
LETTER 1—PROBATE INFORMATION LIST TO CLIENT

The attorney is to furnish the information necessary to complete this letter. Enclose a copy of the Probate Information List ([Form 1](#)).

[Today's date]

[Addressee name and address]

Dear [name]:

Thank you for calling. I am sorry to learn of the death of your [relationship, name].

You have no doubt heard that probate is a very complicated, time-consuming, and expensive proposition. To some extent it can be all these things, but with proper handling these drawbacks can be minimized.

Getting all the facts is the number one problem faced by the survivors and by their attorney. Without all appropriate information, nothing can be done. The family will not know the extent of the estate, the lawyer cannot prepare the necessary documents, and the assets cannot be distributed to the proper persons.

It is rare that all the required information can be obtained at one time or at the outset of the proceedings. In fact, different people rarely have the same assets or liabilities and definitely do not have the same personal and family histories.

To assist you and me in gathering and acting on the proper information, I am enclosing a list of items and information for you to locate. There is no estate to which all items will apply, but you should begin now to obtain as many of the items and as much of the information as possible. Do not be discouraged by the length of the list or your inability to locate some items.

You cannot be expected to be a probate expert. Please begin gathering as much of the information and as many of the documents as you can and have it with you at our meeting on [date].

Please inform each insurance agent of Decedent's date of death and ask for a list of the insurance policies in place on the date of death, the steps and deadlines to keep each policy in force, and whether to add or change insurance coverage.

Until an asset is distributed, it is customary to leave the decedent's name on homeowner's and automobile policies and to add the executor or administrator as an additional named insured.

Include the following paragraphs if no administration is desired.

Ask Decedent's insurance agent whether the estate's insurance needs can be managed without appointment of an executor or administrator and without issuance of letters to a personal representative. If insurance has lapsed or is inadequate, who can request coverage?

Ask for the declarations page of each policy in which Decedent has an interest, the tasks and deadlines to keep each policy in force, and a list of any coverage changes needed immediately. Ask whether an heir or another person can be added as a named insured to Decedent's homeowner's and other insurance policies. Do not remove Decedent's name from any policy. On request, we can contact each agent for you.

Continue with the following.

If you anticipate estate employees, please ask your agent about workers' compensation and similar insurance.

Please let us collect all life insurance benefits, since it is mandatory for us to obtain certain information directly from the companies. Also, please provide us with photocopies of any checks that were undeposited on the date of death, and do not deposit those or any other checks without consulting us first.

Thank you for letting me have this opportunity to help. I look forward to working closely with you. Kindest regards.

Yours very truly,

[Attorney's name]

Enclosure
Probate Information List