



ESTATE ADMINISTRATION
INFORMATION TO RELATIVES

It is hard to keep a clear mind when trying to deal with the shock of losing a loved one. All the resulting confusion, and having to attend to details you may have never faced before, responding to sympathy calls, talking to funeral homes, contacting pall-bearers, making church arrangements, etc. creates a time of enormous stress. The following information may help you in your time of sorrow, and enable you to better control a difficult situation.

IT WILL HELP IMMENSELY IF YOU CAN STAY ORGANIZED. Get a file folder and note pads. In order to keep all information together and in some order, start a file (a small brief-case will do; something with pockets and zipper is better). Keep a note pad and several ball point pens in it. Put all receipts in it. Put the burial contract in it. Keep copies of other documents, e.g., obit notices, bills, canceled checks, etc., in it.

Keep a note pad near each phone to write down who called and when. Keep one on the coffee table to record who dropped by, who house sat, who brought food, flowers, etc. Keep one near your office phone also. Then log this data immediately into the formal booklet the funeral home will provide.

FUNERAL ARRANGEMENTS: Of course contact the funeral home from whom the decedent purchased a burial contract; otherwise, get recommendations from friends and relatives. Contact the home as soon as possible to make arrangements. The family members involved (spouse and children) should all attend the first meeting at the funeral home, to select the casket, vault, type of services, etc. **DELEGATE ONE OF THE GROUP WHO IS CONSERVATIVE WITH FUNDS TO NEGOTIATE WITH THE FUNERAL DIRECTOR -- OR YOU WILL END UP SPENDING MUCH MORE THAN YOU SHOULD.** There is no stigma attached if you do not choose the most expensive casket and vault shown. Also remember to list and take the following to your meeting with the funeral director:

- Prepaid Plans: Are there prepaid plans? Take them. Almost always, the style/price plan of the casket selected by the loved one is no longer available and the prepaid plan is not adequate to provide all that is now required - police escort, special permits, gifts to singers, honorarium to pastor, pickup from another funeral home holding body, etc. Be prepared to carry your check book with you to the funeral home. There will be additional charges.

- Documentation that sets out the desires of the decedent regarding his or her funeral, burial, cremation, etc. Let the funeral home make copies, but retain any originals.
- Death Certificates: Order at least TEN (10). The funeral home will use three. (Certificates will also be needed by the estate attorney, and when settling each life insurance policy, each tract of land owned, each vehicle, each boat, each boat motor, each bank account, the IRS and Social Security, each employer/ employee plan, each joint-survivorship account and estate tax return. There may be credit card insurance plans also. Have one certificate for yourself; if needed, photocopies can be used if there are other heirs.)
- Decedent's Photograph: So that it can be run with the obituary.
- Decedent's Attire: What clothing do you want the decedent to wear? Is there a special dress or suit? What about eye-glasses, make-up, rings and jewelry? Also, the photograph will help show the mortician and hair stylist how you want the loved one to look.

You should get the following from the funeral home:

- A Contract: Make sure you get a copy of the contract with the funeral home. There is a law that requires the funeral home to give you certain pamphlets explaining its services and requirements, along with costs of various services.
- Names and Phone Numbers: Get business cards from the funeral director and other parties you deal with at the funeral home.
- Cards and Books: The funeral home normally gives you a box full of thank you cards and envelopes (for a fee, of course), along with a Guest Book for the funeral home and church services, and a formal booklet for entering who gave what and when, or who did what. Delegate someone in your family to make sure it is kept current. Make an estimate of how many thank-you notes will be needed.
- Headstone and Wording: Is there to be a headstone? Is there to be any special wording? What? Make sure there is a signed, written "work order" or engraving will be delayed.

DELEGATE DUTIES. Do not try to do all of this by yourself. Get your family members to assist, and delegate certain duties to each: someone to call friends and relatives,

someone to address the thank you notes, someone to keep the home guest books/gift lists filled in, someone to type the obituary you want (the funeral home will only draft a short one - you will need to prepare the longer one). Have someone make sure each food container and utensil is tagged for later return.

WILL EXPENSES BE SHARED? If expenses are to be shared, get arrangements in writing and signed. Better yet, get money paid in advance. Good intentions are sometimes slow in producing a check later when there are more pressing needs for that promised money.

WHAT ABOUT FLOWERS? If death occurs during holiday or weekend, it may be harder to locate a florist. List floral arrangements you will want:

- Wreath or spray for the casket.
- Wreath for front door of home. This is sometimes overlooked; do you want one?
- Wreath for front door of office - "CLOSED FOR DEATH IN FAMILY": Do not overlook this (or at least put a Closed sign on office door).

HOUSE AND YARD MAINTENANCE. Family members and friends will be walking throughout the home; mess and chaos are inevitable. If there is a volunteer(s) offering to help keep the house straightened and the lawn mowed, accept the offer. If possible, hire a maid to clean up before, during and after the funeral service. Just to be on the safe side, it might be a good idea to put away some of the most valuables - silverware, china, jewelry, etc.

LEGAL ADVICE. In general, unless you have some question regarding the terms of the pre-paid burial/funeral plan and/or the funeral contract submitted by the funeral home, there is no need to even consider contacting an attorney at this early stage. You may, however, need to do so if the attorney has the decedent's Will or other important papers, or something out of the ordinary has happened.

Be alert: If you feel the death may involve a wrongful death or malpractice claim, contacting a trial attorney immediately is highly suggested.

As to the LAST WILL AND TESTAMENT and PROBATE, there is no urgency to do so until the funeral is over and the out-of-town guests have left. Wills do not need probating immediately unless an unusual circumstance occurs in the family -- heirs arrive and want to partition or take assets immediately, want to make other problems, or want to argue about the type of funeral, burial, etc. Wills must be probated within four years of death or they become invalid; however, federal estate tax forms will have to be filed within nine months and certain elections made within that time frame. Certain assets may be

sold but title cannot be transferred without proper court papers. Do not wait too long in probating, since delay will normally result in higher costs later.

It is a good policy to locate the Will and safeguard it. It is a known fact that disgruntled heirs have, on occasion, located and destroyed Wills.

Make copies of the Will and Codicils for all family members BUT WAIT TO GIVE THEM UNTIL AFTER THE FUNERAL.

Locate all insurance policies and make a photo copy of the complete policy before sending it to the insurance company. The company will require you to return the complete policy. Keep a copy of the signed application form you will be required to sign.

You do not need to notify the executor until after the funeral, but do contact him/her and give a copy of the Will and Codicils. Consult with an estate attorney first. There may be no need to probate, but the probate code requires the executor to file a probate.

CHECK-LISTS

DID DECEDENT GIVE SPECIFIC BURIAL/FUNERAL INSTRUCTIONS FOR:

YES NO

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Cremation? |
| <input type="checkbox"/> | <input type="checkbox"/> | Ashes spread where: _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | Ashes kept in urn? Where? _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | Anatomical gift? |
| <input type="checkbox"/> | <input type="checkbox"/> | Masonic? other? _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | Military funeral? Bury in U.S. Cemetery? Where? _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | Church service? Name: _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | Funeral home service? |
| <input type="checkbox"/> | <input type="checkbox"/> | Rosary service? |
| <input type="checkbox"/> | <input type="checkbox"/> | Grave-side service? |
| <input type="checkbox"/> | <input type="checkbox"/> | Headstone included? |
| <input type="checkbox"/> | <input type="checkbox"/> | Open casket? |
| <input type="checkbox"/> | <input type="checkbox"/> | Other instructions: _____ |
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INFORMATION NEEDED FOR DEATH CERTIFICATE:	
FULL BIRTH NAME	
MARITAL NAME	
SOCIAL SECURITY NO.	
DRIVERS LICENSE NO.	
DATE OF BIRTH	
PLACE OF BIRTH	
CITIZENSHIP OF	
SPOUSE'S NAME	
MARITAL FACTS PLACE/DATE	
FATHER'S NAME	
MOTHER'S MAIDEN NAME	
DECEDENT'S OCCUPATION	
1ST CHILD BORN/ADOPTED: ALIVE?	
2ND CHILD BORN/ADOPTED: ALIVE?	
3RD CHILD BORN/ADOPTED: ALIVE?	
4TH CHILD BORN/ADOPTED: ALIVE?	
EDUCATION AND WHERE	
IN U.S. ARMED FORCES? If so give dates of service and list wars/actions involved in	
GIVE SERVICE NUMBER	
GIVE V.A. NUMBER	

Have you contacted the military service or will be funeral home be doing so? _____
Will the funeral home apply for any social security burial benefits? _____
Will the funeral home process the burial insurance? _____

IS THERE A PRE-ARRANGED FUNERAL/BURIAL PLAN? _____

DEFINE: _____

Contacted? _____ When and whom? _____

IS THERE A PRE-SELECTED FUNERAL HOME/MORTUARY? _____

NAME/ADDRESS/PHONE _____

Contacted? _____ When and whom? _____

IF DECEDENT HAD BURIAL INSURANCE, GIVE NAME OF COMPANY, POLICY NUMBER AND AMOUNT: _____

Do not overlook other types of insurance plans and death benefits.

CEMETERY PLOT: Give name and address: _____

Located the deeds/contracts? _____ Determined interment rights? _____

Space _____ for Husband; Space _____ for Wife; Spaces _____ for: _____

Have you viewed the cemetery's burial records showing the spaces used up? _____

Have you viewed the burial plot itself? _____

OBITUARY: List counties and list newspapers where the obit should be run:

ALWAYS OBTAIN PRICES IN ADVANCE AND ESTIMATE THE COST.

OBITUARY: Is it to mention ___church; ___family members (make a full list);
___education; ___military; ___special honors; ___organizations (Mason, Elks, Rotary,
Lions); ___occupation; ___pallbearers; ___honorary pallbearers.

Other info (look at some current ones in paper for format): _____

SUGGESTION: Have a family member quickly print out the obit the way you want it.
Remember, there is a time restriction on getting these to the newspapers.
Send copy of obit to or contact personally (church, societies, college, etc.):

PIANIST: _____ SOLOIST: _____

Addresses and phone numbers: _____

SONGS TO SING: _____

SONGS NOT TO SING: _____

ARE YOU PROVIDING ANY MUSIC: _____

PASTOR/PERSON TO OFFICIATE AT FUNERAL: _____

Address and Phone: _____

FLOWERS? _____ or in lieu of flowers, send donations to Decedent's favorite charity/church/organization: _____

PALLBEARERS: ___Picked by decedent; ___Picked by funeral home; Picked by church? Which _____

Names and addresses (for thank you notes): _____

HONORARY PALLBEARERS? _____ If so, list NAMES and ADDRESSES:

FAVORITE SCRIPTURE/POEM/INSCRIPTION to be placed in funeral brochure:

HEADSTONE MARKINGS: _____

CLOTHING, JEWELRY, GLASSES, ETC. to be worn by decedent:

SELECTING A FAVORITE COLOR PHOTOGRAPH of decedent? _____

Given to funeral home and newspapers? _____

Names and phone numbers of parties to be notified:

IN PERSON: _____

BY PHONE: _____

BY MAILING: _____

Find decedent's church membership directory, personal phone list, social club list of members, organization membership lists, etc.

What church or organization to HOUSE SIT while the funeral is being conducted?

HOUSE VACANT: Be sure to maintain lighting by timers. STOP THE NEWSPAPER DELIVERY OR HAVE SOMEONE DAILY PICK IT UP AT REGULAR TIME.

EXECUTOR NAMED IN WILL: _____

Present address and phone number: _____

Date notified: _____

DURABLE POWER OF ATTORNEY EXECUTED? ____ Note: These powers cease upon death. To terminate the power so that no bona-fide purchaser or lender can rely upon one already in their possession, death notice may be required to be recorded.

Recorded in what counties: _____

Name of appointed agent: _____

Addresses and phone nos.: _____

Where original kept: _____

Bring to attorney for reviewing, as it may be imperative to give termination notice as specifically spelled out in the document.

MEDICAL POWERS OF ATTORNEY? ____ Death terminates this power.

ORIGINAL WILLS: Where kept: _____

Attorney/address preparing Will: _____

Have you placed them in a safe place? _____

Who has been provided with copies? _____

LIFE INSURANCE (company name, policy number, insured amount, cash surrender value):

a. _____

b. _____

c. _____

Where are policies kept: _____

Name/address of agent: _____

Retain a photo copy of the policies before mailing them to insurer. Each of them will require an original death certificate.

INVENTORY OF ASSETS: Did decedent have an inventory? _____. If so, where is it being kept? _____

There is no need to start on an inventory until such time as you retain an estate attorney for probate or deciding if probate is necessary.

DO NOT ALLOW ANY PARTITIONING OR DIVISION OF THE DECEDENT'S EFFECTS UNTIL LEGAL ADVICE IS SOUGHT, OTHERWISE CRIMINAL LAWS MAY BE INVOLVED. IT IS ALMOST IMPOSSIBLE, WITHOUT A COURT ORDER, TO GET THESE ITEMS RETURNED TO THE EXECUTOR.

HOLOGRAPHIC CODICILS OR SPECIFIC GIFT INSTRUCTIONS? In many instances the decedent will have drafted an informal request as to some personal items and whom they should go to. Did this decedent leave such instructions? _____ Make sure the estate attorney gets this document for review.

SAFETY DEPOSIT BOX: Where: _____

Whose name is on it: _____

Who has keys: _____

Do not allow any asset therein to be removed until it has been inventoried with a bank official present. State law requires the bank to allow the widow and executor to open the box to inventory its contents and to remove any Will and life insurance policy therein or the bank can file the will with the court. Life insurance policies will be given to executor or named beneficiary. Otherwise, a court order will be required.

JOINT SURVIVORSHIP AGREEMENTS? ____ The agreement controls who receives those funds and not the decedent's Will. Normally all that is required is a death certificate. Community ownership rights therein could become a contested issue. Such survivorship rights may be created with stock certificates, bank accounts, savings, IRAs, retirement plans, car titles, mobile home titles, and deeds to realty. The estate attorney will have to sort this out.

JOINT CHECKING ACCOUNTS: Most joint accounts, both account owners place money therein; but sometimes accounts are created whereby a child or sibling is given joint checking privileges for "accommodation" purposes. This does not create survivorship rights and/or co-ownership rights, unless the bank documents contain such rights in the signature cards. Thus, it may become necessary to place a bank or savings on notice of death and the possible conflict of ownership claims to the account, and to do this in writing as required by law. Otherwise, the named co-signer on the account can withdraw all of those funds and the bank/savings would have no liability for having released the same.

Do you have knowledge of such accounts? _____

Is there a need to notify them in writing? _____

HOPEFULLY, THE DECEDENT HAD IN FACT SET UP A JOINT CHECKING/SAVING ACCOUNT AS ACCOMMODATION ACCOUNT SO THAT SOME FAMILY MEMBER CAN WRITE CHECKS FOR THAT PARTY IF SICK, HOSPITALIZED, OR DIES. Bring that check book and check writer to the funeral home.

ANATOMICAL GIFTS: State law allows hospitals and morticians to instantly remove the cornea of the decedent's eyes if there is no one present at the time of death, unless some notice is on the driver's license and medical examiner/ funeral home notified not to do so. What were the decedent's desires: _____
Was there an anatomical gift directive? _____

DO NOT PLAN TO DISPOSE OF ANY ASSET OF THE DECEDENT UNTIL SUFFICIENT TIME HAS HEALED SOME OF THE SORROW. WAIT AT LEAST A YEAR BEFORE CONSIDERING THE SALE OF ITEMS THAT NOW BRING BACK SAD MEMORIES. LATER, THOSE ITEMS MAY BRING BACK JOYFUL MEMORIES. MANY A SPOUSE OR FAMILY MEMBER HAS HASTILY DISPOSED OF CERTAIN PROPERTIES, PERSONAL AND SENTIMENTAL ITEMS THAT THEY LATER REGRETTED HAVING DONE. Discuss this with the estate's attorney. Of course, there may be items that must be disposed of or sold.

FINAL TAX RETURNS: Discuss with your CPA or tax return preparer, and estate attorney. Extensions may need to be acquired.

DECEDENT'S HOME NOW VACANT? Immediately consult with your insurance agent about new coverage, as the old policy may no longer be valid. Retain utilities for a while so that the home will look like it is being used; and have someone regularly check it. Vacant homes become vandalized quickly. If possible, have a family member move into the home. Pets of the decedent's need to be cared for and adopted by family members. Gather up all duplicate keys.

CASUALTY INSURANCE: Car policies and similar types of policies need to be looked into quickly. Check with your insurance agent immediately.

OTHER IMPORTANT INFORMATION FUNERAL HOME OR ESTATE ATTORNEY SHOULD KNOW: _____

Hopefully the trauma and confusion that you are now going through can be lessened somewhat by this memorandum. I know that it does not cover all scenarios, but it will cover most, at least some of the ones that I recall having to go through.

One last suggestion -- do see your family doctor immediately if you have trouble sleeping or have any medical complication. The doctor needs to know about your current pressures and grief.

If I can help in any other way, please let me know. Take care and God Bless. With my deepest sympathies, I remain

Very truly yours,

Natalie J. Miller
Attorney and Counselor at Law
For Law Office of Natalie J. Miller, PLLC