

These instructions will help you prepare for your next meeting. To access additional materials referenced herein, consult the "Resources" page on our website at hhelderlaw.com

Alternatively, contact a firm team member at 317-787-8395 or intake@hhelderlaw.com for assistance.

1. Contact / continue coordination with a funeral home to care for the decedent's remains. *(as appropriate).*
2. See to appropriate care for any dependents / pets of the decedent. *(as appropriate).*
3. Locate the original of the decedent's current Last Will and Testament ("Will") and their Trust (if applicable). *If these documents were prepared by our office, we will possess a copy, and may possess the original.*
4. Ascertain the person(s) named under the Will to serve as "Personal Representative". This is the proper person to be undertaking the following steps.
5. Secure the decedent's former home / personal effects / etc. As to any vehicle or real estate, notify the decedent's insurance company of the death and verify that insurance coverage remains in place. *(as appropriate).*
6. For each party named as a beneficiary in the decedent's estate plan, create a list with their:
 - a. Full name
 - b. Date of birth (if under 18, otherwise note "Adult")
 - c. Current address, telephone number, and e-mail address,
 - d. If pre-deceased, provide a copy of their death certificate or obituary
 - e. Note if any beneficiary is a person with a disability.*If the decedent died 'intestate' (without a will), our office will facilitate identifying the heirs-at-law. The above data will be needed for those persons.*
7. Keep a record (attach receipts) of any / all out-of-pocket expenses incurred in facilitating the wind-up of the decedent's final affairs. We can help you coordinate reimbursement from the decedent's estate.
8. In the event you may seek payment for your work winding-up the decedent's final affairs, keep a record of your time. Note the:
 - a. Date,
 - b. What you accomplished,
 - c. How much time you spent completing the task.*We'll provide you an excel spreadsheet to facilitate completion of this recordkeeping on request.*

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9. Obtain death certificates for the decedent.
 - a. This is commonly facilitated through the funeral home.
 - b. Our office will copy an original death certificate and return the original to you.
 - c. Most banks, investment firms, etc., will copy & return an original death certificate.
 - d. A company with whom you are claiming assets by mail (life insurance / investing) will likely require and retain an original death certificate.
10. Identify the nature and extent of the decedent's assets, income, and debts / creditors by undertaking a review of the decedent's:
 - a. Personal effects / files / notes / papers
 - b. Mail
 - c. Tax records
 - d. Computer / personal electronic device contents
 - e. Safe deposit box / other long-term storage
 - f. Public Court Records through www.mycase.in.gov
 - g. Etc.
11. Using the asset listing form provided by our office, (or another form of your choosing), make a detailed listing of all assets in which the decedent held an interest at the time of their death. **For each asset, note:**
 - a. What is the asset? (real estate / time share / banking / investing [stocks, bonds, mutual funds, IRAs, 529 plans, annuity, etc.] / life insurance / vehicle / boat – RV / business interest / something else)
 - b. Who is the custodian? (bank / investment firm / etc.)
 - c. Who is the owner? (decedent / joint with surviving owner(s))
 - d. Does the asset have a pay-on-death (POD) beneficiary designation? If so, who is / are the beneficiary(ies)?
 - e. What was the value of the asset as of the decedent's date-of-death?
12. Provide documentation of each asset as able (deed to real estate / current bank acct. statement / car title / life insurance policy). We can assist you in obtaining materials not otherwise located in reviewing the decedent's effects.
13. Provide a copy of the decedent's most recently filed tax return & source documents.
14. Plan to receive & retain the statement on each asset starting with the statement including date of death data and going forward. These will need to be provided to the decedent's tax preparer for the trust / estate tax return.
15. Search for unclaimed property of the decedent online at: www.indianaunclaimed.gov/

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16. Identify the decedent's income sources.

Social Security Administration (SSA) Benefits:

- a. The funeral home will notify the SSA of the decedent's death. Generally, there is no need for further notice to the SSA.
- b. To be due a SSA benefit, the decedent must have lived every moment of the month.
NOTE: SSA benefits are paid in arrears. For example: a decedent who died on February 5th is still due their January benefit (paid / payable in February).
- c. Take note of the date on which the most recent SSA payment was received by the decedent and of whether any subsequent retraction occurs. Generally, the SSA will automatically retract an overpaid benefit. A wrongfully retracted benefit is able to be claimed by the next-of-kin.
- d. A one-time death benefit is payable to a surviving spouse **OR** to a dependent child upon application for the same.
- e. A surviving spouse may be entitled to receive the SSA benefit of their pre-deceasing spouse. This is particularly important when the decedent had a higher monthly benefit.

Follow-up contact should be initiated with the SSA when:

- a. A wrongful retraction occurs, or a payment for a prior month's benefit is not deposited.
- b. A death benefit is owed to a surviving spouse / dependent child.
- c. An evaluation of the future payment of the decedent's SSA benefit to a surviving spouse / dependent is appropriate.

Pension Benefits:

After receipt of a death certificate, contact each pension provider and advise of the pensioner's death. Ascertain the following:

- a. Does a death certificate need to be sent-in?
- b. When is the last pension payment? (Is any refund due? / Are any payments yet to be made?)
- c. Are there any other retiree benefits to be addressed (i.e.) Close-out of retiree insurance coverage? // Continuation of benefits to a surviving spouse?

17. Prepare a list of the decedent's debts / known creditors. For each debt ascertain:

- a. Creditor name & contact information.
- b. Debt type (mortgage / credit card / medical billing / private debt).
- c. Amount of debt outstanding.

Bring the most recent statement. Most, (if not all) of the above will be documented therein.

18. Ascertain the providers of the decedent's medical insurance coverage (Medicare, vision, dental, drugs, etc.)
- Traditional Medicare** coverage will close-out automatically.
 - Contact the providers for any private health, medical, vision, dental, and/or drug insurance to close-out coverage. Ascertain whether any premium was pre-paid necessitating a refund.
 - If the decedent received **Medicaid** benefits, bring their case # (starting with 600) to your meeting. There may be a recovery action against their estate to the extent of assistance received.

19. Your upcoming appointment details are as follows:

Appointment Date: / /

Appointment Time: _____

You are scheduled to meet with Attorney: (*Check applicable box*)

☐ **William J. Holwager**

☐ **Mark W. Holwager**

☐ **Ryan T. Hendershott**

☐ **Julie E. Downey**

To change your appointment, or to address urgent questions / concerns in the interim, contact our office.

WEB: hhelderlaw.com

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E-MAIL: intake@hhelderlaw.com

PLEASE TAKE NOTE:

- Do not transmit materials to our office in advance unless specifically requested to do so by a team member.
- HHPC is not responsible for your transmission of confidential documentation in a non-secure secure format (i.e. by unencrypted e-mail).
- Your receipt of this material does not create an attorney-client relationship.

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