If it has been a year since the death of the grantor or decedent, and no trust or estate documents have been provided to you as a beneficiary, and if the trustee or executor is now asking you to sign an agreement without access to the necessary information, you should proceed with caution. Here's how to handle this situation:

1. \*\*Consult with an Attorney:\*\* Contact an attorney who specializes in trust and estate law as soon as possible. Explain the situation, including the lack of document provision and the request to sign an agreement. Your attorney can guide you on the best course of action.

2. \*\*Demand Required Documents:\*\* With the assistance of your attorney, formally demand the required trust or estate documents, including the trust instrument, will, and any necessary accountings. Make it clear that you need these documents to make an informed decision regarding the agreement.

3. \*\*Document Your Concerns:\*\* Maintain a record of all communication and actions related to the lack of document provision and the request to sign an agreement. This documentation will be important if legal action becomes necessary.

4. \*\*Do Not Sign Agreements Without Information:\*\* Do not sign any agreement or document related to the trust or estate without first reviewing the necessary documents and consulting with your attorney. Signing an agreement without access to information can be detrimental to your interests.

5. \*\*Consider Legal Action:\*\* If the trustee or executor continues to withhold the documents or pressure you to sign an agreement without providing the necessary information, your attorney can advise you on the appropriate legal action to take, such as filing a petition with the court to compel document production or address the matter.

6. \*\*Review the Agreement Carefully:\*\* If you receive an agreement to sign, ensure that you understand its terms and implications fully. Your attorney can help you review the agreement to determine if it is in your best interests.

The lack of document provision for such an extended period is a significant concern, and it's vital to work with an attorney to protect your rights, gain access to the required information, and make informed decisions regarding the trust or estate.

Yes, you can request both the trust document and demand an accounting of the trust in California. These requests are separate but related actions, and they serve different purposes:

1. \*\*Requesting the Trust Document:\*\* If you are a beneficiary of the trust, you have the right to request and review the trust document. The trust document outlines the terms, provisions, and instructions for how the trust assets are to be managed and distributed. You can request a copy of the trust document to understand its terms and ensure that the trust is being administered in accordance with the grantor's wishes.

2. \*\*Demanding an Accounting:\*\* Beneficiaries also have the legal right to demand an accounting of the trust's assets and transactions. An accounting provides a detailed record of the trust's financial activities, including income, expenses, and distributions. This helps beneficiaries assess how the trust is being managed and whether the trustee is fulfilling their fiduciary duties.

You can request both the trust document and an accounting if you have concerns or questions about the trust's administration. These requests can help you gain a clear understanding of the trust's terms and financial activities. It's advisable to work with an attorney who specializes in trust and estate matters to assist you in making these requests, ensuring that your rights are protected, and helping you navigate the legal processes involved in obtaining this information.

In California, failing to provide trust or estate documents, including accountings, when required by law or the terms of the trust or will can be considered a breach of fiduciary duty, which may have legal consequences. While it's not "illegal" in the criminal sense, it is a violation of the trustee's or executor's legal obligations, and it can lead to civil legal actions and remedies.

California law imposes specific legal duties on trustees and executors, and these duties include providing beneficiaries with certain documents, information, and accountings, as required by the trust instrument and state laws. Failure to fulfill these duties may result in legal consequences, such as those mentioned in the previous response, including legal actions, surcharges, removal, or penalties.

If you are a beneficiary or interested party in California and you believe that you are not receiving the documents and accountings to which you are entitled, it's important to consult with an attorney who specializes in trust and estate matters. Your attorney can help you understand your rights, navigate the legal process, and take appropriate legal action to address the situation and protect your interests in accordance with California law.