

**FISCHER RUST LAW FIRM, PLLC
407 NORTH BROADWAY
P.O. BOX 605
CROOKSTON, MINNESOTA 56716
TELEPHONE: (218) 281-2400 FAX: (218) 281-5831**

Initial Client Conference-Information Checklist

Items client should bring to our office (if available)

- Will or copy of Will – if not already filed in our office.
- Codicil(s) to Will or copy of Codicil(s) - if not already filed in our office.
- Minimum of three (3) original Certificates of Death.
- Any mail addressed to Decedent re: financial matters.
- Bills paid on behalf of Decedent for which the estate should reimburse payor.
(i.e. funeral expenses, prescriptions, medical expenses, etc.)
- Memory folder from funeral home / Obituary column from newspaper.

Important papers of Decedent

- Bank Statements for checking and savings as of date of death.
- Certificates of Deposit.
- Tax Returns for the previous two years.
- Life Insurance Policies.
- Stocks and Bonds.
- Gift Tax Returns.
- List of Farm Machinery and/or Business Machinery.
- Mortgages or Debts.
- Deeds/Abstracts.

GENERAL INFORMATION NEEDED TO BEGIN PROBATE:

Decedent's Name: _____

Also Known As (a/k/a) _____

Date of Birth: _____ Place of Birth: _____

Social Security No.: _____

Date of Death: _____ Place of Death: _____

Residence at time of death (*include city, county and state*):

Employer's name and address (if applicable):

Did Decedent have a safe deposit box? Yes No

Name and address of bank where located:

Was box in Decedent's name alone or joint: _____

Name and address of joint tenant:

Location of safe deposit key: _____

Was Decedent receiving medical assistance? Yes No

If yes, what County was giving medical assistance? _____

Spouse's Name: _____

Date of Birth: _____ Social Security No.: _____

Mailing Address: _____

Telephone Numbers: Home _____ Work _____ Cell _____

E-mail Address: _____

Pre-deceased Spouse's Name: _____

Date of Birth: _____ Date of Death: _____

Social Security No.: _____

Death Certificate *(if requested)*

Personal Representative's Name: _____

Date of Birth: _____ Social Security No.: _____

Mailing Address: _____

Telephone Numbers: Home _____ Work _____ Cell _____

E-mail Address: _____

Relationship to Decedent: _____

Copy of Driver's License

Co-Personal Representative's Name: _____

(Complete only if there is more than one Personal Representative)

Date of Birth: _____ Social Security No.: _____

Mailing Address: _____

Telephone Numbers: Home _____ Work _____ Cell _____

E-mail Address: _____

Relationship to Decedent: _____

Copy of Driver's License

Decedent's Children

1. Child's Name: _____

Date of Birth: _____ Social Security No.: _____

Mailing Address: _____

Telephone Numbers: Home _____ Work _____ Cell _____

E-mail Address: _____

2. Child's Name: _____

Date of Birth: _____ Social Security No.: _____

Mailing Address: _____

Telephone Numbers: Home _____ Work _____ Cell _____

E-mail Address: _____

3. Child's Name: _____

Date of Birth: _____ Social Security No.: _____

Mailing Address: _____

Telephone Numbers: Home _____ Work _____ Cell _____

E-mail Address: _____

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4. Child's Name: _____

Date of Birth: _____ Social Security No.: _____

Mailing Address: _____

Telephone Numbers: Home _____ Work _____ Cell _____

Any deceased children? Yes No **If yes, please list:**

Deceased Child's Name: _____

Date of Birth: _____ Place of Birth: _____

Social Security No.: _____

Date of Death: _____ Place of Death: _____

Does the deceased child have children? Yes No **If yes, please list:**

1. Child's Name: _____

Mailing Address: _____

Date of Birth: _____ Social Security No.: _____

2. Child's Name: _____

Mailing Address: _____

Date of Birth: _____ Social Security No.: _____

There are certain rights that are provided in Minnesota for a surviving spouse and surviving dependent children. Attached is a listing of those rights. If you have questions or concerns regarding these protections, please feel free to ask.

Surviving Spouse:

Has the right to elect a percentage of the "augmented estate" which is provided under Minnesota Statutes §§ 524.2-201 through 524.2-214. This right to elect is personal to the surviving spouse and must be made within 9 months after the date of the Decedent's death; except that for property subject to probate the election may be made within 6 months after the probate of the Decedent's will, even if the 9-month period has already expired.

1. If the Decedent's will was made prior to your marriage to the Decedent, the right to choose the intestate share of the Estate under Minnesota Statutes § 524.2-301. This right has some limitations and exceptions.
2. The right under Minnesota Statutes § 524.2-402 to the entire homestead if the Decedent did not leave any surviving descendants or the right to a life estate if the Decedent left surviving descendants.
3. The right to allowances under Minnesota Statutes § 524.2-403, which permits the surviving spouse the right to select:
 - a. Household furniture, furnishings, appliances, and personal effects not exceeding \$10,000, net of security interests, but subject to an award of sentimental value property under Minnesota Statutes § 525.152; provided, however, if the encumbered property and the value in excess of security interests, plus that of other exempt property, is less than \$10,000, or if there is not \$10,000 worth of exempt property in the Estate, the surviving spouse is entitled to other personal property of the Estate, if any, to the extent necessary to make up the \$10,000 value; and
 - b. One automobile, if any, without regard to value.
4. The right to a family allowance from the Estate under Minnesota Statutes § 524.2-404 of up to \$1,500 per month (or more if authorized by the court) for one year if the estate is insolvent or for 18 months if the Estate is solvent.

Minor Children of Decedent:

5. If the Decedent had an obligation to support you, the right to family allowance from the Estate under Minnesota Statutes § 524.2-404 of up to \$1,500 per month (or more if authorized by the court) for one year if the Estate is insolvent or for 18 months if the Estate is solvent.

Adult Children of Decedent:

6. If you were being supported by Decedent, the right to family allowance from the Estate under Minnesota Statutes § 524.2-404 of up to \$1,500 (or more if authorized by the court) per month for one year if the Estate is insolvent or for 18 months if the Estate is solvent.

Minor and Adult Children of Decedent:

7. If there is no surviving spouse, the right to allowances under Minnesota Statutes § 524.2-403:
 - a. Household furniture, furnishings, appliances, and personal effects not exceeding \$10,000, net of security interests, but subject to an award of sentimental value property under Minnesota Statutes § 525.152; provided, however, if the encumbered property and the value in excess of security interests, plus that of other exempt property, is less than \$10,000, or if there is not \$10,000 worth of exempt property in the Estate, the children are entitled to other personal property of the Estate, if any, to the extent necessary to make up the \$10,000 value; and
 - b. One automobile, if any, without regard to value.

If you have any questions regarding interpretation of these statutes or the effect of these or other rights, please consult with an attorney of your own choice.