



JAMES LAW GROUP

(916) 209-0529

(530) 470-9291

915 Highland Pointe Dr Ste 250
Roseville CA 95678

HEIR AND BENEFICIARY BILL OF RIGHTS

When a friend or family member dies and you are named as a beneficiary in a Will or Trust or if you are the legal heir of a person who died without a Will or Trust, you are entitled to:

1. **Notice.** You are entitled to notice when a Trust becomes irrevocable, a petition is filed regarding a Will, an accounting is rendered, and when certain other important acts affect your rights and responsibilities under a Will or Trust.
2. **A Copy Of The Will, Trust Or Court Petition.** If you are named as a beneficiary or are a legal heir, you are entitled to a copy of the Will, Trust or any petition filed with the court.
3. **An Accounting.** Unless waived by the creator of a Trust, you are entitled to an accounting by the trustee or personal representative detailing the assets, debts, income and expense of the estate. If there is evidence that the estate is not being handled appropriately a court can also order an accounting.
4. **Productive Assets.** A trustee or personal representative must not sit on depreciating assets and should look at producing reasonable income under the circumstances for the benefit of all heirs and/or beneficiaries.
5. **Responsible Investments.** Assets must be invested in a responsible manner without great risk to the estate and in the same manner and with the same caution and skill as a prudent person.
6. **Timely Distribution.** Assets should be distributed as soon as practical and/or as soon as the Will or Trust calls for distribution. For many reasons, you should not wait too long to press a trustee or personal representative for an overdue distribution.
7. **Be Kept Informed.** When important and material things happen in a Trust or estate administration, you have the right to know.
8. **Complete And Accurate Information.** All trustees and personal representatives have a duty to provide you with all the important information pertaining to the administration. If you are not getting complete information you have the right to demand it and/or sue for it.
9. **Be Treated Fairly and Impartially.** Every estate must be administered for the benefit of all of the heirs and/or beneficiaries. No one person should be favored and the trustee should not engage in behavior that benefits him or herself.
10. **Petition A Court To Have Your Rights Protected.** If the trustee or personal representative is not protecting the rights listed here, you can ask a court to enforce your rights and hold the trustee or personal representative accountable.