

JOHNSON COUNTY PROBATE FORM 5

STATE OF INDIANA)
) SS:
COUNTY OF JOHNSON)

IN THE JOHNSON _____ COURT
CASE NO. 41 ____ - ____ - ____ - ____

IN RE:
THE ESTATE OF:
_____, **DECEASED.**

INSTRUCTIONS
TO THE PERSONAL REPRESENTATIVE
OF A SUPERVISED ESTATE

You have been appointed by this Court as Personal Representative of this estate. It is important that you fully realize your duties and responsibilities. Please read carefully, date and sign one copy of this form and submit it to the Court. Keep one copy for your records. Listed below are some of these duties but not all of them.

As Personal Representative, you are required by Indiana law to:

1. Locate, collect, and maintain all property owned by the Decedent. Keep motor vehicles and real estate insured and protected.
2. Have your attorney file in this Court an inventory describing all property belonging to the estate, with date of death values, not later than two (2) months after your appointment.
3. Open a separate checking account in your name "as Personal Representative for the estate of (the Decedent): and NEVER CO-MINGLE your funds or anyone else's funds with this account. Always make estate expenditures by check and retain the canceled checks. Make sure that the bank is willing to return canceled checks to you. Obtain a federal I.D. number for the checking account. Do not use your Social Security number or the Decedent's Social Security number.
4. Ascertain all debts that the Decedent owed. Look through Decedent's tax returns and other papers. Talk to anyone who knew Decedent's business. Consult your attorney as to payment of debts, costs of administration, bond premiums, and funeral bills. Some debts may be unenforceable. Some may have priority over others. DO NOT MAKE any distribution to an heir or devisee without prior consent from your attorney. Always obtain receipts for all distributions made. NEVER borrow estate property or put it to your own personal use.
5. Immediately fill out a change of address at the post office to have the Decedent's mail forwarded to you.
6. Prepare and file income tax returns for the tax year in which the Decedent died and any returns for prior years if needed. Timely prepare and file any estate, inheritance, or fiduciary tax returns and pay taxes as they come due.
7. Have your attorney file your final accounting, consisting of three (3) schedules, after the administration of the estate has been completed. The first schedule must include all assets

listed on the inventory and any income and additional assets obtained during administration. The second schedule must be an itemized list of expenditures, supported by attached canceled checks. The third schedule must be a recapitulation, indicating the remaining estate property after subtracting expenditures. A proposed distribution of this remaining estate property to the heirs or devisees must be included. This accounting must be furnished to all interested parties, including heirs.

8. After the court approves your final account, make distribution to the proper people and file a supplemental report with the court, attaching receipts.
9. Notify the Court and your attorney of any change in your address or telephone number.
10. Never pay yourself or your attorney any fees without a prior Court Order. Keep a record of the time you spend working on the estate. You are entitled to a reasonable fee, unless you waive a fee. Time records will help the Court determine your fee.
11. Always contact your attorney for advice if you are unsure as to any act as Personal Representative. Have your attorney counsel you in relation to the estate and explain anything that you do not fully understand.
12. Do not sell an estate asset without prior court order unless the will, in very specific terms authorizes sale without court order. Consult your attorney about this.

You, as Personal Representative, are ultimately responsible to see that the estate is properly and promptly administered, and you are personally liable for incorrect distribution, payments, or acts, as well as any unpaid taxes or costs of administration.

I authorize my attorney to disclose to the Court any information relating to his or her representation of me as Personal Representative even if such information would be otherwise confidential.

I acknowledge that I have carefully and completely read the above instructions and received a copy for my records. I agree to properly carry out my duties.

Dated this _____ day of _____, 20_____.

Signature, Personal Representative

Signature, Personal Representative

Printed Name, Personal Representative

Printed Name, Personal Representative