Simplifying Estate Settlements: Understanding Voluntary Administration for Small Estates in Massachusetts

Services

Estate Planning

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Understanding Voluntary Administration for Small Estates in Massachusetts

When a loved one passes away, settling their estate can feel overwhelming—especially for smaller estates where the traditional probate process may seem unnecessary and costly. For certain estates in Massachusetts, a **Voluntary Administration** offers a faster, more affordable alternative to the formal probate process.

What Is Voluntary Administration?

Voluntary Administration is a **simplified probate process** available in Massachusetts for small estates. It allows for the appointment of a Voluntary Personal Representative to manage and distribute the decedent's assets without the need for lengthy court proceedings.

This process is ideal for estates with limited assets, offering a quicker and more affordable way to handle necessary tasks like accessing bank accounts and distributing property to heirs.

Eligibility to File a Voluntary Administration

To qualify for Voluntary Administration in Massachusetts, the estate must meet specific criteria:

1. **Total Estate Value** – The total value of the estate's probate assets must not exceed **$25,000**, excluding one vehicle.
2. **Probate Assets Only** – Only probate assets are counted. These include assets held solely in the decedent's name, such as bank accounts, personal property, and real estate not jointly owned or held in a trust.
3. **Exclusion of One Vehicle** – One vehicle owned by the decedent is exempt from the $25,000 calculation, making it easier for estates to qualify.
4. **No Formal Representative Appointed** – The estate cannot have already undergone formal probate, and no Personal Representative should have been appointed.
5. **Timing** – At least **30 days must have passed** since the decedent's death before filing.

Why File for Voluntary Administration?

Even for small estates, filing for Voluntary Administration is often necessary to:

- **Access Bank Accounts or Financial Assets** – Banks and financial institutions typically

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require legal authority to release funds from the decedent's accounts.

- **Transfer Ownership of Property** – Voluntary Administration allows the Personal Representative to handle the transfer of assets to the rightful heirs or beneficiaries.
- **Resolve Debts** – The Personal Representative can use estate funds to pay any outstanding debts or expenses.

Without filing, heirs may face delays and complications in accessing the decedent's assets.

Benefits of Voluntary Administration

Voluntary Administration provides several advantages over the formal probate process:

- **Faster Resolution** – The streamlined process eliminates many of the delays associated with formal probate.
- **Lower Costs** – Court fees and administrative expenses are significantly reduced.
- **Simplified Requirements** – The process requires fewer filings and less paperwork.
- **Limited Court Involvement** – The court's role is minimal, allowing the Personal Representative to act more quickly and efficiently.

Note: Voluntary Administration is only available for estates that meet the eligibility requirements above.

Why Choose Cohen Cleary, P.C. for Voluntary Administration?

At **Cohen Cleary, P.C.**, we specialize in guiding clients through the Voluntary Administration process for a **low flat fee**, ensuring that families can settle small estates efficiently and affordably.

Our experienced attorneys will:

- Evaluate your loved one's estate to determine eligibility.
- Prepare and file all necessary paperwork with the court.
- Assist with accessing bank accounts, transferring property, and resolving debts.
- Provide clear guidance every step of the way to ensure a smooth process.

Contact Cohen Cleary, P.C. for a Complimentary Case Consultation

If you need assistance with Voluntary Administration or have questions about the process, **Cohen Cleary, P.C. is here to help.**

Call us today at 508-880-6677 to schedule a complimentary case consultation. Let us help you navigate this simplified estate process with ease and confidence.

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