

THE SKETCHLEY LAW FIRM, P.A.

Providing Compassionate Support & Guidance Through Elder Law & Guardianship

WHEN A LOVED ONE DIES

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When a loved one dies, there is much to do. Luckily, many of these matters do not need to be performed all at once, or before the family and friends have had a chance to grieve the passing of their loved one.

Handling the Body

If the decedent dies at home, there is no medical emergency, and grieving time can be taken before calling health professionals.

Regardless of the place of death, inquiry should be made with the treating physician and/or hospital staff to determine the requirements in establishing a cause of death. These individuals will also assist in the determination as to whether an autopsy is to be performed, which not needed in many cases.

A decision regarding organ donation needs to be made. If you are unsure about the decedent's wishes, examine the decedent's driver's license, advanced directives and speak with relatives.

It is then imperative to determine and follow the decedent's wishes regarding the disposal of the body. Relevant planning documents should be located, which may include the will or documentation of pre-paid arrangements. The decedent's attorney may have a copy if an original cannot be found.

Once the decedent's wishes are confirmed, funeral directors can assist in making the arrangements. The decedent may have already selected and/or prepaid for his/her arrangements.

Notification

Contact family, friends, clergy, employers (of the loved one and your own), and the decedent's attorney. One or more of these individuals can help with the arrangements, provide support, and also help make immediate arrangements for dependents and pets.

Depending on the circumstances, notify schools, the Dept. of Motor Vehicles, clubs, organizations, insurance companies (life or health), the Department of Veteran's Affairs, the Social Security Administration, accountants, banks and credit card companies to make the necessary arrangements or complete paperwork to terminate accounts and stop payments.

Handling the Estate

Debts should not be paid until speaking with your attorney, who will provide guidance regarding the treatment of creditors and the decedent's assets.

It is wise to cancel or update services, such as utilities, and open financial accounts in survivors' names.

Legal proceedings to administer the estate do not need to be started before funeral arrangements are made, though it is advisable to obtain several copies of the death certificate in anticipation of this process. In Florida, the loved one's will, if there is one, should be deposited with the court within 10 days after death.

If you would like one of our attorneys to come and speak to your group or organization about this topic, please contact Tracy Powell at (850) 894-0152. Past newsletters can be found at www.sketchleylaw.com.