

GENERAL INFORMATION

In Vermont, the administration of a decedent's estate comes under the jurisdiction of the Probate Court. The court oversees the probate proceeding in order to ensure that the assets of the decedent are managed and distributed in accordance with Vermont law and the directions of the decedent.

There are specific statutes and rules that must be followed by any fiduciary who is appointed to administer an estate. Many of these provisions will be referenced in the sections that follow. Although the information in this pamphlet is based on Vermont law in effect at the time of publication, the statutes and rules themselves are the final, definitive authority if there is any question.

While this manual is intended to help guide you through the probate procedure, it covers only the basics. It may not explain the specific circumstances that arise in each estate. Although a fiduciary may administer the estate without being represented by a lawyer, if you, as a fiduciary, are unsure of the legal or financial implications of any aspect of a probate proceeding, you should consult an attorney or an accountant.

CAUTION

1. This pamphlet cannot answer all of the questions that might arise during the administration of a decedent's estate. You should consult promptly with an attorney or the court when you are in doubt as to the correct way to proceed. The court will try to be helpful, but cannot give you legal advice. Seeking proper advice before you act may help you to avoid costly errors.
2. Do not pay any bills of the estate if you have any reason to feel that there are not sufficient assets in the estate to pay all bills in full. In cases where there are insufficient assets to pay everyone in full, the law specifically sets out the order of payment of the bills. If you pay them improperly, you may be personally liable to any creditor who is hurt by your action. If you have any doubts, do not pay the bills until you are sure you know all of the assets and all of the bills.