

What to Do When A Loved One Dies

Coping with the loss of a loved one can be difficult and stressful. 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.

PRONOUNCEMENT OF DEATH

Colorado requires a qualified medical professional to be notified and to make the official pronouncement of death.

- **Call the Coroner:** If the death occurs at home you must call the Coroner's Office for the county where death occurs, 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.
- **Notify Family and Friends:** Ask them to help you with some tasks, including notification of other family and friends. (The Red Cross will help notify family members if the deceased was in the military or if the relative to be notified is in the military.)

DISPOSITION OF REMAINS INSTRUCTIONS

Look through the deceased's papers to find if she or he:

- had a prepaid burial plan
- belonged to a memorial society
- had written instructions regarding her/his funeral arrangements

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 (NOTE: Federal law requires price information to be given over the phone.)
- by the crematory if you are going to cremate the body

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 arrangements.

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

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 and religious organizations which may conduct funeral services and other organizations of which the deceased was a member.

If you have concerns that you cannot resolve with the funeral director or management of the funeral home, contact the Funeral Service Help Line program at: 1 (800) 228-6332.

Choose someone to:

- answer the phone
- collect mail
- care for pets
- locate the car keys
- take care of perishable property
- take care of lawn or snow removal
- stay at the home 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

CONTACT ADVISORS AND INSTITUTIONS

Don't make any rash decisions or act hastily regarding the distribution of any estate assets. If assets are distributed without proper observance of possible tax liabilities, potential creditors' claims or precise fulfillment of the will or trust instructions, the administrator could be held personally liable for the consequences.

Contact the decedent's estate planning attorney (or if unknown or unavailable, another attorney who specializes in estate planning) and schedule an appointment to establish a professional relationship for guidance and direction to properly handle the estate administrator's responsibilities.

Also contact the following persons or institutions:

- Police, to occasionally check the house of deceased
- Accountant or tax preparer, to determine returns to be filed
- Investment professionals, to obtain information on holdings
- Bank, to locate accounts and safe deposit box
- Insurance agent, to obtain claim forms
- Social Services, to learn of benefits
- Social Security, to stop monthly check and learn of benefits
- Veterans Affairs, to stop monthly check and learn of benefits
- Agency providing pension services, to stop monthly check and obtain claim forms
- 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
- Employer, to notify of death and learn of benefits
- Newspaper, to stop subscription
- Post office, if necessary, to forward mail
- **CALL Credit Bureaus**
 - Equifax – 1-800-685-1111
 - Experian – 1-877-481-6826

BEFORE YOU MEET WITH AN ATTORNEY

If you are named personal representative (formerly called "executor") in a will you have the power, before you are appointed by the court, to carry out written instructions of the deceased relating to the body, funeral and burial arrangements. You may begin to protect the deceased's property. Do not remove or distribute property before the opening of the estate.

- **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.
- **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. 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.

DO NOT “rollover” or distribute any Retirement Plan accounts until you have reviewed all options with an attorney. Failure to handle these assets correctly may lead to detrimental tax consequences and ultimately defeat the account holder’s intentions.

- **Veterans Benefits and Social Security:** The mortuary may assist you with the paperwork for both 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. Call 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
- If you do not know the VA number, then provide:
 - service number
 - dates of active service

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.

Veteran's benefits may be available to the 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.

COLLECT REQUIRED DOCUMENTS AND INFORMATION

- **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 Colorado State Department of Public Health and Environment - Vital Records Office.
- **Estate Planning Documents (wills, trusts, etc.):** The original will is usually in a safe deposit box, in the attorney's office, or in a file at home. Check for a strong box or file cabinet. When the **original signed will** is found, file it within ten days with the probate court in the county where the deceased lived. It is also possible the will was filed, during the deceased's lifetime, with the court for safekeeping.
- **Safety Deposit Box:** Any person whose name is also on the box may enter it at any time. An heir or beneficiary in a will can ask the bank to search for the will, a deed to a burial plot or burial instructions. A representative of the bank will open the box in the presence of the heir or beneficiary and remove any will that is found. The bank will retain possession of the will and forward it to the court. After the will is filed in court, the personal representative named in the will can petition the court to appoint her or him.
- **Asset Documents:** The Personal Representative is the court officer who has authority to search for important papers. The search should include the home, office, place of business, the safe deposit box and with advisors such as accountant, investment professionals and attorney. Any information indicating that an asset exists or that bills are unpaid should be kept for use in the administration of the estate.
Locate:
 - safe deposit rental agreement and keys
 - trust agreements
 - nuptial agreements
 - pension, IRA, annuity, retirement statements
 - income tax returns for several years
 - gift tax returns

- marriage, birth and death certificates
- divorce papers
- military records and discharge papers
- computer bookkeeping records
- certificates of deposit
- bank statements, checkbooks and check registers
- investment account statements
- notes receivable and payable
- motor vehicle titles
- deeds, deeds of trust, mortgages and title policies
- leases
- stock and bond certificates and account statements
- bankruptcy filings
- partnership or corporate agreements
- unpaid bills (including last illness expenses, funeral expenses, mortgages, real estate taxes, utilities, insurance, unpaid income tax, and credit cards)
- health insurance
- list of all household furniture and furnishings

MEET WITH A QUALIFIED ESTATE PLANNING ATTORNEY