

WHAT TO DO WHEN A LOVED ONE DIES

Below Is a Checklist of Issues to be addressed at a difficult time. Some actions can be handled by family members and other actions are best handled by an experienced estate/probate attorney. This Checklist is not an all-encompassing list, but should assist you with some basic matters following the death of a loved one.

ACTIONS TO BE TAKEN BY FAMILY MEMBERS:

1. Notify immediate family and friends. _____
2. Arrange care for pets, if any. _____
3. If necessary, decide on procedures to care for dependent children and surviving spouse, if incapacitated. _____
4. Prepare decedent's obituary for newspaper publication. _____
5. Decide on funeral arrangements. _____
 - a. Find and review decedent's expressed funeral and burial wishes
 - b. Contact appropriate persons
 - c. Arrange for mortuary, cremation and/or burial
6. Evaluate the need for security at decedent's residence. _____
 - a. Cancel home deliveries
 - b. Notify Post Office to change mailing address or to hold mail
7. Evaluate whether there is perishable property to care for or sell. _____
8. Keep records of all payments for funeral and other expenses. _____
9. Locate original Will (and Trust). _____
10. Do not pay decedent's debts until discussion with Personal Representative. _____
11. Safe deposit box – at least 2 people should be at box opening. _____
 - a. Open box. List all contents in detail on letter size paper.
 - b. Both persons sign and date the bottom of the list.
 - c. Remove assets to be sold at once.
 - d. Put all else back, except Will, life insurance policies, Trust, etc.

- e. If there is any danger of a Will being contested, a conflict of interest between Personal Representative, family, or beneficiaries, do not go to the safe deposit box without an attorney.
12. Investigate the following:
 - a. Social Security Benefits _____
 - b. Life Insurance _____
 - c. Union death benefits _____
 - d. Veteran's burial allowance & Veteran's benefits _____
 - e. Employee payroll benefits _____
 - (1) Accrued vacation pay
 - (2) Employee death benefit
 - (3) Final wages
 - (4) IRA accounts & Retirement plan death benefits
 - (5) Deferred compensation
 - f. Medical reimbursements _____
 - g. Refunds on insurance or cancelled subscriptions, or any refunds _____
 13. Meet with CPA to prepare decedent's last income tax return. _____
 14. Locate life insurance policies and contact life insurance agent to collect proceeds or consider options. _____
 15. Obtain death certificates. _____
 16. Death Notifications to make:
 - a. Social Security Benefits _____
 - b. Department of Veterans Affairs _____
 - c. Medical Insurance Companies _____
 - d. Life Insurance Companies _____
 - e. Retirement/Pension Companies _____
 - f. Decedent's Employer _____
 17. Notify regular insurance agent about fire, theft, and public liability insurance on decedent's assets. _____
 18. Cut up credit cards and return to credit card companies. _____

CALL ATTORNEY TO ASSIST WITH THE FOLLOWING:

1. Review and analyze the Will and/or Trust. _____
2. Register the original Will with the Court. _____
3. Review duration of administration and probate and explain procedures. _____
4. Evaluate joint tenancy assets. Arrange for termination of joint tenancy asset(s) so surviving joint tenant gets clear title to asset(s). _____
5. File for Probate and appointment of Personal Representative. _____
6. Assist in collection of insurance, wage claims, retirement benefits. _____
7. Guide and counsel the Personal Representative in administering the decedent's estate, including: _____
 - a. Opening Personal Representative's bank account
 - b. Locating assets
 - c. Valuing the assets
 - d. Preparation of death tax returns
 - e. Payment of death taxes and other debts
 - f. Income tax and death tax decisions
 - g. Sale or exchange of property
 - h. After-death tax planning
 - i. Elections under tax laws
 - j. Timing of distributions and closing estate
 - k. Disclaimers by survivors and beneficiaries (9-month deadline!)
 - l. Lawsuits on behalf of decedent
 - m. Management of property
 - n. Continuation of liquidation of business
8. Review with family members the impact of decedent's death on their own estate planning. (Redraft wills, trust, make gifts, review documents.) _____