



What To Do When a Loved One Dies



“What do I need to do now?” That is a question you might ask yourself after the death of a loved one—and for good reason. There are often a lot of issues to consider and steps to take. The following list may help you and/or others during this difficult and stressful time. Not all of the points will apply in all cases, but many of them may.

If the death occurs at home, contact a local police officer or coroner.

If a doctor is not present, notify a doctor or coroner in order to obtain a death certificate.

Consider any wishes your loved one may have expressed regarding donation of his or her body, body parts or tissues.

Notify his or her family, friends, attorney, power of attorney, investment advisor and insurance agent. You may want to consider having family members contact others to save yourself some time during this stressful period.

Arrange for care of any dependents.

Provide care of any pets.

Find perishable property (food, plants, etc.) and arrange for their care or disposal.

Notify your loved one’s employer, religious organization, clubs, fraternal organizations, union, social and charitable organizations, veterans’ organization, etc, especially if you believe your loved one would want them to in a funeral or memorial service.

Evaluate the need for security at your loved one’s home.

Cancel or rearrange any home deliveries.

Complete funeral and burial arrangements.

Look for any instructions which he or she may have left regarding funeral, memorial service and/or burial arrangements.

Determine if he or she belonged to a burial or memorial society that could make special arrangements for the funeral or memorial service, such as military honor guards.

Contact a funeral home concerning burial or cremation arrangements and the religious organization’s clergy-person if not previously notified.

Help prepare an obituary, and note if there is a particular charity the deceased would have preferred in lieu of flowers. Request numerous copies of the death certificate. You may need to supply them to various organizations, such as banks, insurance companies, investment firms and real estate companies.

Order customized acknowledgment cards for the family to send in replying to condolence cards if not supplied by the funeral home.

Maintain all records of payments for the funeral and other expenses.

Contact the Social Security Administration at (800) 772-1213 or www.socialsecurity.gov and any other government agencies, retirement plan administrators and other organizations that may be making payments to your loved one. (Note that the payment for the month of death may not be made by the Social Security Administration and others.)

Review his or her financial affairs and look for any estate planning documents, such as wills and trusts, and any other relevant documents and items, including:

- Safe deposit agreements and keys
- Nuptial agreements
- Life insurance policies
- Annuity-related documents
- Retirement plan documents
- Old tax returns
- Prior gift tax returns
- Marriage, birth and death certificates
- Divorce-related documentation
- Property deeds
- Property and casualty insurance policies
- Computer records regarding books of a business or personal assets, email accounts, passwords, payment accounts, social media accounts, etc.
- Bank statements, checkbooks, and other banking-related items
- Notes receivable
- Business, partnership or private investment agreements
- Titles to motor vehicles or marine property
- Leases
- Securities and a list of securities;
- Documentation of business ownership or business interest
- Health Insurance documents
- Credit cards (which will need to be canceled to help prevent fraud)
- Unpaid bills

If there is a will, take the will to the attorney or appropriate county or city office to have it accepted for probate. Request “letters testamentary” (a document providing proof that someone is an executor and thus is legally allowed to act on behalf of an estate) from the probate court.

Determine if the will names a personal representative (also known as Executor or Executrix). The personal representative, who can be an individual, a group of individuals or one or more institutions—or a combination of the aforementioned—will be responsible for the administration of the estate.

Keep in mind that if there is no will or trust document and there are sufficient assets to probate, then the court will appoint an administrator, and the assets will be distributed according to state law. This situation is sometimes described as “having the state write a will for you.” All states have a set of laws relating to “intestate succession” (the transfer of someone’s property when he or she dies without a will), and the states decide who gets which assets if someone dies without a will.

If you are the personal representative or successor trustee of a trust, try to make a list of the assets owned by the your loved one or the trust, which can help you administer and distribute them according to his or her wishes. Include not only assets like real estate and vehicles, but also items such as jewelry, art, antiques, electronics, china and collectibles.

Obtain a Tax I.D. for the estate and open a bank account for the estate. Doing this as soon as possible can help you ensure that all receipts and disbursements are recorded. This will provide a proper and orderly accounting of all assets and administration expenses.

Probate is a process similar to that of accounting. The personal representative is responsible for collecting the assets and reporting the amount of assets to the court. Then, after paying debts, expenses and taxes, the personal representative can request permission from the court to distribute the assets according to the will. If there is no will, the process of administration is essentially the same, except that state law determines to whom the assets are distributed. If everything is done correctly, eventually, after the personal representative has accounted for and distributed the assets, the personal representative is discharged. Be certain to contact the accountant during this process.

If your loved one owned real estate in more than one state, keep in mind that special proceedings, called “ancillary administrations,” may be needed in each state.

Determine if your loved one owned any securities, such as stocks, bonds, mutual funds, etc. These items could be in a brokerage account, held by a transfer agent or fund company, or be held in a safe deposit box. See page 4 for more information about safe deposit boxes. Also, the most recent tax return may help you track down any securities. Contact a broker or advisor if you need help.

Keep in mind that retirement plans, IRAs and similar retirement benefits involve important choices that beneficiaries need to make.

If your loved one controlled or was a principal person in a business, you may need to determine if there are buy-sell Agreements under which his or her interest would be purchased by the business entity or other business owners.

If you are a personal representative, and your loved one had any debts, remember that creditors will need to be paid. If creditors are not paid and they make a claim against the estate after all the assets are distributed, you could, as a personal representative, be personally liable for these debts. However, do not pay any debt without discussing it with the attorney first.

If you are a personal representative, you must contact all family members within a certain degree of kinship, regardless of whether or not your loved one bequeathed them any assets.

Remember that your loved one’s income taxes for the year of death need to be filed, and any tax due must be paid. If there is a surviving spouse, he or she is allowed to file a joint return for that year.

If there is a trust, particularly a revocable living trust, keep in mind that it will become irrevocable at the time of death, if not before. A separate tax return, Form 1041, “Fiduciary Income Tax Return,” needs to be filed for the trust or estate if income is received by the trust or estate.

If there are minor children and the will designates a guardian, the guardian will need to be informed, and the children will need to be placed in his or her care. If no guardian is designated in the will or if there is no will, the court must appoint a guardian.

Contact your loved one’s property and casualty agent to maintain coverage on real estate, vehicles, etc., if necessary. Some contracts expire 30 days after a policyholder’s death.

Be deliberate and do not be hasty with decisions or distributions.

Beware of individuals who prey upon families of deceased people. There are people who look for death notices and make unfounded claims against people who have died. Other people may also attempt to burglarize the home during the funeral service. Be cautious about such matters. Consider having someone stay at the home during the funeral service and do not easily accept the claims of unknown individuals who lack documentation.

If there is a surviving spouse, make sure veterans’ benefits or other “joint and survivor” benefits are collected by the surviving spouse.

Cancel the cable account, phone service, internet service, utilities, social media accounts, etc., if they’re no longer needed.

Before canceling credit cards or bank accounts, look for any automatic payments that may have been set up.

If there is a surviving spouse, he or she will have to retitle assets from joint names and update beneficiary statements.

Note that brokerage accounts in your loved one’s name or trust will be frozen, and all check writing, open orders and automatic deposits and withdrawals will be canceled until further instructions are received regarding distribution of assets. A new “estate” or “irrevocable trust” will be established with the new tax ID. If a “joint with rights of survivorship” account exists, the surviving account holder(s) may continue to trade in the account, but will need a new account opened as soon as possible.

If your loved one was employed at time of death, determine if the employer owes any benefits, such as accrued vacation pay, death benefits, final wages, deferred compensation, medical reimbursements, or funds from a health savings account or flexible spending account.

Contact the Post Office to redirect mail.

Investigate any refunds on insurance, canceled subscriptions or canceled memberships.

Obtain valuations of assets, as appropriate.

Remember that the death of a loved one is stressful, and disputes can erupt between the deceased person’s family and friends, who may be irritable and have frazzled nerves. So, be careful not to create schisms that could last for a long time.

Accessing Your Loved One's Safe Deposit Box

When accessing a loved one's safe deposit box, it is important to take certain steps to make the process easier. Keep in mind that any joint box renter must be present when the box is opened and will have equal, and unrestricted, access to the box. Having a joint box renter is a simple way to avoid having issues when one of the box renters dies.

To avoid confusion, speak directly with the manager of the bank, credit union, post office or other institution where the box is located about the facility's rules and regulations to avoid confusion. Be sure to ask them about their rental agreement stipulations and legal requirements.

REQUIREMENTS

In order to gain access to a deceased safe deposit box, you will need to present a death certificate and an executor's letters testamentary. These forms are required to prove legal rights to the box. Also, be prepared to provide a copy of the rental agreement and photo identification. An employee of the facility will then take the necessary steps to grant you access to the box.

SPOUSAL RULE

If the spouse of the deceased is alive, he or she may visit the facility and get unrestricted access to the box, provided he or she is able to present a death certificate. A marriage certificate may also be required. In states that recognize common-law marriage, proof that the relationship was valid during the entire time that the state recognized common-law marriage may suffice for access.

IMPORTANT CONSIDERATIONS

Check with the state's unclaimed property office to ensure proper compliance with all rules and regulations. Some states allow box renters to designate specific people who may access the box and its contents in the event of their death.

States without safe deposit laws generally rely on the facilities' rental contracts to cover the specifics of what happens to boxes and their contents when renters die. Simply having a power of attorney will not be enough to designate and earn access to a safe deposit box.

PLANNING AHEAD

To avoid any issues with access to the safe deposit box after a loved one dies, make sure he or she has information about where the safe deposit box is located, how to access it, and who can access it in a will. Without this information, ensuring the items in the box get to where they should be may present a hassle for the family members. If there is no will, make sure another trusted individual has the appropriate information to access the box in the event of death. The easiest way to handle accessing a deceased person's safe deposit box is to ensure the appropriate information is available to the beneficiary.

LEARN MORE

[Read more](#) about accessing a deceased loved one's safe deposit box.



Documents to Share with Your Advisor(s):

10-15 certified death certificates (which have a raised seal) to distribute to all the advisors

Social Security Numbers of your deceased loved one, his or her spouse and his or her children

Last will and testament and trust documents

Inventory of the deceased person's assets and liabilities

Most recent account statements from banks, brokerage accounts and, retirement accounts

Designated beneficiary forms for any retirement accounts

Three years worth of income tax returns and any gift tax returns filed during your deceased loved one's lifetime

Information about life, disability, long-term care, homeowners' or other insurance policies- such as original policies, beneficiary statements and any policy riders

Safety box information

Bills for expenses incurred during the your loved one's life and payable/paid after his or her death, such as medical and long-term care costs and funeral expenses

Stocks and bond certificates

Partnership agreements, trust instruments for which your deceased loved one was a trustee and information regarding any corporations in which he or she had an interest

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