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After the Death of a Loved One: Estate Administration Checklist

You have just been appointed as an agent or "attorney-in-fact" under a durable power of atA death in the family is a traumatic and sad event. Family members and friends need time to grieve. While some are immediate steps that need to be taken sooner rather than later, others can wait until you feel ready to take them on. We have created the following checklist outlining important legal and financial tasks that ultimately will have to be carried out.

Immediate actions:

- ☐ Seek out any funeral, cremation, burial or memorial instructions, the decedent may have left behind, as well as wishes regarding organ donations.
  *If the decedent was a Veteran, contact the Department of Veteran's Affairs to determine if the decedent qualifies for burial and funeral assistance.
- ☐ Obtain at least five original death certificates and confirm that information listed on the death certificate is accurate (e.g., date of death, social security number, residence). In most instances, the funeral home can obtain the death certificates on your behalf.
  *Typically, the funeral home will also notify the Social Security Administration, but it is best practice to confirm that they will handle this step.
- ☐ Secure the decedent's home and ensure that family members and friends do not remove any tangible items.

Gather important papers:

- ☐ Collect mail (cancel subscriptions, memberships, if any). You may want to have mail forwarded to another address.
- ☐ Find out whether the decedent owned a safety deposit box. If so, locate the key and location to open the box as it may contain important legal documents or papers expressing their wishes.
  *You may not be able to gain access to the box until you have been appointed personal representative of the estate. If you can't locate the
  key, the financial institution will most likely not be able to open the safety deposit box without court permission.
- ☐ Locate the decedent's original Will and Trust, if any.

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- ☐ Locate the decedent's insurance policies, annuities, retirement and file claims on behalf of designated beneficiaries.
- ☐ Compile a list of current assets, their ownership, and their values: stock certificates, bonds, US Savings Bonds and other securities, motor vehicles, real estate
  *Any accounts held in the decedent's name alone are probate assets. The personal representative (formerly known as the executor) will need to obtain appointment by the probate court in order to marshal the decedent's asset. If the decedent has a taxable estate ($1million in Massachusetts), an estate tax return is due nine months from the date of death.
- ☐ Locate the decedent's tax returns.

Notify all financial institutions, government agencies and others of the individual's death:

- ☐ Decedent's employer
- ☐ Social Security Administration (the funeral homes generally takes care of this)
- ☐ Banks
- ☐ Veterans Administration
- ☐ Insurance and annuity companies
- ☐ Credit card companies (Cancel credit card and request that interest accrual terminate on any outstanding balance)
- ☐ Cell phone carrier, internet, etc.
- ☐ Credit bureaus (Equifax, TransUnion, Experian, Innovis)
- ☐ United States Postal Service

Hire help:

- ☐ Contact our office or another experienced estate planning attorney to assist with any of the above and to probate the estate, if applicable. If you have acquired any property as a joint owner from your spouse, it is imperative that you meet with an estate planning attorney to ensure your affairs are in order.
- ☐ Hire an accountant to handle the preparation and filing of decedent's final income tax returns and, if applicable, income tax returns for the estate and trusts.

Ultimately:

- ☐ Pay all of the decedents's debts.
  *Creditors have one year from the date of death to perfect a claim.
- ☐ Distribute remaining estate assets to beneficiaries.
- ☐ Prepare an account of estate assets, income, expenditure and distributions for the beneficiaries.