INTRODUCTION

Someone in the family just died. On top of the emotional crisis of losing a loved one, multiple decisions have to be made. What about the funeral? Where and when will the memorial service be held? What goes in the obituary, and who’s going to write it? Who needs to be notified, and who has the phone numbers? These questions are just a few of those to be answered in the first day.

In the days following the death, yet more questions have to be answered. Who is going to take care of the dog? Where are the keys? What’s in the safe-deposit box? When do we have to clean out the home? Have the utilities been paid for the month? Who has the ATM card? Has anyone notified the bank? Where is the Social Security check deposited?

I have assembled this book, *ABA/AARP Checklist for Family Survivors: A Guide to Practical and Legal Matters When Someone You Love Dies*, for family members who may be struggling to answer these and many more questions. You may be a spouse, a son, a sister, or a grandchild. In the days and weeks after a death, one or all of you need to take steps to wrap up the personal and financial affairs of the loved one who died.

This book is not about probate. In fact, that topic is not covered until Chapter 11 and then only in a general way so that you know what to anticipate. It is about settling an estate in the broadest terms. You’ll find no legal advice, but you’ll learn legal reasons, implications, and complications.

The checklists in Chapter 1 walk you through the process of arranging for a funeral and burial. Understand why it is important to follow the wishes of your loved one. Track down any preneed contract in which some of the costs have already been paid. You’ll find tips on writing an obituary and developing a visual tribute.

Chapters 2 and 3 help you start to get organized for the detective work that lies ahead. You’ll find suggestions for setting up filing systems to organize what could be an avalanche of names, phones numbers, web addresses, messages, instructions, letters, and e-mails for all the people and entities you need to contact. Use the checklists in Chapter 2 to organize all the family relationships. Assembling this information has two purposes. You’ll use it to know what family members need to be notified of the death and whom to mention in the obituary. Later on, when it comes time to settle the estate, the executor needs to know who needs to be notified of the probate of the estate. If there’s no will, the executor will also use this family tree to identify all the possible heirs.
ABA/AARP Checklist for Family Survivors

The Records to Locate checklist in Chapter 2 puts in one place all the documents and other important information you may need to find. Once you've found each item, record on the checklist where it's located. Don't be put off by the length of this list. If the item doesn't apply to your loved one, just check it off. It's comprehensive so that you can make sure you don't overlook something.

It's more than a one-person show to settle an estate. It takes a team and teamwork. Use the Assigned Tasks checklist in Chapter 3 to keep track of who in the family is going to do what. When someone offers to help, you'll have a ready list of what needs to be done, who's doing it, and when he or she needs to finish the task. Relying on family can be either a blessing or trouble, depending on your family. When working with some family members, you may need to dig deep for your best negotiating skills. Learn tips on setting boundaries for family discussions. You most likely will need to call upon lawyers, financial advisors, or tax preparers. You'll find guidance on what you need to look for when selecting this advice or assistance.

The death of a loved one can have significant financial consequences to the surviving family members. When the paychecks stop coming in, the family quickly needs to find out what survivors' benefits are available to supplement the family's income. Chapter 4 walks you through all the various benefits that may be available. If the loved one was a veteran, there are a number of possible benefits to apply for. The Veterans Administration has benefits related to the funeral and burial of the veteran. The surviving family members may also be eligible for financial assistance.

Social Security also can provide financial help to eligible family members. In addition to the government programs, financial support for the family can come from pension plans or retirement savings accounts that the loved one set aside during working years. Use the Action Checklists in Chapter 4 to identify government, pension, and retirement benefits to stabilize family resources. Start with the Survivors' Benefits Quick Tips for a handy list of what you need to do to apply for each of these benefits.

Chapter 5 tells you what you need to do about any bank accounts. First, you need to locate all the various accounts; then, you should notify each bank of the death. The type of account and whose name is on it can make a big difference in what happens to the money. You'll find explanations of account types and what you need to take with you when you go to the bank. While at the bank, you will also want to learn how to access the safe-deposit box. The box may contain important documents or valuables that need to be inventoried.

Your loved one may also have left an investment portfolio, such as mutual funds, stocks, bonds, or other types of investment or retirement accounts. These assets need to be identified, valued, inventoried, and distributed. In Chapter 6, you will find out about all the different types of investments and what needs to be done to properly distribute or reinvest the money in the account. Depending on type of investment, the rules can differ. Who inherits the particular investment depends on how the asset was held. It is critical to know whether an investment is held jointly with another person or whether beneficiaries are named.
All the many kinds of insurance are discussed in Chapter 7. You may need to deal with life insurance, health insurance, homeowners’ insurance, and vehicle insurance. You’ll need to find all the various policies, notify the companies, and then take the various steps required to receive the proceeds, cancel the policy, or reestablish the policy in a different name. Life insurance proceeds need to be distributed to the named beneficiaries. You’ll work with the health insurance company to pay any medical claims related to the last illness or injury. If you were on your loved one’s group insurance plan, you may need to explore options to get health insurance for yourself and your family. Home and cars should continue to be insured, so it’s important to notify the insurance company of any change in ownership or use. Use the sample letter in this chapter to notify insurance companies of the death.

Where your loved one was living at the time of death dictates what steps need to be taken about possession or ownership of the property. Chapter 8 explores what happens to real property, be it an apartment, house, condominium, or time-share. What you’ll need to do depends on the type of living arrangement. If your loved one had been living in a nursing home or assisted living facility, it may be relatively easy to give notice and remove all the personal items. If he or she had been living alone in a rental, check the lease for how much time the family has to give notice to vacate, clean up the apartment, and get the security deposit returned. If the loved one had been living at home, what happens to ownership of the home depends on how the property was titled. When a spouse dies, the home may no longer feel right. Nevertheless, staying put may be the best choice for now.

Debts and what to do about them are covered in Chapter 9. You’ll find out how to know what debts need to be paid and don’t need to be paid as well as a caution on dealing with aggressive debt collectors. To prevent identity thieves from using your loved one’s personal information to open fraudulent accounts and rack up bills, be sure to notify the credit reporting bureaus of the death.

Just about everyone has stuff. When a person dies, someone has to make decisions about what to do with personal items. It could be a couple of suitcases or a whole house full of stuff. Knowing how best to deal with the personal things can be one of the most difficult tasks for survivors. It can be emotionally devastating to part with items that bring back wonderful memories of times together. On the other hand, family members are known to get into critical disagreements over knick-knacks. At all times, the wishes of the loved one need to be followed, but sometimes those wishes are not very clear. Use the What to Keep and When to Shred checklist in Chapter 10 for what you can get rid of and how long you need to keep important papers.

Not only do people have tangible stuff, they also have virtual possession. The online world includes social media accounts, electronic books, stored music, bank accounts, and travel rewards. Getting access to all these online accounts and assets requires usernames and passwords. If your loved one didn’t leave a list of accounts and passwords, you could be facing a big cleanup job. Chapter 10 also helps you through this maze on the ground and in the cloud.
Chapters 1 through 10 are about gathering information and taking the preliminary steps to settle an estate, including small details that need attention and big decisions that have to be made, no matter the size of the estate. Chapter 11 looks at the formalities of the probate process to officially close an estate. Large or small estate, will or no will, trust or no trust, there are legal requirements that must be followed when dealing with the assets that belong to someone else. Laws about titling assets, distributing retirement accounts, paying out insurance proceeds, managing assets in trust, receiving benefits, and opening safe-deposit boxes are in place to protect the interests of the decedent. It might seem that dealing with government representatives, bank officials, courts, insurance companies, and creditors is a never-ending hassle. The need for death certificates, documents, letters, notices, telephone calls, and e-mails can seem like barriers set up to complicate your life. The key to overcoming these frustrations is to focus on making sure you are honoring the memory and the wishes of your loved one with every step you take or decision you make.

The final chapter focuses on you. Stress is a natural reaction to the death of a loved one, but it can be harmful to your own health and well-being. Take care of yourself, even set aside some time to pamper yourself. Chapter 12 provides stress-relieving tips and suggestions for support.

My first book, *ABA Checklist for Family Heirs*, helps people get their own affairs in order before they die. By using checklists similar to those in this book, anyone can organize information about their family history, financial affairs, and wishes for the end of life. Doing so is a gift to other family members so that they will more easily know what the person had, be able to locate the important documentation they need, and feel confident that they are carrying out the loved ones’ wishes. This book is for those who have not had the benefit of that gift. Once you have worked through these checklists and know what it’s like to settle another’s estate, get a copy of *ABA Checklist for Family Heirs* for yourself so that you can give that gift to your family.

**How to Use This Book**

*ABA/AARP Checklist for Family Survivors* is not a book that you just sit down and read. Use it as a guide or workbook to help you understand what you need to know and what you need to do following a loved one’s death.

Each chapter starts with a personal To-Do Checklist that you use to identify the steps you need to take and the information you need to gather. For each item on the checklist, you will find an explanation of the steps, why you need to gather the information, and tips on where to look for it. At the end of each chapter are Action Checklists where you record and organize all the details.

To give you an overview of the many topics covered, you will probably want to start by looking through the To-Do Checklist and Action Checklist summaries starting at pages xvii and xxiii, respectively. In your first run through the checklists, check off the items that don’t apply to your loved one’s circumstances. Your loved one may not own many of the assets listed on the checklists. If so, indicate that they do not apply and move on. By going
through each checklist, you may quickly learn that there are lots of details you don’t have to worry about and can be assured that you aren’t overlooking something. You may find that you’ll want to start with a single section or checklist that is easy for you to accomplish.

Check off each item on the To-Do Checklist as you complete that step. Even though you might not have all the answers at first, take the time to find them. Some information will take extra thought or research. Once you’ve gathered the information, you need a place to keep it organized. Record what you’ve learned in that Action Checklist. Feel free to modify the checklists according to your family’s circumstances.

**Paper or Plastic**

You have the choice to write in the book or use your computer. This book is designed for you to write in, but you can also fill in the forms by using the CD-ROM included in the back cover. With the CD-ROM, it is very easy to fill out the checklists and make changes so that they are up-to-date. Using the CD also makes it easy for you to share collected information with others in your family as you work together to get everything done. Note in this book the file or folder name where you have downloaded the forms so that others can access them. As you complete a chapter online, you may want to print a copy and place the pages in a three-ring binder.

**A Word of Caution**

You are assembling a great deal of very personal information that, in the wrong hands, could be used to your loved one’s disadvantage. Unfortunately, there are unscrupulous people who do not have your family’s best interests in mind. They may even be people that you believe you should be able to trust. Although they may not admit it, some relatives may be more concerned about their own interests than in your loved one’s wants. Be cautious with the information you’re collecting and who you are sharing it with. The nosy neighbor, the distant relative, or the casual friend may not be able to keep such very private information confidential.