



# WHAT TO DO WHEN A LOVED ONE PASSES AWAY

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## WHAT TO DO WHEN A LOVED ONE PASSES AWAY

First, let us say that we are sorry for your loss. Dealing with the death of a friend or family member is never easy. Although we deal with these situations, and assist family members on a daily basis, it can not be understated that this is a stressful and challenging time for all involved.

With our clients in mind, we created this checklist to assist them with some of the non-legal tasks that need to be completed when someone passes away.

In a time of crisis, even the simplest details can get lost or overlooked. This list is designed to help you make sure you have the "big" items covered.

**DISCLAIMER: This list is not exhaustive, nor does it include legal advice. If you have concerns, please reach out to an attorney to discuss your situation.**

### Immediate Steps:

#### **Week 1 - The following should be done during the first week after death:**

- Make burial arrangements
- Order ten certified copies of death certificates
- Arrange for care for any animals
- Ensure that any minor children are with the nominated guardian, or family member until a guardianship is arranged
- Lock/inspect your loved one's home to make sure it is secure
- Start gathering a list of all financial accounts including bank accounts, IRAs, 401ks, brokerage accounts, 529s, etc.
- Start a list of known bills that the decedent had and/or any creditors that have outstanding balances (don't pay them yet)

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### Next Steps:

#### **Week 2 - These items are not emergencies, but should be dealt with after the intial steps:**

- Write thank you notes for funeral/flowers
- Locate the decedent's estate planning documents (including trust, will, and pay on death account information i.e., life insurance)
- File the original will with the Probate Court (must be done 30 days after death \$50 fee)
- Contact an estate planning/trust administration/probate attorney - this is especially important if you are nominated as trustee or executor
- Fill out and return insurance forms - if you are a beneficiary

#### **Week 3 - These items are mostly related to the collection of accounts:**

- Notify the Social Security Administration of the death
- Notify/check with the Veterans Administration
- Inform pay on death beneficiaries that they need to contact the company to fill out the require forms
- DON'T change the title of any bank accounts that have automatic deposits paid to them or automatic withdrawals from them

#### **Week 4 - More financial accounts:**

- Confirm that all bills are being paid (from accounts the decedent owned)
- Keep a ledger of all expenses paid on behalf of the decedent
- Check in with life insurance companies to see how payouts are coming, if they haven't paid out yet
- Confirm all property is adequately insured (cars, houses, etc.)
- File Petition for Probate (if applicable)

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Next Few Months:

### Month 2:

- Keep all medical bills and wait to pay them as they might be adjusted or reduced by insurance at a later date
- Confirm internment (burial headstone) was properly installed
- Confirm all credit cards have been closed. If not, close them
- Confirm with trust administration attorney\* that the proper notification packets (Notification by Trustee) were mailed to all heirs and beneficiaries - 60 days from death
- Close all electronic accounts that are not needed for the trust and/or probate administration

### Month 3:

- Confirm with the probate attorney\* what can be done while waiting for a hearing to open the probate - it could take months to get a hearing

### Months 4-6:

- If Trust, continue to pay bills and wait for contest period to expire
- If Probate, hopefully get a hearing
- In both cases, continue to seek counsel from your attorney
- Change ownership of any joint tenancy accounts/assets
- Collect any small accounts if able to (i.e. no probate, or small estate)  
Contact attorney for confirmation that this is applicable
- Work with professionals (CPA, Financial Advisor, Attorney) to determine next steps

*\*Not all cases require a probate AND a trust administration attorney, it is important to consult with an attorney if you have questions.*

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