

What To Do When A Loved One Dies

Dealing with the death of a loved one is difficult, and the family will likely face emotional and stressful issues. Trying to remember all of the details that must be addressed related to an individual's death can add even more stress. The following is a checklist of some of the important items to remember.

1. Important Documents. The following documents may be helpful and/or required to settle the estate. These documents will help you: (1) find assets, (2) determine outstanding debts, and (3) submit claims for benefits. An attorney can review these documents and will be helpful in guiding you through the legal process.

- Estate Planning documents (such as a Will or Trust)
- Last checking and savings account statements
- Investment accounts (IRAs, 401(k) plans, pensions, etc.)
- Insurance policies (life, health, homeowners, auto, etc.)
- Title to vehicles
- Safe deposit box keys
- Last mortgage statement and other loan documents
- Last credit card statements
- Unpaid bills
- Copy of any preplanned funeral arrangements
- Deed to burial property

2. Contact Funeral Home. A funeral home can help you make arrangements to transfer the body from the place of death to a funeral home. If there has been no advanced planning, you can consult with a nearby funeral home, cremation service, or other service providers. It is usually best to contact the funeral home that you expect to handle the final arrangements. The following information regarding the decedent will be helpful in coordinating with the funeral home.

- Full Name and Address
- Social Security Number
- Marital Status
- Race/Ethnicity
- Date and Location of Birth
- Date and Location of Death
- Highest Level of Education

- Father's Name, Mother's Name
- Name of Spouse
- Occupation and Employer
- Military History

3. Action to Take. Upon the death of an individual, the clock starts ticking on certain legal deadlines. It is important to address estate matters shortly after the funeral and memorial services in order to protect the assets of the estate and avoid liabilities. The following is a list of actions to consider taking:

- Freeze bank accounts
- Cancel credit cards
- Forward mail
- File life insurance claims
- Maintain insurance on home, vehicles, and other property until disposed
- Maintain essential utilities (e.g. power, gas, water)
- Cancel non-essential services (e.g. phone, internet, cable, subscriptions)
- Contact the employer regarding death benefits (e.g. retirement plans or insurance coverage)
- Contact Social Security Administration (800-772-1213)
- Contact the Office of Veterans Affairs (800-827-1000)
- Consult with an accountant to discuss and prepare required tax returns
- Consult with an attorney about probate or trust administration

4. Open Probate or Trust Administration. An attorney can help you determine if probate is necessary. Depending on the situation, you may be able to avoid, or minimize the need for probate. An attorney can review the facts of your situation to determine the proper process that must be followed. If there is a trust, the successor trustee should follow the proper procedure to obtain authority to manage and administer the trust and its assets. Speak with an attorney to discuss the details of your situation.

Note: This memo is made available by Lee Kiefer & Park, LLP for educational purposes only as well as to provide a general understanding of the law, not to provide specific legal advice. You should contact an attorney to obtain advice with respect to any particular issue or problem.

