



Legal Insurance



Dealing with a Death:
What to Do When a Loved One Dies

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It can be hard to know what to do when someone close to you dies. Sometimes it can feel like everything has been turned upside down. You're dealing with your own emotions and those of others. And at the same time, you have to make a lot of decisions – quickly.

These decisions can take a toll on everyone. Knowing what to expect can help a lot. Keep these guidelines in mind to help you when a loved one dies.

The Documents You'll Need

In the days shortly after your loved one's death, you may be asked to help get things in order or make big decisions. Locating these documents will help you carry out your loved one's wishes. Having these documents (or at least knowing how to get them) will help.

Will

This document will tell you what your loved one's plans were for their property and assets. After death, the person responsible for handling the deceased's estate (known as an executor) will need to file the will with the court so that your loved one's assets can begin being distributed according to their wishes. If your loved one planned ahead, they most likely gave a copy of the will to the executor. If no one knows where the will is or whether one exists, check with any attorneys your loved one worked with. Many people also keep wills in safe-deposit boxes. Note that you need the original will – not a photocopy. If your loved one doesn't have a will, the state will decide how assets are distributed.

Revocable trust

If your loved one has a revocable trust in which they are named as the trustee and you're listed as a successor trustee, you'll become the trustee upon your loved one's incapacity or death.

What if arrangements haven't been made in advance?

If the financial affairs for your loved one need to be managed during their incapacity, then guardianship or conservatorship proceedings might be necessary.

This can be costly and time-consuming. And the process could result in appointments of people as guardians or conservators based on family rank instead of ability or availability.

Death certificate

Funeral homes, as part of their services, will usually order multiple certified copies of the death certificate and give them to you. You'll need multiple certified copies to settle the estate, sell stocks, send to the life insurance company, etc. If you need more copies than what the funeral home gives you, you can order them directly from your state's division of vital records. To get a death certificate, you may need information like the deceased's Social Security card, their parents' names, parent's maiden name, surviving spouse's name, burial location, occupation at time of death and most recent address.



You'll also want to locate the following documents:



- Funeral and disposition wishes
- Life insurance policies
- Bank and credit union records and investments
- Credit card statements and other bills
- Assets and property deeds
- Partnership agreements and business financial records, if applicable

Organ Donation

If your loved one wanted to donate organs or tissues after death, you have to honor their wishes. If they didn't request organ donation, state laws permit certain agents and relatives (in a specified order of priority) to make those decisions. You can find details on state laws at organdonor.gov.

Making Final Arrangements

Hopefully your loved one left instructions (or even made arrangements) for the funeral. If not, then state law will determine who in the family makes decisions about the remains, funeral arrangements and payment.

Keep in mind that the person who makes the funeral arrangements with the service providers is the one who's initially responsible for the costs. If there's an estate (and enough assets), these costs can eventually be paid out of the estate.

What does a funeral cost?

According to the National Funeral Directors Association the average cost of an adult funeral – including viewing and burial – in the U.S. is over \$7,800¹ But costs can go a lot higher, so make sure you know your rights as a consumer.

The [Federal Trade Commission created a consumer protection rule](#) just for funerals. It gives consumers the right to:

- Goods and services purchased separately (instead of as a pre-packaged funeral arrangement).
- Price information on the telephone – without giving a name or contact information.
- A list of all items and services offered and the cost of each.
- A separate container price list (outer burial containers aren't required by law; but they may be required by the cemetery).
- A written statement showing what's being purchased and the cost(s).
- A written description of any legal, cemetery or crematory requirement that requires the consumer to buy specific goods or services.

People to Notify:



In the stress, confusion and sadness that usually comes with making final arrangements, it can be overwhelming to try and remember everyone you need to notify about your loved one's passing. Here's a list to help you get started:

- Immediate family and close friends
- Attending physician, coroner or funeral home
- Rabbi, priest or pastor as appropriate
- Attorney
- Employer
- Local community or fraternal organizations

Final Arrangements Checklist:



- Arrange for funeral home, cemetery, burial or cremation, as appropriate
- Plan final services, viewings, wakes or memorials
- Write obituary and distribute to local papers and funeral home websites
- Locate safe deposit box(es); follow state-specific procedures
- Keep records of all payments for funeral and other expenses
- Investigate Social Security benefits
- Find out about employee benefits
- Locate any veteran's burial allowance and other benefits
- Notify fire, theft, liability, homeowners and auto insurance carriers
- Notify life insurance, pension and any employer benefits
- Review credit cards, bank accounts, debts and other installment payments; cancel or close if appropriate
- Arrange for trust allocations
- Arrange for final income tax returns and estate tax return

Benefits

Was your loved one receiving benefits from government organizations? You'll want to contact the appropriate organizations to let them know about the death. Your loved one's next of kin may be eligible for benefits as well. Below is contact information for the most common government organizations that provide benefits.

Social Security

Many times the funeral home will contact Social Security to notify them of the death. They will need your loved one's Social Security number to do this. To report the death yourself or find out whether someone is eligible for the deceased's benefits, call 800-772-1213 (TTY 800-325-0778) or contact your local [Social Security office](#).

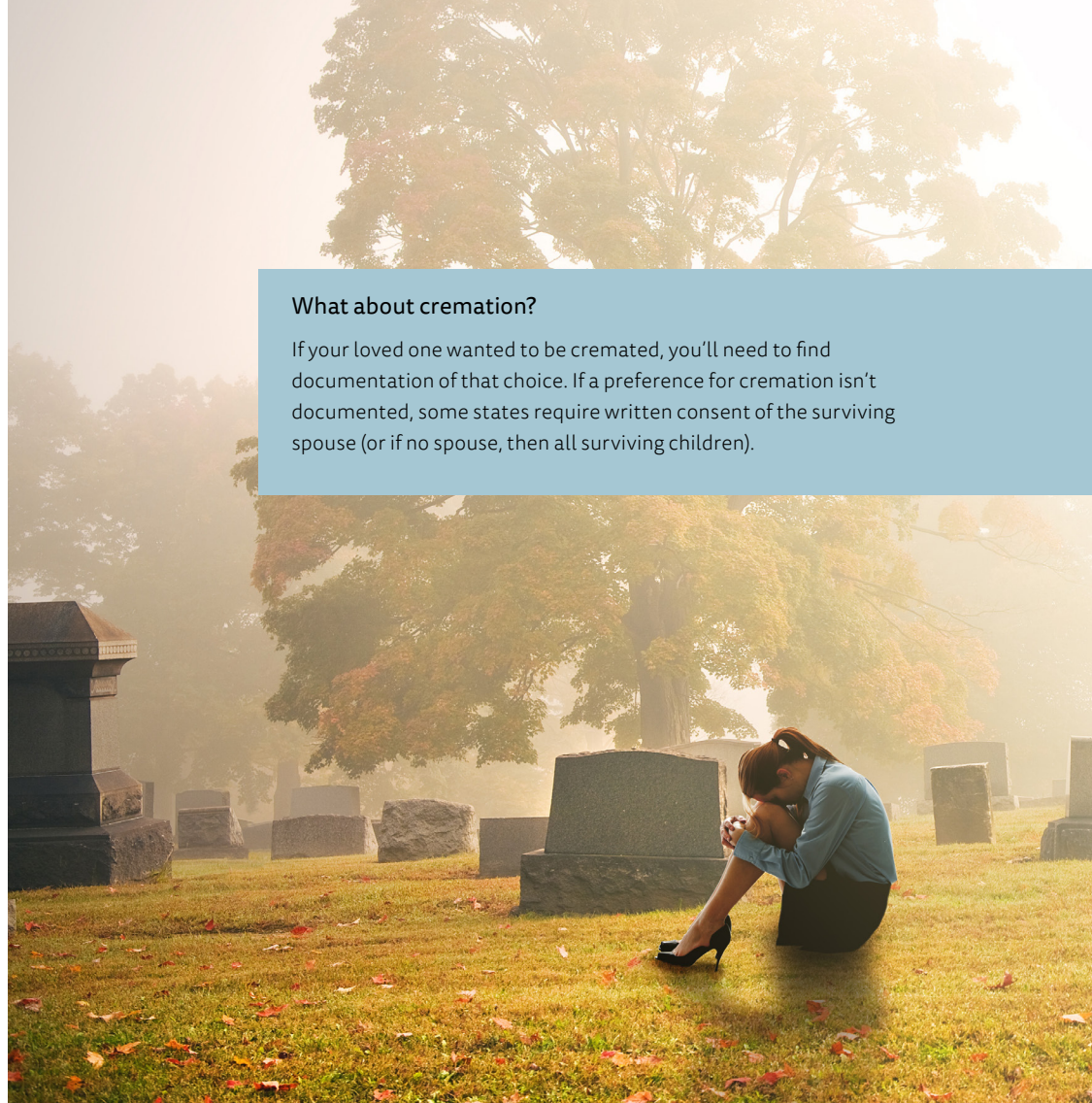
Veterans Affairs

If your loved one was a veteran, you may be eligible to have some funeral and burial expenses paid for. [Apply for burial benefits online](#). Some veteran's spouses are also eligible for survivor benefits. Visit the [VA website](#) to learn more.

Managing Social Media Accounts

After a loved one dies, it's important to have a trusted family member gain control of their social media accounts. To designate someone as the caretaker of your digital accounts, create a list of your user names and passwords and keep it with your will and final instructions in a secure, yet accessible location.

You should also check to see if your loved one set up a [legacy contact](#). For iPhones, a legacy contact manages the data on the phone after death, including photos, messages, notes, files, apps, device backups and more. On Android phones, this is called Google's inactive account manager, and it allows someone to specify what data the contact has access to.



What about cremation?

If your loved one wanted to be cremated, you'll need to find documentation of that choice. If a preference for cremation isn't documented, some states require written consent of the surviving spouse (or if no spouse, then all surviving children).

Take Control with ARAG



If you have questions or aren't sure where to turn, ARAG can help. Visit [ARAGlegal.com](#) to learn more about how ARAG legal coverage gives you an affordable way to manage legal matters.

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¹National Funeral Directors Association Statistics. 2023. [nfd.org/news/statistics](#)