

Can an Estate be Sued?

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A person who has passes away can still be sued and if damages are owed as a result of the lawsuit, the estate may be liable for the payments. If a decedent has been sued, the beneficiaries of the estate will likely have to wait for the lawsuit to be resolved before they can accept their inheritance to ensure liabilities of the estate are paid before beneficiaries take their share.

Why would someone sue a person who has died? One example is the situation where the decedent died in a car accident and that same accident injured or killed others. If the decedent was to blame for the accident (negligent driving, driving while intoxicated, etc.) then a civil suit can be filed against the decedent. In the case of a car accident, insurance may cover the liability and the insurance company would likely be responsible for providing an attorney to defend the decedent and the estate. If the damages exceed the amount of insurance coverage though, the estate may have to cover the remaining damages.

About Walnut Creek Estate Planning

Experienced California Estate Planning Attorney David Pastor can help you make a plan that protects your assets and your family despite possible changes in the future. Call us today at (925) 208-4375.