills as they arrive — don't create estate debt entries for ongoing utilities. Regular bills that come in during administration (electric, gas, water, trash) should be paid from the estate account and tracked in your cash flow log, but they don't need to be formally listed as estate debts. This distinction saves paperwork and simplifies the final accounting.

Asset Valuation

Every asset in the estate must be valued as of the **date of death**. This is not optional — Missouri courts require a formal Inventory and Appraisement filing, and accurate values affect estate strategy, potential taxes, and fair distribution to heirs.

Key valuation dates to understand:

- **Date of Death Value**: Your primary valuation — the fair market value on the day of death. This becomes the basis for estate taxes and step-up calculations.
- **Alternate Valuation Date**: For very large estates (over the federal estate tax threshold), you may be able to use values from six months post-death if it reduces taxes.
- **Value at Disposition**: The current value at the time assets are sold or distributed — relevant for capital gains calculations.

For real estate, obtain a formal appraisal from a licensed Missouri appraiser — not just an agent's market analysis. Courts generally require professional appraisals, and accurate valuations also establish the step-up in basis that can save heirs significantly on capital gains taxes when the property is eventually sold.

Other First-90-Day Tasks

- Request an Employer Identification Number (EIN) for the estate from the IRS — the estate is a separate taxpayer
- Open a dedicated estate bank account — all estate income and expenses flow through this account
- Set up auto-pay for ongoing estate obligations: mortgage, utilities, property taxes, insurance
- Formally notify all creditors, credit card companies, life insurance companies

- Notify IRAs and accounts with named beneficiaries so those assets can begin their own transfer process
- Compile the full heir list with contact information and legal relationship to the decedent

CHAPTER 9

Calendar Year Responsibilities That Don't Wait

Most executor tasks are tied to the date of death — file within 30 days, notify within 60 days, and so on. But a separate set of responsibilities operates on the calendar year. These deadlines don't care when your loved one died, and they don't offer extensions for grief.

Final Personal Income Tax Return

Due April 15 of the year following death — the same deadline as your own taxes. If your loved one passed away early in the year, you may also be responsible for filing the prior year's return if it hadn't been completed yet — meaning two returns could be due at once. A six-month extension is available. Note: the return is only required if your loved one's income exceeded the minimum filing threshold for their filing status. Determine this early — don't assume a return is required without checking.

Estate Income Tax Return (Form 1041)

The estate itself becomes a taxpayer from the day after death, and must file an annual income tax return (Form 1041) for any year it earns more than $600. Two important details many executors miss: (1) Form 1041 is only required if the estate's income exceeds the $600 threshold — smaller or simpler estates may not need to file every year. (2) Unlike individuals who must use a calendar year, estates can elect a **fiscal year** — for example, an estate opened in October could elect a September 30 fiscal year end, giving you until January 15 the following year to file. Your CPA can advise whether a fiscal year election makes sense for your situation.

Property Taxes

If the estate includes real property, property taxes are due on Missouri's standard schedule — typically December 31 for the prior year. These must be paid from estate funds until the property is sold or distributed. Delinquent property taxes accrue penalties and can complicate a sale.

Annual Estate Settlement

In supervised administrations, Missouri courts may require annual accounting reports. Your attorney will advise on the specific requirements and deadlines for your court.

> **PRO TIP** Keep a running calendar with all estate deadlines from day one. A missed tax deadline can make you personally liable for penalties and interest. A missed property tax payment can create complications when you're ready to sell.

CHAPTER 10

Beyond 90 Days — Debts, Strategy & Asset Disposition

Once the six-month creditor notice period expires, you'll have a complete picture of what the estate owes. No more surprises lurking in the background. Now you can move forward with confidence, knowing the full scope of the estate's obligations.

Resolving Estate Debts

Not every claim that arrives is legitimate. Before writing checks to anyone:

- **Verify every debt.** Ask for documentation. Some collection notices are fraudulent, outdated, or already paid.
- **Understand the six-month rule.** In Missouri, creditors have six months from the first publication of Notice to Creditors to file a claim — or two months from a direct mailing to that creditor, whichever is later. Miss that deadline and the debt is legally barred.
- **Know the priority order.** When estate funds are limited, Missouri law specifies the order in which debts are paid: funeral expenses, estate administration costs, spousal and family allowances, taxes, and general creditor claims.
- **Negotiate when appropriate.** Many creditors will accept less than the full amount rather than face lengthy legal proceedings. Get any settlement in writing.
- **Document everything.** Every call, every agreement, every payment. This protects you and the beneficiaries.

IMPORTANT You are not personally responsible for the estate's debts. The estate pays creditors — not you. But as personal representative, you are responsible for handling them correctly. Paying the wrong creditor at the wrong time, or in the wrong order, can expose you to personal liability.

Asset Disposition Strategy

Now create your master plan for every asset: what gets sold to cover debts and expenses, what gets distributed to specific heirs per the will, and what gets distributed to all heirs proportionally.

The framework I recommend working through with your attorney:

- Start with assets that must be sold to cover debts and expenses

- Then address specific bequests named in the will ("Johnny gets the antique piano")
- Then address residual distribution to all heirs according to the will or intestate law
- Throughout this process, document every decision and get court approval where required

CHAPTER 11

Making Distributions to Heirs

Distributions are the moment everyone has been waiting for — and the moment that creates the most family conflict when handled carelessly. A seven-step process protects you and the beneficiaries.

Step 1: Document Automatic Transfers

Identify all assets that transfer outside the probate estate — life insurance, retirement accounts with named beneficiaries, jointly held property. You don't control these transfers, but you need to track them because they affect tax calculations and heir entitlements.

Step 2: Address Family Entitlements

Missouri law provides certain protections for surviving spouses and minor children that take precedence over general distributions. Handle these first, with guidance from your attorney.

Step 3: Fulfill Specific Bequests

Distribute items specifically named in the will first. Get signed receipts from each recipient. Important: if a specifically bequeathed item no longer exists — say, a car that was sold or a piece of jewelry that was lost — you generally cannot purchase a replacement with estate funds. The bequest simply fails. Your attorney can advise on how this affects the overall distribution.

Step 4: Reserve Funds for Outstanding Obligations

Before any residual distribution, ensure you have enough liquid funds set aside to cover all known and potential debts, taxes, attorney fees, and administration expenses. Distributing everything and then discovering an overlooked obligation can put you in a very difficult position. When in doubt, keep a reasonable reserve until the estate is fully closed.

Step 5: Pay Remaining Expenses

Once obligations are satisfied, clear all confirmed debts, taxes, and administration costs from the estate account.

Step 6: Calculate Residual Shares

Divide what remains among the residual beneficiaries per the will's formula, or per Missouri intestate law.

Step 7: Execute Distributions

For cash: wire or check with documentation. For real estate: deed transfer. For personal property: itemized receipts. For all of it: keep copies.

Step 8: Obtain Signed Receipts

Every beneficiary should sign an acknowledgment of receipt. This documentation is your protection against future claims.

CHAPTER 12

Final Settlement & Closing the Estate

After months of work, you are approaching the finish line. The final settlement is your formal accounting to the court and the beneficiaries — a comprehensive record of every action you took as personal representative.

Final Accounting

A complete record of all estate income, expenses, creditor payments, and distributions. Every dollar in and every dollar out, with documentation. This is filed with the probate court and must be approved before the estate can be formally closed.

Closing Statement

Your formal declaration that all debts have been resolved, all taxes paid, and all assets distributed per the will or Missouri law. Filed with the court alongside the final accounting.

Executor Compensation

Claim your compensation at this stage (see Chapter 13 for the Missouri formula). This is appropriate and expected — this work is substantial.

Close the Estate Bank Account

Once all final disbursements have been made and the court has approved your accounting, close the estate account and distribute any remaining balance.

Court Discharge

Upon approval of your final settlement, the court will issue a formal discharge releasing you from your duties and liabilities as personal representative. This is your official finish line.

IMPORTANT Closing an estate properly — with court-approved accounting and formal discharge — is the only way to fully protect yourself from future claims. Don't skip this step or rush it.

CHAPTER 13

Missouri Executor Compensation

Missouri law guarantees minimum compensation for personal representatives. This is money the estate owes you for your work — not a gift, not a favor to yourself. Don't feel guilty claiming it.

The Missouri Compensation Formula

Compensation is based on the estate's value at the time of distribution, using this sliding scale:

Estate Value Range	Commission Rate	Example Payout
First $5,000	5%	$250
Next $20,000 ($5,001–$25,000)	4%	$800
Next $75,000 ($25,001–$100,000)	3%	$2,250
Next $300,000 ($100,001–$400,000)	2.75%	$8,250
Next $600,000 ($400,001–$1,000,000)	2.5%	$15,000
Everything above $1,000,000	2%	Varies

A $200,000 estate would generate minimum compensation of approximately $5,550. A $500,000 estate: approximately $12,050. These are **minimums**. Missouri allows for additional reasonable compensation if the complexity of the estate warrants it.

Multiple Personal Representatives

If two or more personal representatives serve together, Missouri law caps their combined compensation at twice the schedule above, *or* 5% of the total estate value — **whichever is less**. There are exceptions when the court requires property management without sale, or when extraordinary services are performed. If you're co-serving as personal representative with a sibling or other family member, discuss compensation allocation early to avoid misunderstandings.

What Counts — and What Doesn't

The formula applies to assets that pass through the estate. Life insurance proceeds and retirement accounts with named beneficiaries that pass outside the estate generally don't count toward the fee base.

Extraordinary Services

Missouri recognizes certain tasks as going beyond standard duties and may justify additional compensation: managing or liquidating a business, handling significant litigation, preparing estate tax returns, managing rental properties, or addressing complex tax audits.

One important exception: if you are a licensed professional — such as a CPA — you cannot charge the estate separately for professional services within your area of expertise unless the will specifically authorizes it, the court approves it, or all heirs consent. You can claim executor compensation, but not double-bill for the same work as a professional.

Flexibility in Compensation

Even if the will specifies your compensation — or specifies that you receive nothing — the heirs can agree to modify the arrangement. Likewise, you may choose to waive compensation entirely, which some personal representatives do when they are also the primary beneficiary and waiving compensation avoids ordinary income tax. The statutory schedule is a floor, not a ceiling, and the parties have meaningful flexibility.

NOTE Executor compensation is taxable income to you. Before finalizing your compensation, consult with a CPA about the tax implications. In some situations — particularly when you are also a beneficiary — there may be tax reasons to waive or adjust compensation.

PART FOUR

Real Estate in the Estate

Inherited property, sales strategy, and what the market demands

CHAPTER 14

What to Do with Inherited Property

For most estates, real estate is the largest and most complex asset. It requires the most decisions, carries ongoing costs, and often generates the most family tension. The first thing to understand is that you have more options than you may realize — and the right choice depends on your family's goals, not a one-size-fits-all formula.

Your Three Options

Sell the Property

For most families, selling is the right answer — it converts the asset to liquid funds that can be distributed to heirs, and it ends the ongoing costs of ownership. Depending on the estate's situation, you may prioritize speed (cash sale, as-is) or maximum price (preparation, staging, full market exposure). Your probate real estate agent should help you think through which approach fits.

Rent the Property

If the property is in a strong rental market and the heirs have no immediate need for the proceeds, renting can generate income during the administration period — or become a long-term investment for heirs who want to keep it. Consider Missouri landlord-tenant law requirements, local licensing, and whether the heirs are prepared for ongoing property management responsibility.

Distribute to an Heir

The will may direct that a specific property goes to a specific person, or heirs may agree among themselves that one person keeps the property (often buying out the others). This requires proper deed transfer and a clear buyout arrangement if multiple heirs are involved.

Missouri Financial Advantages

Missouri does not impose a state inheritance tax or estate tax, which is relatively favorable compared to many states. For most Missouri families, the primary tax considerations are federal estate taxes (which only apply to very large estates above the federal exemption threshold) and capital gains taxes on the eventual sale of inherited property. The step-up in basis rule can dramatically reduce capital gains exposure — see Chapter 16 for a detailed explanation.

CHAPTER 15

Preparing & Selling Estate Real Estate

Selling a probate property involves several steps that don't apply to a standard home sale. The process has a legal dimension — you need proper authorization before you can list or sell — and a practical dimension: the property almost always needs preparation.

Legal Groundwork First

- Confirm you have Letters Testamentary or Administration — without them, you cannot legally sign a listing agreement
- In supervised administration, determine whether court approval is required before listing
- Compile all property documents: deed, title insurance, tax records, mortgage documents
- Get a formal appraisal to establish date-of-death value and support estate inventory

Preparing the Property

Estate properties require more preparation than typical listings — they've often been lived in for decades, may have deferred maintenance, and typically need to be cleared of personal belongings before showing. A good probate agent acts as project manager here, coordinating all the moving parts.

Secure and assess first: Change locks, verify insurance, assess condition before committing to any repairs.

Estate sale or clean-out: A professional estate sale handles personal property removal and often satisfies the probate inventory requirement simultaneously.

Targeted repairs: Not everything needs to be fixed. Ask your agent before spending on repairs or updates — some won't add value; others are essential. Focus on what affects buyer safety, lender requirements, and first impressions.

Curb appeal: A well-maintained exterior dramatically affects buyer perception. Lawn care, a clean front door, and basic landscaping pay dividends.

Deep clean and odor elimination: Particularly important in homes that have been vacant or that housed pets.

Pre-sale inspection: Know what a buyer's inspector will find before they find it. Surprises after contract cost more — in money and in time.

St. Louis-Specific Considerations

- Basement moisture and foundation issues are common in the region — address them proactively
- HVAC systems must handle Missouri's temperature extremes — a non-functional system is a significant buyer concern
- Many St. Louis area homes are historic — check for preservation district requirements before making exterior changes
- Clay soil conditions throughout the area can affect foundations — have concerns evaluated by a structural engineer

Marketing and Pricing Strategy

Effective marketing drives buyer competition, which drives price. A comprehensive approach includes professional photography, virtual tours, MLS listing with broad syndication, targeted digital advertising, email campaigns to buyer and agent databases, and open houses. Your agent should develop a customized plan based on the property's condition, the estate's timeline, and current market conditions.

Pricing strategy should account for the estate's circumstances. A family that needs a quick resolution may price more aggressively. A family with flexibility and a desirable property may benefit from pricing to generate competing offers. Your agent should present both scenarios with data.

CHAPTER 16

Trust-Owned Real Estate

When a loved one created a revocable living trust, the intent was usually to avoid probate. If the real estate was properly titled in the trust before death, that intent is fulfilled — the successor trustee can proceed with sale under trust authority without probate court involvement. That said, there are still important legal, tax, and logistical steps to follow. Here is the complete process.

Step 1: Confirm Trustee Authority

The successor trustee is the *only* party legally authorized to act on behalf of the trust. Before anything is signed, answer these questions:

- Who is named as successor trustee in the trust document?
- Are there co-trustees? If so, does the trust require both to sign?
- Has the trustee formally accepted their role per the trust terms?

Only the trustee(s) may sign listing agreements, execute sales contracts, and sign closing documents. **Beneficiaries do not sign unless they are also named trustees.** This distinction surprises many families and should be clarified before any professionals are engaged.

Step 2: Confirm Title to the Property

Before listing, verify that title is actually held in the name of the trust. Proper vesting looks like:

> ***"John Smith, Trustee of the John Smith Revocable Trust dated January 1, 2010"***

- If properly titled: probate is avoided and the trustee may proceed
- If **not** properly titled: additional legal steps will be required before selling — your attorney can advise on the path forward

A title search confirms this before listing. We always run one early in the process.

Step 3: Establish the Date-of-Death Value (Step-Up in Basis)

When a revocable living trust becomes irrevocable at death, most assets receive a **step-up in tax basis** to fair market value as of the date of death. This is one of the most financially significant tax benefits available to heirs — and frequently misunderstood or missed entirely.

Here's what it means in practical terms:

	Amount
Original purchase price (30 years ago)	$90,000
Fair market value at date of death	$350,000
Sale price today	$365,000
Capital gain WITHOUT step-up	$275,000
Capital gain WITH step-up	**$15,000**
Potential tax savings at 15% rate	**Approximately $39,000**

To document this properly, trustees should obtain a retrospective appraisal dated as of the date of death. Consultation with a CPA is strongly recommended to confirm documentation and reporting requirements. Don't skip this step — the savings can be substantial.

Step 4: Evaluate the Property's Condition

The trustee's fiduciary duty requires acting in the best interest of all beneficiaries — including making reasonable decisions about preparation and pricing. There are three strategic paths:

Option 1 — Sell As-Is

No repairs or improvements. Minimal preparation. Typically attracts investor buyers. Fastest and simplest approach. Best when the estate needs speed, the property has significant issues, or beneficiaries are in agreement on a quick resolution.

Option 2 — Light Preparation

Remove contents, deep clean, minor cosmetic updates (fresh paint, minor repairs). Opens the property to a broader buyer pool. Often yields meaningfully higher net proceeds than as-is with modest time and cost investment.

Option 3 — Strategic Renovation

Larger updates — kitchen, flooring, major systems. Longer timeline and higher upfront costs, but potential for maximum sale price. Increases coordination complexity. Best when the property has strong bones, the market supports the investment, and beneficiaries are aligned on the approach.

The right strategy depends on timeline, condition, beneficiary agreement, and financial objectives. A detailed pricing analysis should be prepared for each realistic option so beneficiaries can make an informed decision.

Step 5: Handle Personal Property

Trust properties often contain personal belongings that must be addressed before listing. The trustee should:

- Determine what beneficiaries wish to retain — get agreements in writing
- Consider a professional estate sale for remaining items — this often satisfies inventory requirements
- Arrange donation or removal services for what remains

> **IMPORTANT** Written agreement among family members about personal property is strongly recommended before the estate sale or cleanout begins. Disputes over personal property are among the most common sources of family conflict in trust administration — and the easiest to prevent with early, clear communication.

Step 6: Trust Bank Account & Financial Handling

If not already established, the trustee should open a dedicated trust checking account for the sale. All proceeds should flow through this account — never commingled with personal funds. From the trust account, the trustee may pay property taxes, final expenses, agent commissions, mortgage payoff if applicable, and outstanding bills. This maintains fiduciary compliance and creates a clean paper trail.

Step 7: Pre-Listing Checklist

Before signing a listing agreement, confirm:

- Trustee authority is confirmed and documented
- Title is verified in the name of the trust
- Date-of-death valuation strategy is in place
- Insurance coverage is confirmed — vacant property rider if needed
- Utilities are in the trust's name or otherwise managed
- Property disclosures are completed (trustees disclose based on knowledge; 'unknown' is acceptable where truthful)

Step 8: Listing & Sale Process

The listing agreement will be signed as: *"[Trustee Name], Successor Trustee of the [Trust Name] dated [Trust Date]."* Once listed, offers are presented to the trustee for review. The trustee evaluates price, terms, inspection contingencies, and timeline — always with the goal of acting reasonably and in the best interest of all beneficiaries.

Step 9: Closing

At closing, the trustee signs all documents on behalf of the trust. Sale proceeds are wired to the trust account. The settlement statement reflects the trust as the seller. Missouri real estate closings are typically handled by a title company — the trustee's attorney should coordinate with the title company to ensure all trust documentation is in order.

Step 10: After Closing

After the sale, the trustee should pay all final expenses and obligations, prepare a final accounting of the trust's activity, distribute remaining proceeds according to the trust document's terms, and maintain documentation of all distributions. Beneficiaries should sign an acknowledgment of receipt.

Estimated Timeline for Trust Property Sales

Phase	Estimated Time
Pre-listing preparation (authority, title, condition, cleanout)	1–2 weeks
Active market time (varies by price and condition)	2–3 weeks
Contract to closing	30 days
Total typical timeframe	**45–60 days**

NOTE Selling a trust-owned property is typically more streamlined than a full probate sale — but it still requires proper authority, tax awareness, and coordination among beneficiaries. The goal is to protect the trustee legally, protect beneficiaries financially, and maximize value within the agreed strategy.

CHAPTER 17

Distressed Properties & Cash Buyer Caution

Not every inherited property is ready for the open market. Some have deferred maintenance, structural issues, environmental concerns, or title complications that require a different approach. And in today's market, virtually every estate property — regardless of condition — will receive solicitations from cash buyers and wholesalers. Knowing how to navigate both situations protects the estate.

Assessing a Distressed Property

Before deciding how to handle a property in poor condition, understand exactly what you're dealing with. Common issues in Missouri probate properties include:

- Basement moisture and foundation issues — clay soil conditions throughout the St. Louis area are a frequent contributor
- HVAC systems at end of life — particularly significant given Missouri's climate extremes
- Deferred exterior maintenance — roofing, siding, gutters
- Weather-related damage — Missouri's tornado, ice storm, and flooding exposure
- Vacant property deterioration — properties sitting empty without heat or maintenance
- Municipal code violations and outstanding fines

Selling Options for Distressed Properties

Traditional MLS Sale (As-Is)

Listing at a price that reflects condition, on the open market. Maximum exposure, potential for multiple offers from investors and buyers who can see past condition. Slower than a cash sale but often yields a better price than a private sale.

Cash Investor Sale

Selling directly to a real estate investor — quick closing, no repairs, no lender. Typically below market value. Appropriate when the estate needs certainty and speed.

Repairs & Full Market Sale

Investing in targeted repairs to bring the property closer to market condition before listing. Can significantly increase the sale price, but requires capital, time, and careful cost-benefit analysis. Some funding options allow repairs to be paid from sale proceeds.

Auction

Can generate competitive bidding and a guaranteed close date. Must comply with Missouri probate court requirements for auction sales.

Missouri SB 973 — New Wholesaler Disclosure Law

Estate properties are prime targets for wholesalers — and executors are particularly vulnerable because they're unfamiliar with the process, often under time pressure, and motivated to resolve the estate. Understanding the difference between a direct investor and a wholesaler is one of the most practical things an executor can know.

Investor vs. Wholesaler — A Critical Distinction

A direct investor makes an offer and intends to close on the property with their own funds. A wholesaler puts the property under contract and then shops that contract to other buyers for an assignment fee — never actually intending to close themselves. Some wholesalers provide genuine value. The problem is when an executor signs a contract without understanding which one they're dealing with — without knowing the price may be well below market, and without knowing the person they signed with may never actually show up at closing.

What SB 973 Requires

Missouri Senate Bill 973 passed both chambers of the Missouri legislature on the final day of the 2026 session and is awaiting Governor Kehoe's signature as of this writing. If signed, it takes effect August 28, 2026. It does not ban wholesaling — but it requires transparency. Under the law, wholesalers dealing with residential properties of 1–4 units must provide sellers with a written disclosure at least **14 calendar days** before any contract is signed. That disclosure must clearly state:

- That the buyer is acting as a wholesaler
- That the contract may be assigned to another buyer for a profit
- That the wholesaler may never actually take title to the property
- That the agreed price may be below market value
- That the seller has the right to cancel the contract before closing if the disclosure was not properly provided

Violations are enforceable as unlawful practices under the Missouri Merchandising Practices Act, with both private lawsuits and Attorney General enforcement available as remedies.

Your Fiduciary Exposure

As executor, you have a fiduciary duty to the estate's beneficiaries. Accepting a below-market offer without documenting your decision-making process can create personal liability if a beneficiary later challenges the sale. The question won't just be whether the price was low — it will be whether you understood your options and acted reasonably in the beneficiaries' interests.

Protect yourself: before accepting any cash offer on estate property, obtain an independent market analysis, document what alternatives existed, and record why the chosen approach was in the estate's best interest. That paper trail is your protection.

PRO TIP If you receive an offer on estate property and no written wholesale disclosure has been provided at least 14 days before you're asked to sign — that's a flag. It doesn't automatically mean something is wrong, but it means you should pause and ask questions. I'm happy to review any offer you receive at no cost and give you a straight assessment of whether it reflects fair value.

PART FIVE

Protecting the Estate

Common mistakes and how to avoid them

CHAPTER 18

Common Mistakes & How to Avoid Them

The probate process is unforgiving of certain mistakes. Some create delays and additional costs. Others can expose the personal representative to personal liability. This chapter covers the ones I see most often in my work with St. Louis families.

- **Missing Missouri's One-Year Will Filing Deadline**
  There is no exception to this rule. If a will is not filed with the probate court within one year of death, it becomes legally invalid. The estate then distributes under intestate succession laws, regardless of the deceased's clearly stated wishes. This is the single most devastating avoidable mistake in Missouri probate.

- **Proceeding Without an Attorney**
  Missouri law requires personal representatives to be represented by an attorney in court proceedings. Attempting to navigate probate without legal counsel exposes you to missed deadlines, improper filings, and personal liability.

- **Distributing Assets Before Debts Are Settled**
  Well-meaning executors sometimes distribute assets to grieving heirs before the creditor notice period has run. If the estate later cannot pay valid creditors, the personal representative may be personally liable for improperly distributed assets.

- **Failing to Secure and Insure Estate Real Estate**
  Vacant properties are vulnerable on multiple fronts: theft, vandalism, weather, and insurance lapses. Standard homeowner policies often exclude or limit coverage for vacant properties. Get a vacant home rider immediately.

- ★ **Accepting a Cash Offer Without Due Diligence**
  Cash buyer solicitations are aggressive in the probate market because buyers know executors are often dealing with time pressure and emotional stress. Always get an independent market analysis before accepting any offer.

- **Commingling Estate and Personal Funds**
  Using estate funds for personal expenses, or personal funds for estate expenses without documentation, is a serious breach of fiduciary duty. Open a dedicated estate account and route everything through it.

- **Missing Tax Filing Deadlines**
  Final income tax returns, estate income tax returns, and property taxes all have firm deadlines. Missing them can generate penalties for which you are personally liable.

- **Failing to Communicate with Heirs**
  Lack of transparency breeds suspicion. Keep all heirs informed of major decisions, timelines, and financial status — even when the news is complicated or the process is slow.

- ★ **Overlooking Hidden Assets**
  Many executors under-inventory estates because they stop looking after finding the obvious accounts. State unclaimed property databases, NAIC life insurance searches, and IRS tax transcripts frequently reveal significant assets that would otherwise be lost.

PART APPENDIX

Missouri Probate Administration Checklist

A working reference — print this and check things off

This checklist is organized by time frame and responsibility. PR = Personal Representative. Legal = Your Probate Attorney.

FIRST WEEK	RESPONSIBILITY
■ Forward decedent's mail	PR
■ Notify close friends & family	PR
■ Notify employer	PR
■ Secure all real estate (change locks, verify insurance, post no-trespassing)	PR
■ Check insurance — add vacant property rider if needed	PR
■ Notify Veterans Affairs (if applicable)	PR
■ Arrange funeral / memorial	PR
■ Locate the will — filing deadline begins at date of death	Legal/PR
■ Order 10–15 certified death certificates (funeral home can assist)	Legal/PR
■ Do not distribute or discard any personal property	PR

FIRST MONTH	RESPONSIBILITY
■ Retain probate attorney	Legal
■ File probate with county clerk, request Letters	Legal
■ Submit will to court	Legal
■ Receive Letters Testamentary or Letters of Administration	Legal
■ Run Notice to Creditors in newspaper (starts 6-month clock)	Legal/PR
■ Notify Social Security Administration	PR
■ Cancel unneeded subscriptions and services	PR
■ Determine personal representative compensation	PR
■ Start ancillary probate if applicable (out-of-state property)	Legal

FIRST THREE MONTHS	RESPONSIBILITY
■ Determine and notify all heirs (compile contact list)	Legal/PR
■ Request Employer Identification Number (EIN) for estate from IRS	PR
■ Open dedicated estate bank account	PR
■ Set up auto-pay for mortgage, utilities, property taxes, insurance	PR
■ Establish family allowance if applicable	PR/Legal
■ Notify credit card companies	PR

■ Notify life insurance companies	PR
■ Notify IRA and retirement account custodians	PR
■ Notify financial institutions and brokerage accounts	PR
■ Collect all financial statements and account information	PR
■ Obtain last 3–5 years of tax returns (from files, accountant, or IRS Form 4506)	PR
■ Search state unclaimed property database (treasurer.mo.gov)	PR
■ Search NAIC life insurance database	PR
■ Order date-of-death appraisal for real estate	PR
■ File inventory and appraisement with court	Legal/PR
■ Assess condition of all real estate; consult probate real estate agent	PR

ONGOING CALENDAR-YEAR TASKS	RESPONSIBILITY
■ File final personal income tax return (April 15, year following death)	PR/CPA
■ File estate income tax return — Form 1041 (April 15, annually until closed)	PR/CPA
■ Pay property taxes by December 31 on all estate real estate	PR
■ Annual settlement filing if required (supervised administration)	Legal

BEYOND 90 DAYS	RESPONSIBILITY
■ After 6-month creditor period expires: compile all valid claims	Legal/PR
■ Negotiate and resolve creditor claims — document all settlements	PR/Legal
■ Develop asset disposition strategy with attorney	Legal/PR
■ List estate real estate (with court approval if supervised administration)	PR
■ Distribute specific bequests named in will	PR
■ Obtain signed receipts for all distributed personal property	PR

FINAL SETTLEMENT	RESPONSIBILITY
■ Complete all asset sales and distributions	PR
■ Prepare final accounting (every dollar in and out)	PR/Legal
■ File final accounting with probate court	Legal
■ Claim executor compensation	PR
■ Obtain court approval of final accounting	Legal
■ File closing statement	Legal

■ Close estate bank account — distribute remaining balance	PR
■ Receive court discharge as personal representative	Legal

CHAPTER

Glossary of Key Terms

Administrator	A person appointed by the probate court to manage an estate when no valid will exists or when the named executor is unable to serve.
Ancillary Probate	A separate probate proceeding in another state when the deceased owned real property there.
Beneficiary	A person or entity named to receive assets from an estate, trust, or financial account.
Creditor Notice Period	Missouri's six-month period during which creditors may file claims against an estate following publication of notice. Two months if the PR mailed direct notice to that creditor.
Estate Account	A dedicated bank account opened in the name of the estate and used exclusively for estate income and expenses.
Executor	The person named in a will to administer the estate. Missouri uses the term 'Personal Representative' for both will and non-will situations.
Fiduciary Duty	The legal obligation to act in the best interests of the estate and its beneficiaries, not oneself.
Independent Administration	A type of Missouri probate administration that allows the personal representative to act with minimal court supervision.
Intestate	Dying without a valid will. Missouri's intestate succession laws determine distribution.
Inventory and Appraisement	A formal court filing listing all probate assets and their date-of-death values.
Letters Testamentary / Letters of Administration	Court-issued documents that authorize the personal representative to act on behalf of the estate. Essential for accessing accounts and signing contracts.
Personal Representative (PR)	Missouri's term for the executor or administrator of an estate.
Probate Division	The division of each Missouri circuit court that handles estate and probate matters.

Small Estate Affidavit	A simplified Missouri procedure for estates valued under $40,000, allowing distribution without full probate.
Step-Up in Basis	The IRS rule that resets an inherited asset's tax basis to its fair market value at the date of death, potentially eliminating decades of capital gains exposure.
Successor Trustee	The person named in a trust document to take over management of trust assets after the original trustee's death or incapacity.
Supervised Administration	A type of Missouri probate administration that requires court approval for most significant actions, including selling real estate.
Testate	Dying with a valid will.
Transfer on Death (TOD) / Payable on Death (POD)	Designations on financial accounts and real estate that allow assets to pass directly to named beneficiaries without probate.

CHAPTER

Resources & Contact Information

If you're navigating probate real estate in the St. Louis area, I'd welcome the conversation. There's no obligation — just a straightforward discussion of where you are, what you're dealing with, and what options make sense.

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Schedule a Consultation: StLouisFamilyResources.com/schedule

Additional Resources

- Missouri Revised Statutes, Title XXXI (Chapters 472–474): mo.gov/statutes
- Missouri unclaimed property search: treasurer.mo.gov
- NAIC life insurance policy locator: naic.org/life_policy_locator.htm
- IRS Form 4506 (tax return request): irs.gov
- National Registry of Unclaimed Retirement Benefits: unclaimedretirementbenefits.com
- Missouri State Tax Commission: stc.mo.gov

This guide is provided for educational purposes and does not constitute legal, tax, or financial advice. Probate is a court-supervised legal process governed by Missouri law. Please consult with a qualified Missouri probate attorney and other appropriate professionals for advice specific to your situation.