



# What to Do When a Loved One Dies

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An easy-to-follow checklist to simplify the estate administration process so you can focus on what matters most: family.



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Coping with the loss of a loved one is difficult. We hope this information will help you focus on what you need to do and what you may wish to delegate to friends and family.

## The Short List:

- ① **First, you grieve!**
- ② **Notify family and friends.** Ask them to help you with some tasks, including notification of other family and friends.
- ③ **Look for the deceased's instructions.** Look through the deceased's papers to find if she or he:
  - Had a prepaid burial plan.
  - Belonged to a memorial society.
  - Signed an Organ Donor form or agreement with a university to donate her or his body for medical research and education.
  - Had signed a directive specifying how he or she wishes his or her remains to be disposed (burial vs. cremation, etc.). In Oregon, this statement often occurs in the Last Will and Testament or the Advanced Directive for Health Care. If no such document is found, state law will control the priority of who gets to make these arrangements for the deceased person.
- ④ **Arrangements for the deceased person's body.** Arrange for the body to be picked up:
  - According to the coroner's instructions.
  - According to the instructions from a training hospital if the body or organs are donated.
  - By the mortuary chosen for the funeral.
  - By the crematory if you are going to cremate the body.
- ⑤ **Arrange for care** of minor children and pets.
- ⑥ **Secure the house and other property**, including vehicles, car keys, and other personal property, including phones, tablets, and computers.
- ⑦ **Locate and read important documents**, such as estate planning documents (Last Will and Testament, Revocable Living Trust, etc.).
- ⑧ **Locate passwords.**
- ⑨ **Locate assets and create inventory** (account statements, deeds, car titles, digital accounts and assets, etc.).
- ⑩ **Determine liabilities** and secure debit and credit cards, driver's license and social security card.
- ⑪ **Keep a ledger of money spent**, especially for the funeral and last illness.
- ⑫ **Order death certificates** (10 recommended).
- ⑬ **Contact attorney** to make appointment regarding estate administration.

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# What Not To Do

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- 1 Do **NOT** race to the bank and close accounts
- 2 Do **NOT** rollover IRAs, 401(k)s or other qualified retirement accounts
- 3 Do **NOT** drive the decedent's automobile
- 4 Do **NOT** remove or give away any household furnishings or personal property of the decedent
- 5 Do **NOT** pay any bills—ask for a 2-4 week extension
- 6 Do **NOT** use the decedent's credit cards
- 7 Do **NOT** use any power of attorney—they are void after the death of the principal (except in very limited circumstances, such as authority to make funeral arrangements)

## In More Detail

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### What to do during the first 1-3 days:

#### **Complete the funeral and burial arrangements**

Ask a trusted friend or family member to go with you to the mortuary to advise and support you in making the funeral and burial or cremation arrangements. (NOTE: Federal law requires price information to be given over the phone if you are shopping around.)

Arrangements may include transfer to another location, burial, or cremation. You may ask a clergy member to assist you.

#### **Financial and other assistance**

If the deceased was on public assistance, burial assistance may be available. Contact your local County Department of Social Services as soon as possible. Total expenses of burial will be limited to qualify for the benefit.

If the deceased was in the military or is the spouse or dependent child of a person in the military, contact the VA cemetery or VA office. There may be burial benefits. The mortuary will call the VA at your request.

Contact fraternal, religious, and other organizations of which the deceased was a member for potential participation in the funeral service.

If you have concerns that you cannot resolve with the funeral director or management of the funeral home, contact the Funeral Consumers Alliance or your state's Attorney General's office.

Choose someone to:

- Answer the phone
- Stay at the residence during the funeral to guard against break-ins occurring when the family is at the funeral
- Provide food for family and friends after the funeral
- Collect mail
- Arrange care for dependents, if any
- Care for pets
- Locate the car keys
- Find perishable property (food, plants, etc.) and arrange for care or disposal
- Arrange for lawn care or snow removal
- Notify other members of family and friends

Additional tasks:

- Record in a small ledger all money you or the immediate family spend, which amounts may be needed for tax returns or reimbursement
- Evaluate the need for security at the deceased's residence
- Prepare and arrange for an obituary
- Evaluate the emotional impact on the surviving spouse, children, close relatives, and friends; arrange for a friend to spend initial hours with them after learning of death
- Deal with donation of bodily organs to an "organ bank," as appropriate

## What to do during the first 10 days:

### Death certificates

The most common and quickest way to obtain death certificates is through the funeral director. The cost is usually higher for the first death certificate. Additional certificates can be obtained at a lower price. In order to know how many to order, you should estimate the number of different assets held by the deceased or institutions that will require a death certificate. If you do not order enough, you can get more death certificates later through the County Vital Statistics Department where the death occurred or through the Oregon Department of Health Services - Vital Records Office.

“As long as there is **love and memory**,  
there is no **true loss**. ”

-Cassandra Clare

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## Contact the following persons or institutions:

- Police, to occasionally check the house of deceased
- CPA, accountant, or tax preparer to determine returns to be filed; arrange for final income tax return and estate tax return, as necessary.
- Financial counselor, if any, to assist with decisions regarding repositioning financial assets and tax planning and assist with other financial issues.
- Investment professionals, to obtain information on holdings
- Bank, to locate accounts & safe deposit box
- Social Services, to learn of benefits and, if entitled, to apply for a cash advance from life insurance benefits
- Veterans Affairs, to stop monthly check and learn of benefits
- Guardian, Conservator, Agent under a durable power of attorney, to notify of death and the end of their responsibility
- Utility companies, to alter or discontinue service
- Post office, if necessary, to hold or forward mail
- Medicare: if deceased was eligible for Medicare, notify the local program office and provide them with the name, SS#, date of death, whether the death was due to accident or illness, and your own name and address, so that the company can begin to process benefits immediately.
- Attorney, to learn how to transfer assets and report taxes; if a trust is involved, arrange for any allocations and transfers. The attorney will also determine if it is necessary or advisable to open a probate case in the local probate court.
- Work with attorney and CPA to prepare inventory, list of accounts, and list of debts; appraisals may be needed to establish accurate valuations
- Insurance agent, to obtain claim forms; investigate refunds on insurance or canceled subscriptions; deal with fire, theft, liability, and auto insurance on deceased's property; consider payment options (lump-sum vs. annuity, etc.)
- Social Security, to stop monthly check and learn of benefits
- Agency providing pension services, to stop monthly check and obtain claim forms
- Employer, to notify of death, and deceased's employee benefits office with deceased's name, Social Security number (SS#), date of death, whether the death was due to accident or illness, and your own name and address, so that employer can begin processing benefits immediately.
- Bills: make sure bills are paid (but DO NOT pay any of deceased's debts until the attorney discusses this with family or the personal representative)

## Cancel the following:

- Newspaper subscriptions
- Home deliveries
- Charge accounts
- Magazine subscriptions
- Credit cards\*

*\*If the deceased was the primary cardholder, all cards will be cancelled. Prior to cancelling the deceased's credit cards, the surviving spouse should ensure that they have at least one credit card on which they are the primary account holder.*

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**Prior to appointment as personal representative or successor trustee in the decedent's trust.** If you are named personal representative (formerly called "executor") in a Will, you have the power to protect the deceased's property. Do not remove or distribute property before beginning administration of the Estate.

**Search for the Will and estate planning documents.** The original Will may be in a safe deposit box, in the attorney's office, or in a file at home. Check for a fireproof safe or file cabinet. When the original signed Will is located, deliver it to the person designated as the Personal Representative or Executor. It is also possible the Will was filed during the deceased's lifetime with the court for safekeeping, although this is rare in Oregon. In addition to the Will, look for other estate planning documents established by the decedent.

**Entering the safe deposit box.** Any person whose name is also on the box may enter it at any time. In many states, including Oregon, if no other person is named on the safe deposit box, a probate may be necessary to get a court order for the bank to open the box.

**Search for other documents.** Family members can help the personal representative search for important papers. The search should include the home, office, place of business, and the safe deposit box. Also check with the deceased's advisors such as accountant, investment professionals, and attorneys. Any information indicating that an asset exists or that bills are unpaid should be kept for use in the administration of the estate.

**Look for:**

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| <input type="checkbox"/> Funeral and burial plans                             | <input type="checkbox"/> Safe deposit rental agreement and keys                                  |
| <input type="checkbox"/> Home deliveries                                      | <input type="checkbox"/> Health insurance policy information                                     |
| <input type="checkbox"/> Trust agreements                                     | <input type="checkbox"/> Nuptial agreements  |
| <input type="checkbox"/> Life insurance policies or statements                | <input type="checkbox"/> Pension, Keogh, IRA, retirement statements                              |
| <input type="checkbox"/> Income tax returns for last several years            | <input type="checkbox"/> Gift tax returns  |
| <input type="checkbox"/> Marriage, birth, and death certificates              | <input type="checkbox"/> Divorce papers  |
| <input type="checkbox"/> Military records and discharge papers                | <input type="checkbox"/> Computer bookkeeping records  |
| <input type="checkbox"/> Certificates of deposit                              | <input type="checkbox"/> Bank statements, checkbooks, and check registers                        |
| <input type="checkbox"/> Notes receivable and payable                         | <input type="checkbox"/> Motor vehicle titles  |
| <input type="checkbox"/> Deeds, deeds of trust, mortgages, and title policies | <input type="checkbox"/> Bankruptcy filings  |
| <input type="checkbox"/> Leases   | <input type="checkbox"/> Business, partnership, investment arrangements, or corporate agreements |
| <input type="checkbox"/> Stock and bond certificates and account statements   | <input type="checkbox"/> Unpaid bills  |
| <input type="checkbox"/> Union death benefits                                 |  |

**Employee benefits.** Investigate employee benefits, including accrued vacation pay, death benefits, final wages, retirement plans, deferred compensation, and medical reimbursements.

**Avoid immediate collection of benefits.** Within the nine-month period after the deceased's death, avoid transferring title to assets or making claims as a beneficiary until considering whether either a tax or non-tax reason exists for refusing to receive an asset (called a "disclaimer"). Even though the account executive wants to be helpful, you may lose an important tax advantage if you accept an asset within this nine-month period. An attorney can tell you what is most helpful. In most cases, this will only apply if all assets in your own estate exceed applicable Federal and state estate tax exemptions.

**Veterans benefits and social security.** The mortuary may assist you with the paperwork for both VA and Social Security benefits.

① For information on VA benefits, call the nearest VA listing for Benefits Information and Assistance. **Be prepared to identify the deceased's:**

- VA claim number
- Medical history that bears on whether the death is service related or not

If you do not know the VA number, then provide:

- Service number
- Dates of active service

② For Social Security benefits, call the Social Security Administration immediately. Call 1 (800) 772-1213. **Be prepared to identify the deceased's:**

- Relationship to you
- Date of death
- Social Security number
- Place of death
- Date of birth
- Surviving spouse or next of kin

③ Your call will stop the monthly payments. You must return the check or deposit amount for the month of death.

④ Social Security monthly benefits are available to the surviving spouse and to children under 18 and certain disabled children. Benefits include a lump sum death benefit. Ask for the "Social Security Survivors" brochure.

⑤ Veterans' benefits may be available to surviving spouse. Benefits may include a lump sum death benefit, if death was service connected; a continuing monthly payment to the surviving spouse; and financial assistance with funeral expenses and cemetery plot, or burial in a national cemetery. Ask for the "Federal Benefits for Veterans and Dependents" publication.

**Take care against unscrupulous persons.** In the period following the loss of a loved one, be careful before accepting any telephone solicitation. Fraudulent invoices may be received and should be looked at carefully for validity. Avoid lifestyle changes for a period to allow for reflection on how the loss will affect the surviving family and friends.

**Words of caution.** This handout cannot relate everything you may need to know in the first few days following a death. You should establish an early relationship with your attorney to ensure that all matters are properly addressed. Seeking your attorney's advice before you act will avoid more costly legal services later.

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