

Probate and Trust & Estate Administration

The process following the loss of a loved one can be both emotionally challenging and legally complex. Our team provides skilled legal guidance through the estate administration and probate process. We assist executors, administrators and trustees with fulfilling their duties, including probating the will with the Surrogate's Court, identifying and valuing assets, paying debts and taxes, preparing any required estate, inheritance, or income tax returns, preparing estate and trust accountings, distributing assets to beneficiaries in accordance with the will and state law, and addressing any disputes that may arise.

The administration of New Jersey estates for out-of-state residents, including those who own real estate or other tangible property in New Jersey at the time of death, triggers unique legal requirements. In these circumstances, a process known as ancillary probate is often required. We assist out-of-state executors and administrators with this process (which is a separate proceeding from the primary administration of the estate in the decedent's state of residence) including obtaining and filing the necessary documentation and facilitating the resolution of issues related to New Jersey inheritance tax reporting for non-residents.

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Experience

Representative Matters

- Advised the administrator of a multi-state \$70 million estate, where the decedent died without a will, in resolving competing beneficiary interests and completing administration without dispute.
- Advised the executor of an estate with more than 30 domestic and international charitable and individual beneficiaries, coordinating cross-border distributions and guiding the matter to final settlement.
- Advised the administrator of a multi-million-dollar estate holding an interest in a closely held business, preparing New Jersey inheritance tax filings and securing state approval of a favorable valuation position.
- Represented beneficiaries in a long-pending estate administration, securing long-delayed distributions and recovering additional funds by challenging improper expense allocations.
- Successfully petitioned for and obtained a federal and state income tax refund exceeding \$500,000 on behalf of a decedent's estate.
- Successfully defended an executor against challenges to a complex administration involving the succession and continued operation of privately held businesses within a multi-million-dollar estate.

Insights & More

Seminars & Events

Finnegan is DEAD! A Walk Through a Fictional Probate Case

4.24.26

New Jersey Probate Process: In 7 Simple Steps

8.08.23