

“In Case I’m Gone”

What to do when a loved one dies

The loss of a loved one is one of the most difficult events in life. You may feel very overwhelmed while managing emotions and making financial decisions. This guide is designed to help you navigate the challenging legal and financial obligations of settling a loved one's affairs.

What to do immediately after death:

1. Plan for the care of dependents and pets
2. Notify family, friends, and employer
3. Secure the home and vehicle
 - a. Maybe ask a friend or neighbor to keep an eye on the home during periods of times when the home will be empty.

What to do within 1- 2 weeks of death:

1. Collect records:
 - a. Obtain at least five certified copies of death certificate.
 - b. Locate your loved one's Last Will and Testament and trust documents, if any. Originals may be held for safekeeping by your loved one's attorney.
 - c. Insurance Policies
2. Contact your loved one's financial professionals
 - a. Trusts & Estates Attorney
 - b. Financial Advisor
 - c. Tax Advisor - an individual tax return will need to be filed for your loved one
3. Review Will (and Trust if any) to determine who is named as Executor (and Trustee)
 - a. Once appointed by the appropriate probate court, the executor will have control over most of the decedent's assets. If assets are held in trust, the successor trustee will have control over those.
4. Engage a Trusts & Estates Attorney
 - a. It is highly recommended that the executor engage a trusts & estates attorney to assist with the administration of the estate.
5. Contact Social Security Administration
 - a. Often, the funeral home will inform the Social Security Administration (SSA) of your loved one's death, but you should verify that this is done. If your loved one was receiving benefits, those benefits will stop once the SSA is notified. The SSA will automatically withdraw from your loved one's account any benefits that had been paid post-death. Surviving family members may be eligible to receive death benefits.



6. Contact your loved one's employer

- a. Request information regarding benefits such as retirement, profit-sharing, compensation plans, insurance, or other employer-sponsored program.

7. Forward Mail

- a. Place a forwarding order to have the mail sent to an address where important correspondence will not be missed. A lot of the information that will later be necessary, such as what utilities will need to be paid, what financial institutions will need to be alerted, and what subscriptions will need to be cancelled, may become obvious just by going through a loved one's mail.

8. Make a list/inventory of all of the assets

- a. Before the administration of your loved one's estate and/or trust may begin, you will need to know where all of their assets were located. This may include real property, vehicles, bank and investment accounts, jewelry, safety deposit box, home furnishings, etc.
- b. Appraisals of assets may be necessary, so you should not distribute any assets, even personal belongings, until you have consulted with an estate attorney.

9. Create a list of debts and bills

- a. Make a list of what bills will need to be paid, or continued to be paid, such as utilities. Looking through your loved one's mail can be helpful. This list will be necessary as the estate is settled.
- b. You should consult with the estate attorney prior to paying any of your loved one's outstanding bills, or new bills that come in after death, particularly funeral bills and final medical bills. These should be paid from the estate, and there is a specific process to validate these claims.
- c. Also, as part of settling the estate, a public announcement of the death is made, generally by printing it in a local newspaper. This gives the creditors the opportunity to come forward and claim payments of the debt from the estate for a certain period of time.
- d. It may feel uncomfortable to allow bills to pile up, but it is important to follow the correct processes for paying creditors. In addition, do not stress searching for every outstanding bill right away. Anything or anyone that needs to be paid will come up soon enough.

10. Collect information regarding businesses owned by your loved one

11. Collect information regarding any rental property your loved one may have owned

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What to do with in the first couple of months after death:

1. Obtain legal and tax advice
 - a. Discuss any legal and tax concerns regarding your loved one's estate. Make sure you discuss the treatment of any IRAs and whether your loved one needed to withdraw their Required Minimum Distributions (RMDs) for the year. This is especially important for tax purposes.
2. Obtain a taxpayer identification number ("EIN") for the estate.
 - a. Typically, the estate attorney will handle this.
3. Notify banks and other financial institutions
 - a. You will need to notify banks and other financial institutions of the death. Depending on the titling of the account, you may be able to access the funds as soon as a death certificate is provided. In other cases, it may take time to gain authorization to access the account.
 - b. For accounts held jointly with right of survivorship, the surviving joint owner of the account will become the sole owner of the account. If you have access to this account for the estate's expenses, it is a good idea to track any spending from the account until the estate is settled.
4. Determine if there were any life insurance policies on the decedent's life.
5. Contact Credit Card Companies
 - a. Unless there is a surviving cardholder, cancel the decedent's credit cards and close the accounts. You will need to provide a copy of the death certificate for this. Inform the credit card company that it may take some time before funds are available to pay any balance and ask if they will temporarily waive late payment fees. Keep track of any outstanding balances.
6. Contact Insurance Companies
 - a. You should contact health and long-term care insurance companies to cancel membership and obtain information about any benefits.
7. Contact Mortgage Company
 - a. If the property was owned jointly, then the loan will be the sole responsibility of the surviving joint owner.
8. Cancel Memberships, subscriptions, and services.

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Checklist and Steps: Records to Review and Collect at the Death of a Loved One.

This is a very difficult time, the next couple of weeks and months will be an overwhelming time. We hope this checklist assists you in gathering the information and records necessary to administer your loved one's affairs.

Certain items on this checklist may not apply to your situation. We highly recommend you obtain assistance from an attorney and an accountant.

Legal Documents

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| ☐ Death certificate (at least 5 copies) | ☐ Last will and testament |
| ☐ Trust documents | ☐ Real estate deeds |
| ☐ Mortgage and other loan documents | ☐ Vehicle records including title and loan documents |
| ☐ Marriage certificate | ☐ Life insurance policies |
| ☐ Social security number of the deceased | ☐ Birth certificates and/or adoption documentation for minor children |
| ☐ Divorce documents | ☐ Child support documents |
| ☐ Health insurance | ☐ Long-term care insurance |
| ☐ Contact information for deceased's attorney and accountant | |

Financial Documents

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| ☐ Current bank statements | ☐ Retirement account statements (IRAs, 401(k)s, and pension plans) |
| ☐ Credit card accounts and statements | ☐ Employer compensation plans |
| ☐ Beneficiary information for financial accounts and insurance | ☐ Tax records |
| ☐ Savings bonds | ☐ Annuity Policies |
| ☐ Safety deposit box location and inventory | ☐ W-2 |
| ☐ Government Benefits | ☐ Military Benefits |
| ☐ Social Security benefits | ☐ Funeral bills |
| ☐ Utility bills | ☐ Subscriptions |
| ☐ Other debts and bills | |



Business Interests Documents

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| ☐ Business operation documents
(Operating Agreement, Shareholder Agreement, Partnership Agreement, etc.) | ☐ Stock Certificates and/or membership interest information |
| ☐ Contact Information for Business | ☐ EIN |
| ☐ Tax Records | ☐ Investment real estate information |
| ☐ Rental agreements | ☐ Bank account information |

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