



ESTATE PLANNING AND ESTATE ADMINISTRATION TERMS

ADAPTED FROM BLACK'S LAW DICTIONARY, SEVENTH EDITION (1999)

These are scaled down versions of those definitions and are for informational purposes only. Nothing herein should be considered legal advice.

- Administration:** The management and settlement of the estate of an intestate decedent, or of a testator who has no executor, by a person legally appointed and supervised by the court.
- Administrator:** A person appointed by the court to manage the assets and liabilities of an intestate estate. Can be used to refer to either sex.
- Administrator c.t.a.:** *administrator cum testamento annexo.* An administrator appointed by the court to carry out the provisions of a will when the testator has named no executor, or the executors named refuse, are incompetent to act, or have died before performing their duties.
- Administrator d.b.n.:** *administrator de bonis non.* An administrator appointed by the court to administer the decedent's goods that were not administered by an earlier administrator or executor. If there is no will, the administrator bears the name administrator d.b.n., but if there is a will, the full name is administrator d.b.n. c.t.a.
- Ancillary Administration (an-se-ler-ee):** An administration that is auxiliary to the administration at the place of the decedent's domicile, such as one in a foreign state, the purpose being to collect assets and pay debts in that locality.
- Beneficiary:** A person who is designated to benefit from an appointment, disposition, or assignment (as in a will, insurance policy, etc.); one designated to receive something as a result of a legal arrangement or instrument.

Decedent:	A dead person, especially one who has died recently – also termed deceased.
Estate:	<ol style="list-style-type: none"> 1. The amount, degree, nature, and quality of a person's interest in land or other property. 2. All that a person or entity owns, including both real and personal property. 3. The property that one leave after death; the collective assets and liabilities of a dead person. 4. A tract of land, esp. one affected by an easement.
Executor:	A person named by a testator to carry out the provisions in the testator's will.
Intestacy:	The state or condition of a person's having dies without a valid will.
Intestate (adjective):	<ol style="list-style-type: none"> 1. Of or relating to a person who has died without a valid will. 2. Of or relating to the property owned by a person who died without a valid will. 3. Of or relating to intestacy.
Intestate (noun):	One who has died without a valid will.
Intestate law:	The relevant statute governing succession to estates of those who die without a valid will.
Intestate succession:	The method used to distribute property owned by a person who dies without a valid will.

Living Will:	An instrument, signed with the formalities necessary for a will, by which a person states the intention to refuse medical treatment and to release healthcare providers from all liability if the person becomes both terminally ill and unable to communicate such a refusal.
Public Administrator:	A state-appointed officer who administers intestate estates that are not administered by the decedent's family. (In N.C. we use this term for testate estates as well.)
Settlor (also settler):	A person who makes a settlement of property; especially one who sets up a trust.
Testate:	Having left a will at death.
Testator:	A person who has made a will: esp., a person who dies leaving a will. Because the term is usually interpreted as applying to both sexes, testatrix has become archaic.)
Trust:	A property interest held by one person (the <i>trustee</i>) at the request of another (the <i>settlor</i>) for the benefit of a third party (the <i>beneficiary</i>).
Trustee:	One who, having legal title to property, holds it in trust for the benefit of another and owes a fiduciary duty to that beneficiary.
Will:	A document by which a person directs his or her estate to be distributed upon death; also termed <i>testament</i> ; <i>will and testament</i> .