The quiet aftermath

WHAT SURVIVORS ARE LEFT TO HANDLE

Emilee K. Lawson Hatch, Esq.

With a will or trust, or without one, someone will shoulder the responsibility. Plan or no plan, someone has to pick up the pieces.

LAWSON HATCH, PLLC



Grief rarely waits for a convenient time. Neither does paperwork. In my nearly twenty years practicing trusts and estates law in Central New York, I have sat across the table from partners, spouses, friends, adult children, and siblings in the days and weeks after a loss. They arrive tired, often blindsided twice: once by the death itself, and again by the discovery that they have been named, or simply expected, to handle everything that comes after. They did not apply for the job. They did not train for it. And they may not know what it actually requires.

If you have ever watched someone you love become tasked with handling an estate, perhaps as an accidental executor, or if you suspect you might become one yourself someday, here is what that role really involves, and how to prepare for it.

The job description

An executor is legally responsible for managing a deceased person's affairs: locating assets, paying debts and taxes, notifying beneficiaries and creditors, and ultimately distributing what's left according to the will or, absent one, New York's inheritance laws. If there is no will, an "administrator" may be appointed by the court to handle the same tasks.

In practice, this means opening a case in Surrogate's Court, often within weeks of the funeral. It means tracking down bank accounts, retirement plans, deeds, and old insurance policies, sometimes with no organized records to work from. It means notifying creditors and, in many cases, waiting months before a house or investment account can be accessed or transferred.

For someone who is also grieving, still working a full-time job, and possibly caring for children or an aging parent, this is a second full-time job that arrives without warning.

Common surprises survivors face

A few issues come up again and again in my practice: No will means the state decides. Many people assume that if something happens to them, their spouse automatically inherits everything. That is not always true in New York, particularly when there are children from a prior relationship. Without a will, intestacy law dictates exactly how an estate is divided, and the result is sometimes very different from what the family assumed, or what the deceased would have wanted.

Being named executor is a commitment, not a compliment. Adult children are frequently named executor simply because they are the oldest, the most local, or perceived as the most responsible. Few are told what the role entails before they agree to it, and fewer still understand that they can be personally liable for mistakes made along the way, from missed tax filings to improper distributions.

Property can become frozen in limbo. A house held solely in the deceased's name typically cannot be sold, refinanced, or even accessed for repairs until the estate is opened and, often, fully or partially administered. Meanwhile, someone still has to pay the mortgage,

insurance, and taxes on a property that legally belongs to no one yet. If someone lives in the house, there are additional considerations.

Debt confusion cuts both ways. Survivors sometimes worry they are personally responsible for a deceased spouse's credit card balance or medical bills, when in fact those debts belong to the estate, not to them individually. Others are genuinely on the hook for jointly held debt and do not realize it until a collector calls.

You may have to track down people you have not spoken to in years. Estate administration does not care about family history. If a will names estranged relatives as beneficiaries, or if intestacy law requires notifying certain heirs, you may be legally required to locate and contact a sibling you haven't spoken to in a decade, a half-relative you have never met, or an ex-in-law from a prior marriage.

These conversations are hard enough without grief layered on top, and having to be both the messenger and the one asking for information (or signatures) can reopen old wounds at the worst possible time. An attorney can often make these contacts on your behalf, giving you some distance from these conversations.

"Plan or no plan, someone still has to pick up the pieces."

What to do in the first 90 days

If you find yourself in this position, a few steps can make an enormous difference:

1. Locate the will, if one exists, along with any prior estate planning documents, and do not assume you know where things stand until you have actually found the paperwork.
2. Do not rush to distribute or sell anything. Even well-intentioned early moves, such as cashing a check, clearing out a house, paying a bill from a joint account, can create legal complications later.
3. Get a professional read on the estate early. An initial consultation with an estate attorney can clarify what actually needs court involvement, and roughly what timeline to expect.
4. Keep records of everything. Every expense paid, every account contacted, every letter sent. Executors are accountable to beneficiaries and, ultimately, to the court.
5. Give yourself permission to ask for help. This is not a role most people are equipped to handle alone, and it is not a reflection of your competence to say so.
6. Let your attorney handle outreach you are not ready for. If notifying an estranged relative or tracking down a long-lost heir feels like more than you can face, an attorney can make those contacts for you. You do not have to be the one to reopen that door.

The real lesson is for the living

The people I meet with in the aftermath of a death are, generally, doing their best under difficult circumstances. But almost every hard moment I see traces back to the same root cause: a plan that did not exist, was not updated, or was not communicated.

This is the quieter side of survivorship. Not just surviving loss, but surviving the aftermath of decisions, or non-decisions, made long before. The single most protective thing anyone can do for the people who will one day survive them is to put a plan in place now: a trust, a will, powers of attorney, a clear list of accounts and beneficiaries, and an honest conversation about who is being asked to step into this role and whether they are willing to do it.

Survivorship, in this sense, is not only about resilience after loss. It is about the quiet, unglamorous work of preparation. The kind of advanced planning that spares the people we love from becoming accidental executors in the first place. SWM

Emilee K. Lawson Hatch, Esq. is the owner and principal attorney of Lawson Hatch, PLLC, a Syracuse boutique law firm focused on trusts and estates, elder law, and fiduciary services. She can be reached at office@lawsonhatch.com or 315-500-2025.

American Heart Association.
American Heart Association.
Go Red for women.

go red

2026 SYRACUSE

Go Red for Women Luncheon

THURSDAY, OCTOBER 29, 2026
10:30 A.M. - 1:30 P.M.
ONCENTER CONVENTION CENTER
800 S STATE ST, SYRACUSE, NY 13202

LEARN MORE >

www.heart.org/goredsyracuse

Thank you to our Sponsors:

Go Red for Women is nationally sponsored by

CVSHealth.

Go Red for Women is locally sponsored by

Belden
ST. JOSEPH'S HEALTH

Local media supporters

SURVIVORS EDITION OCTOBER 2026

Central New York's EXCLUSIVE Women's Magazine

Cheers to 15 years!

SYRACUSE WOMAN magazine

COVER STORY

Tricia Matthews and the women of Vera House



IN HER OWN WORDS The 'Ectopic Experience' **FOR A GOOD CAUSE** PANS–A Syracuse mother's fight for change
LEADING LEGAL LADIES What survivors are left to handle **HEALTHY WOMAN** Take charge of your breast health
SALT CITY SPOTLIGHT 25 years later: 'Come From Away' **INSPIRE** Diane Bostick, Chris Netzband, Tess Kenney

SYRACUSEWOMANMAG.COM