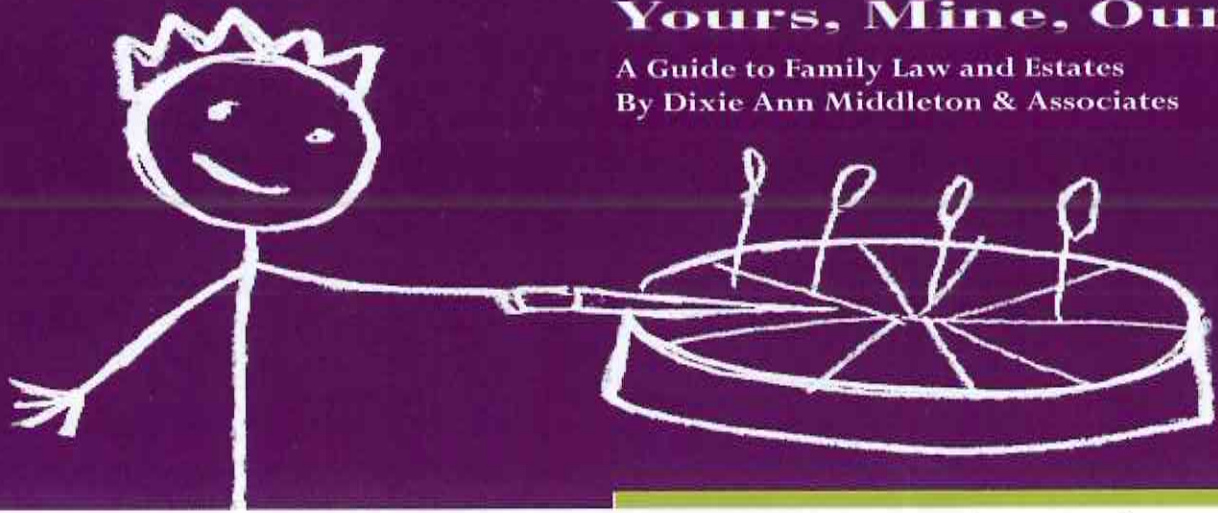


Yours, Mine, Ours.

A Guide to Family Law and Estates
By Dixie Ann Middleton & Associates



Welcome to the second edition of our Newsletter—"Yours, Mine, Ours".



MY OTHER LIFE—Emma Turner

I became involved in Zonta in 2006 and was elected president of the Brisbane Metro Breakfast Club in 2010. The core role for Zonta is advancing the status of women and girls worldwide.

One of our major fundraisers to assist in funding our core role is our Trash and Treasure event which will occur this year on 20 August at 35 Mollison Street, West End.

You can assist either by attending and purchasing some treasure, or by providing some of your trash so we can make it treasure. Please email me on mail@middletonlawyers.com.au if you can provide "Trash".

DEATH—The One Guarantee

Death is something that will confront all of us. Therefore, either personally, professionally or on behalf of a friend or family member, we need to understand the role of an Executor and Trustee nominated in a Will. We provide the following Checklist to help you, your clients, family or friends if it is decided to take up this responsible position.



Arrange the Funeral

- Does the Will provide for the funeral arrangements? If not, the Executor has the final say if there is any dispute within the family.

- Did you pay for the funeral? Whoever pays for the funeral will need to provide you with the tax invoice/receipt so they can be reimbursed from the Estate.

Locate the Will

- Check at the Deceased's Solicitors' offices. Is there a safety deposit box at the bank or at the Deceased's home?
- Once the Will is located, instruct a Solicitor to assist in the administration of the Estate.

Collect the Deceased's Financial Documents

You will need to provide the following documents to the Solicitor administering the Estate:

- The Will of the Deceased
- The original Death Certificate. You can arrange for the Funeral Director to obtain this
- Recent bank statements/pass books
- Current cheque books
- Recent credit card statements
- Recent invoices in respect to utilities such as electricity/telephone/rates
- Recent Income Tax Returns and Financial Statements of the Deceased, of any private Company in which they were involved, Trust or Partnership
- Trust Deeds of any Trusts, including Self Managed Superannuation Funds (SMSF), of which the Deceased was a Trustee and/or Beneficiary—the Deceased's accountant may be able to assist

Dixie Ann Middleton
Principal

Emma Louise Turner
Associate



Samantha Jane Vickery
Solicitor

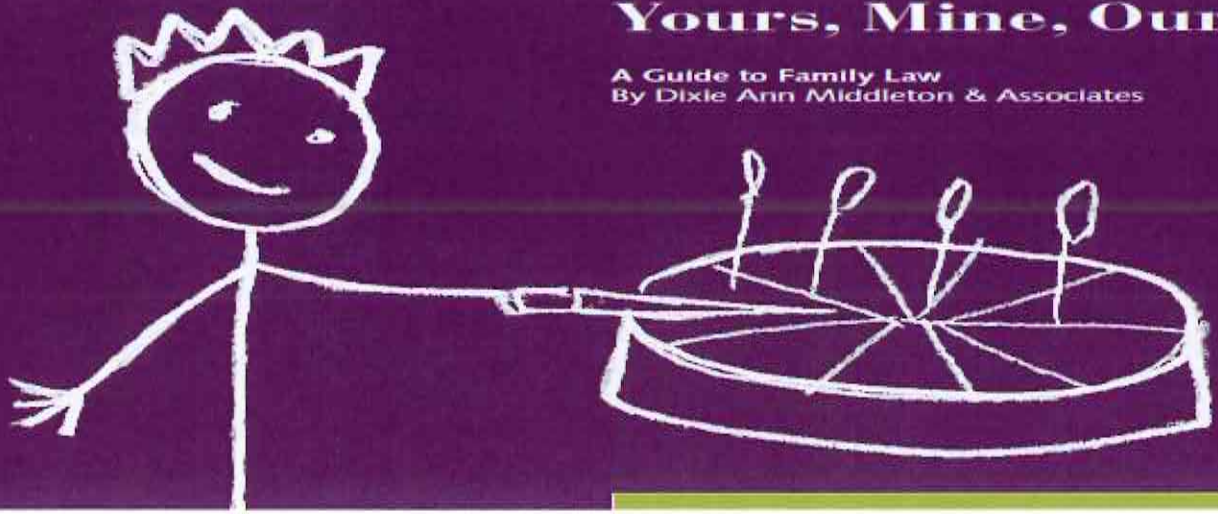
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The Executor's Roles and Responsibilities Part 1

Financial Documents continued

- Insurance policies including life insurance
- Share Certificates
- Centrelink documents
- Partnership Agreements
- Original Title Deeds, contracts of purchase and settlement letters for real estate owned by the Deceased, if they exist
- The most recent Annual Superannuation Membership Statement and any Nominations re superannuation death benefit payouts
- Contents of any safety deposit facilities which may be located at the Deceased's usual Solicitors, accountants, financial advisers or bank

Identify the Assets

- Prepare an inventory of what you understand are the assets and liabilities of the Estate and provide it to the Solicitor. You may need the assistance of close family and friends to finalise the inventory.

Have you considered the following assets:

- Household contents
- Art work
- Motor vehicles
- Time shares
- Real estate
- Shares
- Bank accounts
- Boats
- Life insurance
- Caravans
- Superannuation
- Loyalty programs

Assets to Consider continued

- Loan accounts in any Company, Trust or Partnership in which the Deceased was involved.
- Interest in any other Deceased Estate
- Cash retained in safety deposit boxes or at the Deceased's home
- Outstanding employee entitlements
- Lost superannuation – check ATO website
- Unpresented scratchies and lotto tickets
- TAB accounts

Notify the Relevant Authorities

You will need to notify the following Authorities of the Death:

- The Australian Electoral Commission
- Private health insurers
- Centrelink
- Medicare
- Lodge a Change of Address at the local Post Office
- Clubs and Associations of which the Deceased was a member
- Cancel Driver Licence

You will also need to notify the following utilities/parties so that services can be disconnected and final accounts delivered:

- Electricity
- Gas
- Mobile Telephone
- Landline Telephone
- Internet
- Any subscriptions
- Consider cancelling any automatic deductions from the Deceased's bank account

Other Matters

- Contact employer and other professional advisers and advise of the Deceased's death. They may have information, documents or entitlements to provide to you.
- Provide the Beneficiaries of the Estate with a copy of the Will.
- Contact the Deceased's accountant or employ another accountant to prepare an Income Tax Return to the date of death.
- Make enquiries as to ongoing management arrangements for the Deceased's business and SMSF and take appropriate steps where required.
- Ask the Beneficiaries to keep a record of any expenses they pay on behalf of the Estate and provide you with receipts/tax invoices for reimbursement from the Estate.
- Contact the house and contents insurers and find out what arrangements need to be made in regards to insurance cover.

The above action plan is intended to be indicative of the types of tasks that normally need to be undertaken. It is not exhaustive as each Estate will have its own particular requirements. If you have any questions or concerns about the role of the Executor, you should seek specialist advice from a Solicitor acting in the area of Estate Administration. We can assist you in this regard.

