

# Who Should Be The Personal Representative Or Executor If You Have No Family Or Friends You Can Trust

When you make a will one of the most important and difficult decisions you will make is who to name as personal representative or executor. This is the person who is in charge of your estate when you die and will have to tie up loose ends, pay debts, and distribute everything according to your will. This decision that you make of who to name as personal representative or executor can make a big difference in how your wishes are carried out and should be left in the hands of someone that is totally trustworthy. Who do you name if you have no friends or family members or none that you consider trustworthy?

If you have no family members or close friends, or none that you can trust or is old enough to handle the duties of being your personal representative, then making a choice of who you name as your personal representative can be difficult. You can nominate who will be the personal representative for your estate in your will or the probate court will nominate someone for you and this person may not be the best qualified or most able to come up with a plan to distribute your assets. When you are making your will there may come a difficult decision if you can think of no one to be your personal representative. You may have children that are too young or you may not have anyone you can trust with the duty. If you name no one as personal representative in your Will the probate court will name someone for you. The better choice may be a bank trust department or your estate planning attorney. These individuals will carry out your wishes and have no interest in your estate. They may be entitled to up to five percent of the total estate as payment, but a set fee may be negotiated ahead of time. You can negotiate a set fee that will be compensated from your estate so loved ones will not be directly charged for service that the PR provides.

A neutral third party may also be in the best position to make difficult decisions that may have to be made on how to divide up property or other responsibilities without emotions or hurt feelings getting involved that can be present when family members serve the role. A third party may be your best choice if no one else is in position to serve.

Evan Guthrie Law Firm is licensed to practice law throughout the state of South Carolina. The Evan Guthrie Law Firm practices in the areas of estate planning probate personal injury and divorce and family law. For further information visit his website at <http://www.ekglaw.com>.  
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