

## **Estate Planning: Should You Name Two Or More As Your Executor Or Personal Representative In Your Will**

When you make your will an important part of the will and an important decision you will have to make is who you want to be your personal representative or executor. Personal representative and executor can be used interchangeably and the title will differ based on what state you are located in when probate is started. The personal representative or executor is responsible for making important decisions in probate about how assets are distributed from the estate and how all debts from the estate will be settled.

When you make your will it is possible to name two people or more in your will to act as your personal representative, or the person that is in charge of settling your estate. This would most likely occur when there is two or more children and a parent does not want to exclude a child from the responsibility or hurt that child's feeling. The solution is to then name two or more persons to act as personal representatives. This can cause problems as children and siblings may not always agree on one way to settle an estate.

Sometimes there are tough decisions to be made to settle debts that the estate may have which may include selling an asset. One child may have received that asset while the other child did not. The decision to sell that asset may be easy for one child, but difficult for the other. There must be a consensus on how to act to move forward with a plan on settling the estate and making distributions. It is better to name one person to be your personal representative than multiple people because one person can act and make difficult decisions without the approval of all involved. Having one clear cut person that is in charge is important because probate proceedings can be costly and lengthy enough when there are no disagreements, but they can become even more costly and lengthy when there are disagreements and it is not clear who is in charge. Additional hearings in probate court and delays can drain an estate of assets and result in everyone getting less of an inheritance. There is also an emotional toll on those involved in a family fight that may cause permanent damage to a family that may not have gotten along well to begin with. It is always a good idea to solve problems before they are created.

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