

Estate Administration

Attorneys

Miriam H. Babin

Thomas J. Cleary

Amber Cohen

Renee A. Dangoia

Laura A. daRosa

Alexander L. Friedman

Erynn A. Hamel

Esteban Rojas

Kellie L. Sanders

Neil B. Smola

Mary Jeanne Stone

Tyler K. Tyack

Related Services

[Probate, Trust & Estate Administration](#)

[Estate Administration](#)

[Estate and Trust Litigation](#)

[Probate and Estate Law Mediation](#)

[Probate With a Will](#)

[Probate Without a Will](#)

[Trust Administration](#)

Overview

Most people appointed as personal representatives of an estate have never done it before. The probate court has granted you broad authority over someone else's financial life, and the learning curve is steep. You are responsible for locating and valuing assets, notifying creditors, resolving claims, filing tax returns, preparing formal accountings, and distributing what remains to the people named in the will or entitled under law. Mistakes carry personal consequences. We tell our clients early in the process: the personal representative's job is not ceremonial. It is a fiduciary role with real financial exposure, and the sooner you understand the scope of that obligation, the better positioned you are to fulfill it correctly. Whether you need an estate administration attorney in Massachusetts to guide you through a routine proceeding or a lawyer to help you settle an estate with competing creditor claims and family disagreements, the scope of the estate administration process is broader than most people expect.

How We Help With the Estate Administration Process

Cohen Cleary represents personal representatives throughout the full arc of estate administration, beginning with the initial appointment and continuing through final distribution and account closure. Our attorneys handle both informal and formal administration proceedings in Massachusetts and Rhode Island probate courts, selecting the appropriate path based on estate complexity, family dynamics, and whether disputes are likely.

We prepare and file estate inventories with the court, issue required notices to creditors under Massachusetts General Laws Chapter 190B, evaluate and resolve creditor claims, and manage the priority framework that governs how estate debts must be satisfied before any distributions occur. That priority framework matters more than most personal representatives realize. Massachusetts law imposes a specific order in which estate obligations must be paid, and a personal representative who distributes assets before satisfying higher-priority claims can be held personally liable for the shortfall. Resolving creditor claims against an estate requires careful evaluation of each claim's validity and priority, and our attorneys guide clients through this sequence methodically.

We also manage the tax obligations that accompany estate administration: filing the decedent's final personal income tax return, preparing fiduciary income tax returns for the estate itself, and, where applicable, addressing Massachusetts estate tax obligations. For estates approaching or exceeding the Massachusetts estate tax threshold, early planning around asset valuation and deduction strategies can meaningfully reduce the tax burden on beneficiaries. We provide clear fee structures at the outset so personal representatives can budget for legal costs as part of the estate's administrative expenses.

Why Choose Cohen Cleary

At Cohen Cleary, our practice teams combine deep subject-matter experience with disciplined execution and responsive client service. We do not take a one-size-fits-all approach. Every matter is handled with careful preparation, clear communication, and a strategy tailored to the client's goals and the realities of the forum.

Clients choose Cohen Cleary because we deliver:

Practice-Focused Legal Experience

Our attorneys work in defined practice areas, allowing us to develop practical insight into the legal, procedural, and regulatory nuances that matter most in each case. This focus allows us to anticipate issues, avoid unnecessary delays, and position matters for efficient resolution.

Clear Guidance and Proactive Communication

We prioritize clarity at every stage. Clients receive straightforward explanations of their options, timely updates on developments, and practical advice grounded in real-world outcomes.

Strategic Advocacy with Trial Readiness

Whether a matter calls for negotiation, mediation, or litigation, our attorneys prepare every case with discipline and foresight. We pursue efficient resolution when possible and are fully prepared to advocate aggressively when necessary to protect our clients' interests.

Regional Knowledge and Local Presence

With offices throughout Massachusetts and experience across New England courts and agencies, we bring local insight and regional reach to every matter.

Client-Centered Service

We treat every matter with urgency and respect. Our clients rely on us for responsive service, sound judgment, and steady counsel through complex legal challenges.

In our estate administration work, this approach helps clients navigate fiduciary responsibilities with clarity, efficiency, and confidence.

Our Approach to Executor Duties and Fiduciary Protection

Personal representatives often don't realize they are personally liable for estate debts paid in the wrong order of priority, for distributions made before creditor claims are resolved, and for tax obligations they fail to satisfy. The role carries real financial exposure. Whether a client has been named executor in a will or appointed as personal representative of an intestate estate, we deliver the same message at the outset: understand your liability before you sign a single check. We assess each estate's risk factors at intake and build an administration plan that addresses the most likely sources of delay, conflict, or fiduciary exposure before they materialize.

Representing Personal Representatives in Probate Courts

Across Massachusetts and Rhode Island

Cohen Cleary represents personal representatives in probate courts across Massachusetts and Rhode Island, with particular familiarity with proceedings in Bristol County, Plymouth County, and Norfolk County Probate and Family Courts. Filing requirements, hearing schedules, and procedural expectations vary between courts, and our attorneys bring practical knowledge of those differences to every matter. The firm also maintains an active estate administration practice throughout New England, representing fiduciaries in multi-state estates where assets or beneficiaries cross state lines.

Speak With a Massachusetts Estate Administration Attorney

If you have been appointed as personal representative or expect to be, early legal guidance protects both you and the estate. Contact Cohen Cleary to discuss your responsibilities, timeline, and the specific steps required to administer the estate correctly. Our offices in [Taunton](#) and [Plymouth](#) are available for consultation.

Frequently Asked Questions About Estate Administration

What are the primary duties of a personal representative in Massachusetts?

A personal representative must inventory the estate, provide notice to known and potential creditors, evaluate and resolve claims, file required tax returns, prepare a final accounting for probate, and distribute remaining assets according to the will or intestacy statute. Each step carries fiduciary obligations, and the personal representative must act with prudence and loyalty throughout the process.

Can I distribute assets to beneficiaries immediately after being appointed?

No. Distributing assets before resolving creditor claims and satisfying estate obligations is one of the most common and costly mistakes personal representatives make. Massachusetts law requires that debts, taxes, and administrative expenses be paid in a specific priority order before distributions to beneficiaries. Premature distributions can result in personal liability if estate funds are insufficient to cover those obligations.

What is the difference between informal and formal probate in Massachusetts?

Informal probate is an administrative process handled largely through the Register of Probate without a court hearing, appropriate for uncontested estates with a valid will and cooperative parties. Formal probate requires a court hearing before a judge and is used when the will is contested, heirs are unknown, or disputes exist about the appointment of a personal representative. Your attorney can advise which path fits the circumstances of the estate.

How long does estate administration typically take?

Most estates in Massachusetts require a minimum of one year to administer properly, primarily because creditors have one year from the date of death to present claims. Complex estates involving tax issues, real property sales, or beneficiary disputes often take longer. Attempting to accelerate the process beyond what the law permits creates unnecessary risk for the personal

representative.

Speak With a Massachusetts Estate Administration Attorney

If you have been appointed as personal representative or expect to be, early legal guidance protects both you and the estate. Contact Cohen Cleary to discuss your responsibilities, timeline, and the specific steps required to administer the estate correctly. Our offices in [Taunton](#) and [Plymouth](#) are available for consultation.