

Checklist to Use When A Person Dies

Coping with the loss of a loved one is difficult. We hope the following information will help you focus on what needs to be done. You may wish to delegate some of these tasks to friends and family - they are there to help.

To do immediately:

Date Completed:

- | | | |
|--------------------------|---|----------------|
| <input type="checkbox"/> | If the death occurred at home, you must call the county Coroner's Office, or dial 911 if you want the support of emergency personnel. The paramedics will attempt resuscitation. If you are using hospice, they will help you. | _____ |
| <input type="checkbox"/> | Contact a relative or friend who can spend the next few/several days with you if you are alone. There is much to be done and you probably won't be in a good condition to do it yourself. | _____
_____ |
| <input type="checkbox"/> | Notify immediate family & close friends | _____ |
| <input type="checkbox"/> | Evaluate need for emotional support for family | _____ |
| <input type="checkbox"/> | Find and review known funeral and burial wishes | _____ |
| <input type="checkbox"/> | Deal with organ donation issues | _____ |
| <input type="checkbox"/> | Arrange for care for dependents | _____ |
| <input type="checkbox"/> | Arrange for pet care | _____ |
| <input type="checkbox"/> | Locate important papers; they may become very useful to you | _____ |
| <input type="checkbox"/> | Read will/letter of instructions (if any) | _____ |
| <input type="checkbox"/> | Begin funeral arrangements. Facts for funeral director: full name, residence, date of birth, marital status, birthplace, spouse's name, father's name, mother's maiden name, length of US residence, military records (there may be VA benefits), fraternal and religious organization memberships, social security number, occupation. | _____ |
| <input type="checkbox"/> | Notify clergy | _____ |
| <input type="checkbox"/> | Conclude funeral arrangements (request 5-10 certified copies of death certificate) | _____ |

Courtesy of:

The Sullivan Firm, P.C.
 46 Middle Street
 Gloucester, MA 01930
 (978) 325-2721

This information is current as of ____/____/20____

Contact Decedent's employer to check on expected death benefits (employer life insurance, pension or accident insurance) obtain policy numbers _____

Avoid making contracts for anything and avoid lending or spending large sums of money _____

Choose someone to: answer the phone, collect mail, locate car keys, take care of perishable property, take care of lawn watering or snow removal, stay at the house during funeral to guard against break-ins occurring when the family is at the funeral, provide food for family and friends after the funeral _____

Notify police, to occasionally check the house of the deceased

To do within 7 – 10 days:

Date Completed:

Search for Will/Trust (Will is to be filed in Probate Court). If no Will and no trust, "intestate" probate may be Necessary _____

Contact bank, to locate accounts and safe deposit box _____

Notify landlord, if any _____

Have mail forwarded (if applicable) _____

Check homeowners' insurance for unoccupied house coverage _____

Stop newspaper/magazines/mail to house

Arrange for lawn care; other home maintenance _____

Notify insurance companies and file claims _____

Notify Veterans' Administration to apply for benefits (survivors may be eligible for death or disability benefits) _____

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- Notify Social Security to stop/apply for benefits
Request spousal benefits if applicable _____
- Notify Medicare, if applicable (NOTE: if Decedent
left minor children or other dependents, they may
qualify for benefits) _____
- Review auto insurance for accidental death, medical,
or other coverage _____
- Make an appointment to meet with your attorney _____
- Make an appointment to meet with your accountant or tax preparer _____
- Retain/contact attorney competent in estate administration _____
- Retain/contact accountant competent in estate/inheritance taxes _____
- Retain/contact financial advisor _____
- Contact employer or agency providing pension benefits,
to notify of death and learn of any benefits due _____
- Keep record of expenses for funeral and last illness _____

To do within 30-60 days

Date Completed:

- If Will/Trust have not been found, continue to search for them _____
- Change name on any joint checking and savings accts.
(NOTE: wait until court appointment of personal
representative if there is no living trust) _____
- Change name on securities accounts, funds, US Bonds
(NOTE: wait until court appointment of personal
representative if there is no living trust) _____
- Obtain Taxpayer Identification Number (TIN/EIN)
for the Estate or Trust from the IRS _____
- Establish "Estate of ____" bank accounts _____
- Notify IRA accounts [NOTE: beneficiary
may want to "stretch out" distributions, so don't cash
these in without further inquiry] _____

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- Review medical policies for limits or additional coverage _____
- Check for travel accident coverage, if applicable _____
- Check for Workers' Compensation benefits _____
- Check credit card and club membership benefits _____
- Check for safe deposit box and who has access _____
- When access allowed, inventory box contents _____
- Obtain safe deposit box in the estate's name and inventory contents transferred there _____
- Transfer real estate to heirs' name [NOTE: if there is a probate, this cannot occur until the Court approves] _____
- Change name on homeowners' insurance policy _____
- Transfer auto titles, as required _____
- Change name on auto policies _____
- Change name on credit accounts, or close _____
- Change name on utility accounts _____
- Change name in phone directory _____
- Notify creditors of death _____
- Review beneficiaries on your insurance policies _____
- Review your own medical insurance _____
- Review your own will/trust _____
- When probate closed, make distributions to heirs _____

Take Care Against Unscrupulous Persons: In the period following the loss of a loved one, be careful before accepting any telephone, mail, or personal solicitation. Fraudulent invoices may be received and should be looked at carefully for validity. Avoid lifestyle changes and unnecessary decisions for a period to allow for reflection on how the loss will affect the surviving family and friends.

Avoid Immediate Collection of Benefits: 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.

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Even though the account executive wants to be helpful, you may lose an important tax advantage if you accept an asset. An attorney can tell you what is most helpful.

Veterans Benefits and Social Security: The mortuary may assist you with the paperwork for VA and Social Security benefits. For information on VA benefits, call the nearest VA listing for Benefits Information and Assistance.

For Social Security benefits, call the Social Security Administration immediately, at 1-800-772-1213.

Be prepared to identify the deceased's:

- Relationship to you
- Social Security or VA claim number
- Date of birth
- Date of death
- Place of death
- Surviving spouse or next of kin
- Medical history that bears on whether the death is service related or not

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

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.

Veterans benefits may be available to the surviving spouse. Benefits may include a lump sum death benefit, a continuing monthly benefit to the surviving spouse, and financial assistance with funeral expenses and a cemetery plot, or burial in a national cemetery. Ask for the "Federal Benefits for Veterans and Dependents" brochure.

6-9 Months Later:

Date Completed:

- | | | |
|--------------------------|---|-------|
| <input type="checkbox"/> | Disclaim any asset you wish by 6 months after date of death | _____ |
| <input type="checkbox"/> | Complete a new budget for yourself | _____ |
| <input type="checkbox"/> | Review your insurance and investment plans | _____ |
| <input type="checkbox"/> | Consider your disability coverage | _____ |
| <input type="checkbox"/> | Review old records of bank and check statements | _____ |
| <input type="checkbox"/> | Obtain a new written valuation of assets, where needed | _____ |
| <input type="checkbox"/> | File appropriate tax returns (death taxes by 9 months) | _____ |

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This checklist is meant to be a general guideline and does not constitute specific legal advice regarding any specific situation [either probate or non-probate]. Some of the above duties may not be required if a revocable living trust was executed and funded. The pour-over will is filed with the Probate Court only to comply with Probate Code requirements.

The above list includes most items required or advisable when proceeding through probate in many states, but is not presented as all-inclusive of the duties of a personal representative of a testamentary will in Massachusetts or any other state. Please call my office for specific advice when needed.

***FOR THE INITIAL MEETING BETWEEN THE PERSONAL REPRESENTATIVE AND THE ATTORNEY
TAKE AS MANY OF THE FOLLOWING ITEMS AS POSSIBLE WITH YOU:***

- The **original** Will (and any Trust documents)
- A death certificate (does not need to be certified)
- The names and addresses of the witnesses to the Will
- The name, address and phone numbers of person named as Personal Representative **and** all “alternates”
- The approximate dollar values of **solely** owned assets for all property including fair market value of real estate which must pass through probate (property that is not jointly owned with right of survivorship)
- The names, addresses, and ages of heirs at law. These are not necessarily the beneficiaries of the Will. Heirs at law are determined by kinship to the deceased according to Massachusetts law
- The names, addresses, and ages of every person named in the Will

- Bank statements for all accounts, statements from investment accounts, and other information regarding significant assets
- Income tax returns for the past several years
- Deeds and other documents related to real property interests
- Insurance policies on the decedent’s life or owned by the decedent
- Divorce decrees, separation agreements or other marital agreements
- As much information as possible about any property, especially real estate, that is located outside the Commonwealth of Massachusetts
- Any other documents or information you think might be important to the settlement of the estate

If the Executor/Executrix named in the Will does not wish to serve, [s]he must submit a renunciation letter (I will supply the appropriate form). If the named executor in the Will is deceased, a death certificate is required.

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If the decedent left no Will, bring the remaining items above to the Office. If the decedent was married at the time of death, preference is given to the surviving spouse as Administrator. The spouse may relinquish duties of Administrator by submitting a written statement expressing intent not to qualify as Administrator.

In Massachusetts, most attorneys charge an hourly fee for assisting with the probate and settlement of the estate. The process will require a minimum of six months, and may become more complex and drawn-out if there are disagreements among the heirs, if property is located in other states, or if there are other unusual factors that require resolution.

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