
Being an Executor of Mum's Estate

Being an Executor of Mum's Estate

Mum (Betty Bird) died on 25 Nov 2018. She was 91. My work as an Executor of Mum's estate started in earnest immediately.

It seems that there are no facilities to hold the body in a retirement home. Arrangements must be made that day to have the body collected by a Funeral Director. Several things come at you at the one time. Lots of people giving advice and insisting that certain things must happen! There is no time to grieve. An odd phrase called "Medical Court of Death" turned out to be a "Death Certificate." What happened to simple language? I had to contact the doctor who had responsibility for Adventist Residential Care in Rossmoyne and ask her for a copy of the certificate. Until that was obtained Mum's bank would not entertain any contact regarding funds for her funeral. It seemed to me that organisations like a bank went into a defensive mode where they would only assist if you met their conditions strictly. Oh for a friendly ear.

I was very fortunate to have been in contact with Hetherington Funerals and I asked them to collect Mum's body. They did and so efficiently. Hetherington Funerals wanted the family to meet with them to decide the coffin and type of funeral, the order of service and of course the date. I was so fortunate to have my sister Andrea and her husband Lionel there every step of the way.

The date of the funeral is decided by the Church where a service is to be held and with that fees to be paid, when and to whom. Cherene Lavender stepped up. She often regarded Mum as her second Mum. Peter and Cherene were members of the Anglican Church in Shelley (St Andrews in Bernier Road). They paved the way.

The church service was held on 3 Dec 2018. Mum's body was cremated that same day at Karrakatta Crematorium with her ashes to be held by Hetherington Funerals until the family made arrangements for its collection.

Wonderful service with Father Alan Brodie officiating! I wanted to give the eulogy. I had a story to tell and it needed to be right. Mum had spoken to me about her eulogy in the period after Dad died and she was so taken with what was said and how it was delivered that she asked me to do the same for her. I had plenty of time to prepare and I tried to create on paper what my heart felt.

I talked to Andrea and to Milton (my brother) and asked about various matters that were still unclear to me. I recall a cousin from the Fonceca family saying to me afterwards that the story was told very much to his satisfaction. A eulogy cannot be told in a few minutes. It is the final point in the life of a person and it must be told with grace, dignity, compassion and bring the church audience into a point of understanding just what the life of Mum was all about. I think I managed to achieve that without breaking down with the emotion I was feeling. There was no seating room in the Church. It was so full and people who arrived late had to stand and listen. I told a story that caused one family to take offence and that was made known to me after the service. It did not matter that what I said was true. The fact was that I had said it and offence was taken.

Being an Executor of Mum's Estate

I am reading the eulogy as I am writing this Christmas letter and I am crying with the emotion I am feeling.

We decided not to accompany the hearse to the crematorium. Instead we released doves to allow Mum's spirit to be carried into the clouds.

I lodged papers with the Mandurah Courthouse for a copy of Mum's death certificate.

I had to pay Hetherington Funerals and my contact with Mum's bank (Westpac) did not get off to a good start. They were very officious in their language and I had to attend at their convenience. I thought their "Estates Management Section" could do with a good dose of humility. You learn very quickly not to push back, rather, accept the flow and hope to find a kind ear.

A Grant of Probate had to be applied for and I did that online, but, rather than post the documents, I delivered them in person. I did not want anything to go wrong at this point. The fees that accompanied an application for a Grant of Probate made my eyes water.

Mum's ashes were to be interred in Dad's grave and permission had to be sought for that to occur. Oh and then there were the fees. Dying is an expensive business.

The Australian Electoral Commission needed to be advised a process I was familiar with. The Australian Taxation Office was next which is now possible online using the Australia Post service.

My sister Andrea took possession of Mum's ashes which were placed in a very no descript container by Hetherington Funerals. At the time the look of the container was not important but it would be later in the process when we interred Mum's ashes in Dad's grave at Karrakatta.

On 8 Jan 2019 the Grant of Probate was approved by the Supreme Court. Getting that approval turned out in a mini nightmare when I made the mistake of offering a comment that Mum (Elizabeth) is sometimes known as "Betty." That opened a raft of questions which I was not legally qualified to answer. I had to engage a legal firm that specialises in this and in effect pay for the Grant of Probate twice. Be warned, do not wax lyrical and try to be helpful with a bureaucracy.

By the way the original "will" had to be submitted to the Supreme Court and forms part of their records.

If I was shell shocked and looking over my shoulder I could be forgiven given the things I had become aware of. However, out of the gloom came a friendly "ear" in the form of Mel Chester, Personal Banker Specialist at Westpac. You could not have asked for a more engaging and helpful person to navigate through access to Mum's bank accounts and pay some bills.

Being an Executor of Mum's Estate



The decision to place Mum's ashes in Dad's grave at Karrakatta meant that the headstone in its current form would need to be amended. The right hand side of the headstone was intentionally left blank for additions to be made to it upon Mum's death. After speaking to the

stonemason who made the original headstone, we decided more changes were needed with the result that a completely new headstone was constructed. If I thought that this would be plain sailing I was wrong. There were delays in ordering the materials and The bank account of the stonemason was hacked with someone claiming to be the stonemason and asking for the deposit to be placed into another bank account. It took the sharp eyes of two banks to notice the attempt to defraud and the deposit was recovered. I never received an adequate explanation as to why this occurred. It was suggested to me that my computer was hacked. I had taken all steps to ensure that it was not and instead I placed the blame on the computer of the stonemason.



Mum was very specific in her will and she wanted to make specific bequeaths to her Church and; organisations like the Salvation Army and Silver Chain.

Getting in touch with the right person in these organisations was initially quite difficult. Mum's Church in Victoria Park was eventually contacted through the efforts of the Reverend Georgina Hawley. Once the door was opened I was referred to the correct persons. The Salvation Army and Silver Chain were less problematic.

Why all this effort?

As an Executor of a deceased estate you are charged with a responsibility to act upon the instructions in the will. I had read somewhere that if a complaint was lodged and the matter investigated, the Executor would be held responsible if the conditions of the will were NOT carried out.

Mum made specific bequeaths to her grandchildren and one great grandchild. These bequeaths were in the form of money and specific items that Mum owned. There were also non-monetary bequeaths each of which took time to arrange so that the act of giving something was carried out as Mum would have wanted it. I flatly rejected a suggestion that the non-monetary bequeath be handed over to one person to be passed on onto the other person.

January 2019 is not a good month to contact Financial Controllers of Residential Care Organisations like Adventist Residential Care (ARC). Everyone is on leave and what I was seeking was to access funds that were due back to Mum's estate from the RAD (Residential Accommodation Deposit). ARC required evidence that a Grant of Probate had been issued. On 21 Jan 2019 ARC issued a cheque for the balance of the RAD due to Mum.

Being an Executor of Mum's Estate

When Mum first entered ARC the amount available to give her access to a room was insufficient without incurring additional drawdowns. I found this to be a sad anomaly of the system. The value of the house (if owned) did not equate to the cost of a room which was in the \$800k category. Initially I thought that if Mum lived for many years the money in her RAD would run out. It did not turn out that way. Mum in her own way decided to leave on her terms and she left in her will provision for expenses and a final bequeath to each of her children.

When I look back I am amazed at how this worked out. Mum had managed to pay for all the costs associated with her funeral and for all the terms of her will to be met. This contrasted when compared to the situation when Dad died and we shared the cost of his funeral between Mum and her children.

My sister Andrea will probably say that Mum was looking in on us and in her own way managed to make everything come together as she would have wanted it.

When we interred Mum's ashes in Dad's grave we invited family that loved her dearly and we had Father Alan Brodie there to provide a final blessing. We booked a morning tea at the Zamia Café in Kings Park which was a nice way of finishing.

Looking back I wonder if I would ever take on a role as Executor of an Estate. The answer is an emphatic "no." A good deal of 2019 was devoted to being the Executor of Mum's estate which I did to the very best of my ability. I did not want to let Mum down and I think that I succeeded.