

AFTER A DEATH OCCURS – A Checklist



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Here is a checklist of important things to do when someone close to you dies in Washington State.

This can be a very overwhelming and emotional time. It is a good idea to read this checklist *before* a death occurs, in order to plan and understand the practical steps of this difficult process.

It is also helpful to keep all the important information in one location and tell someone where you keep it.

The words “deceased” and “decedent” mean “the person who died.” “Estate” is the property belonging to the person who died.

This checklist is an excerpt of the *Handbook for Washington Seniors: Legal Rights and Resources*, by Legal Voice. Specific chapters in the *Handbook* are referenced for more information throughout this checklist. See the Resources at the end of this checklist for information on how to get a copy of the *Handbook*.

1. Immediate Steps

- Call 911 right away if there is an unexpected death in your home. The medical team will help you figure out the next steps. If the deceased was receiving hospice care, call the hospice.
- If a death is expected to happen soon, call your doctor or your hospice to discuss what to do when or if a death happens in your home.
- Most deaths occur in hospitals and other places such as nursing homes. Talk to the staff about their process.
- Contact close family and/or friends of the deceased, the deceased’s doctor (if a hospice is not involved), and the deceased’s lawyer, if any. If the deceased cared for dependents (for example, grandchildren), make arrangements immediately for their care.
- Look for any written instructions (sometimes called a “Letter of Instruction,” “Final Instructions” or “Disposition Authorization”) for funeral or memorial service arrangements, and burial or cremation arrangements. Also look to see if the deceased named a “Designated Agent” to take care of those arrangements (sometimes this is included in the deceased’s Advance Directive documents such as in their Durable

Power of Attorney for Health Care, or in a Living Will). If not found, ask close friends, the deceased's doctor or the deceased's lawyer if they know where these instructions are. Also, look for any pre-paid services, such as burial services or cremation.

For more information about who is responsible under Washington State law for these after-death arrangements, see the "Funerals, Burials, and Cremation" section of the Dealing with Death chapter in the *Handbook for Washington Seniors: Legal Rights and Resources*.

- Look for records of the deceased person's desire to donate organs or tissue (usually noted on a Washington State driver's license with a red heart symbol or the word "Donor," or mentioned in the deceased's "Final Instructions"). Give this information to the deceased's doctor or hospice immediately (or before the death, if possible).
- If you are the named "Designated Agent" (or if none, you are the person allowed by Washington State law to automatically be the Designated Agent), you should arrange for funeral or memorial services, and burial or cremation. Washington State usually requires embalming if the body will be held or transported more than 24 hours after death.

For more information about Designated Agents and after death arrangements, see the "Funerals, Burials, and Cremation" section of the Dealing with Death chapter in the *Handbook for Washington Seniors: Legal Rights and Resources*. Also, see the listings under Funerals, Burials, Cremation and other Information in Resources at the end of this checklist.

- Death Certificates: You can order certified copies of the death certificate from the funeral director. Often you can get them from the local Department of Health office in the county where the death occurred, or from the Washington State Department of Health.

Generally, you will need one certified copy of the death certificate for each major asset, such as cars, land, or bank accounts, for which you will need to transfer ownership. You may also need a certified copy for items such as life insurance policies, veterans' survivor benefits, and annuities. Certified copies are expensive (approximately \$20- \$32 each, plus fees). Ask if a non-certified photocopy is allowed, or if the company would return the original certified copy to you so you could use it later.

2. Next Steps - Locate Important Papers

Find the deceased's important papers and documents as soon as possible. If necessary, ask close family, friends, or the deceased's doctor or lawyer if they know where these important papers can be found, and the location of a bank safety deposit box, if any.

- Safety Deposit Box** - In Washington State safety deposit boxes in banks of the deceased are not sealed after a death. Anyone who has legal access still has the right to open the safety deposit box. Important documents such as a Will and "Final Instructions" letter might be in the safe box.

To learn what to do if no one is available with legal access to the safety deposit box, see the listings under Estate Administration, Safe Box Access, and other Legal Help in Resources at the end of this checklist.

- The Will** – First, find out if the deceased left a Will and/or a Trust.

If there is a Will, notify the Personal Representative named in the Will (and the Trustee, if named in a Trust) right away. The Personal Representative is responsible for taking care of the deceased's estate and for following the terms of the Will, while the Trustee is responsible for managing the Trust. Sometimes the Personal Representative is called the "Executor" or "Executrix".

In Washington, a valid and signed Will must be filed with the Superior Court, usually in the deceased's county of residence, within 30 days of the death. This is an extremely important step to complete if there is a Will.

- **If there is a Will and/or Trust**, give all of the important papers to the Personal Representative and/or Trustee as soon as possible.
- **If there is no valid Will**, the court will administer the estate according to Washington State law. See the "Probate and Estate Administration" section of the Dealing with Death chapter in the *Handbook for Washington Seniors: Legal Rights and Resources* for more information about what happens when there is no valid Will.

See the "Probate and Estate Administration" section of the Dealing with Death chapter in the *Handbook for Washington Seniors: Legal Rights and Resources* for more information. For other resources about wills, estate administration, probate, and other legal help, see the listings under Estate Administration, Safe Box Access, and other Legal Help in Resources at the end of this checklist.

- Other Items** – Locate other important papers and documents as soon as possible, such as:

Deeds, Titles and Promissory Notes/Loans

- Real Estate Property deeds (including any recent appraisals)
- Mortgage documents (including promissory/loan notes)
- Other Promissory or Loan notes (including loans owed to the deceased)
- Vehicle titles and registrations (car, boat, RV, etc.)
- Membership certificates

Insurance Policies

- Life insurance (including premium payment records)
- Accidental life insurance
- Veterans' insurance
- Employers or pension insurance
- Funeral insurance (or other death-related benefit plans)
- Mortgage and/or credit insurance
- Credit card insurance (for balances)
- Health insurance (including Medicare or Medicaid, "Medigap" insurance, private health insurance, dental, and Long Term Care insurance)
- Property insurance (homeowners/renters insurance, car insurance, etc.)
- Workers' compensation insurance (and payment records)

Financial Accounts

Including most recent statements for all accounts, and the list of Beneficiaries, if any.

- Bank accounts - checking, savings, CD's, etc.
- Investment/brokerage accounts, IRA's, 401-K's, etc.
- Stocks and bonds
- Annuities
- Credit and debit card accounts
- User names and passwords for any online accounts
- List of safety deposit boxes, where to find keys, and names of authorized users

Other Financial Records

- Survivor annuity benefit papers
- Employer/retirement benefit (pension) plans, pension/profit-sharing plans, etc.
- Veterans' benefit records
- Disability payment documents (State, Veterans', etc.)
- Income statements for the current year (Social Security, pension, IRA's, annuities, employment and other income records)
- IRS income tax returns (for the current and previous year)
- IRS gift tax returns (if any, for all years)
- Property tax records and statements
- Business interests held, financial statements and agreements, contracts, etc.
- Loan papers
- Other - investment records, etc.

Legal Papers

- Will and/or Trusts
- Deceased's Final Instructions, Disposition Authorization, and/or Designated Agent forms (sometimes included in an Advance Directive such as a Durable Power of Attorney for Health Care, or in a Living Will)
- Pre-paid funeral contracts
- Organ/tissue donation record
- Social Security card (or number)
- Birth certificates (of all family members)
- Marriage license or certificate
- Military service papers, including discharge records
- Domestic Partnership Registration
- Court documents for adoptions and divorce (including any property settlement agreements, name changes, prenuptial agreements, etc.)
- Community Property Agreements
- Driver's license
- Passport, citizenship, immigration and/or alien registration papers

Personal Information

- Names and contact information of closest family and friends
- Names and contact information of all lawyers, accountants, doctors, etc.
- Family Tree, if available (especially if there is no Will).
- User names and passwords for online accounts (including email accounts, financial records, social media accounts, etc.).
- Passwords to access computers, cell phones and other electronic devices.

3. Practical Steps and Information

- Make a list of regular bills to have as a reminder. Be sure to note if any are on automatic payment plans and note when payments are due.
- Give all unpaid bills to the Personal Representative (if any) to be paid.
Some examples of bills to locate:
 - Utility bills (electric, heating, telephone and/or cable TV, internet, cell phones, water/sewer/garbage, etc.)
 - Long term debts (home mortgages, bank line of credit, car loans, etc.)
 - Rental payments (home, apartment, assisted living, or nursing home, etc.)
 - Credit card bills
 - Insurance bills (health, Long Term Care, homeowner's, car, life insurance, etc.)
 - Property tax bills (if paid separately and not included in home mortgage)
- Access to bank accounts: If you are a co-signer or have a joint account with the deceased, you should be able to use some of the money in the account to pay the regular bills of the deceased. Keep detailed records of all the bills you pay and any withdrawals of cash from the account.

If there are no joint owners or co-signers, you cannot access the deceased's bank account until a Personal Representative is approved by a court process. Then, the Personal Representative usually is able to access the accounts to pay bills, etc. For more information, see the "Probate and Estate Administration" section of the Dealing with Death chapter in the *Handbook for Washington Seniors: Legal Rights and Resources*.

- Power of Attorney: If you were the holder of a Power of Attorney (sometimes called an "attorney-in-fact" or the "agent") for the deceased, your authority to act under the Power of Attorney ends at the time of death. The only exception to this is if you were also listed in the Power of Attorney as the deceased's "Designated Agent" for after-death arrangements. In this case, you will have the authority to make funeral or memorial arrangements as well as burial or cremation arrangements.
- Check and take care of the deceased's home, property, and pets, if necessary. Put valuables (cash, jewelry, collectible items) in a safe place. Be sure the house is locked, if no one is home.
- Contact the Post Office (listed in the telephone directory as United States Postal Service) with forwarding information, if necessary. Stop all deliveries of unneeded newspapers, home care services (such as meal delivery or nursing services), and cancel any appointments for doctors, dentists, etc.
- Email Accounts: Keep all email accounts open for at least several months if at all possible, because important correspondence (including bank statements, etc.) might only be accessible through email accounts. You will need to locate the User Name and Password for each account.
- Cancel services that are no longer needed (such as cell phones, internet, or cable TV). Do not cancel utilities, as they may still be needed.

4. Notification of Death (and Check for Benefits)

Once you have notified all close family and friends, the deceased's doctor and lawyer (if any), and the Personal Representative and/or Trustee (if one is named in a Will and/or Trust), you (or the Personal Representative) should give notice of the death as soon as possible to the agencies and companies listed below.

At the same time, you (or the Personal Representative) should check and apply for any death benefits or survivor benefits from these organizations. This is money paid after a death to the person or persons named as "beneficiary". A "beneficiary" is a person who receives money or property, such as from the deceased's life insurance policy, retirement pension, or annuity.

It can take two or more months for benefits to arrive, so be sure to start soon. Call these offices to find out their requirements, such as sending a certified copy of the death certificate. Make a note with the date you made your calls, and write down what is required as a reminder of what you need to do.

Contact information for many of these offices is listed in the Resources section at the end of this checklist (see [Notification of Death and Checking for Benefits](#)).

Here is a list of some agencies and companies to notify:

Social Security: You must notify the Social Security Administration of the death, and apply for any possible Social Security death benefits and survivors' benefits. Many funeral homes will report the death to Social Security, but you will still need to contact the Social Security yourself as soon as possible, to check and apply for benefits. You will need the deceased's Social Security number and date of birth. The Social Security office automatically notifies Medicare of the death. If the deceased was receiving Social Security payments, the payment for the month of the death must be returned to Social Security. Contact the deceased's bank to return the full month's payment as soon as possible. Social Security will then send a new payment adjusted to reflect the date of death. For information on Social Security and survivors' benefits, see the Financial Benefit Programs chapter in the *Handbook for Washington Seniors: Legal Rights and Resources*.

Date & Notes: _____

Landlord, Assisted Living, Nursing Home, or Other Rental: If applicable, notify the deceased's landlord, rental agency, or administration office (for Assisted Living or Nursing Home) as soon as possible, to discuss lease or rental agreements, and important moving out dates, if necessary. Ask about the possible return of the deceased's security deposit.

Date & Notes: _____

Insurance Companies: Contact all the insurance companies on the list you made from the deceased's records. This includes policies that might pay death benefits to the beneficiary or beneficiaries named in the policy (such as life insurance or annuities). Contact an insurance company if you see its policy might pay for account balances (such as for mortgages, credit cards or other loans).

Date & Notes: _____

All other insurance companies (property insurance, health and dental insurance, Long Term Care insurance, etc.): Notify each of the death so that the policy can either be changed or canceled. Ask for any unused premium to be returned to you.

Date & Notes: _____

Employee Pensions and Benefits: If you are listed as the employee’s beneficiary, contact the deceased’s employer and ask about any possible death benefits, retirement annuity or pension plans, and life and health insurance coverage. Unions and other professional organizations may provide benefits also. Note: Sometimes you must return the deceased’s final monthly pension payment to the pension company before they send a new, adjusted payment. If the deceased was employed, notify the employer.

Date & Notes: _____

Veterans Affairs: If the deceased was a veteran, notify the VA to ask about possible death and burial benefits, and also for survivor’s benefits. For information about Veteran’s survivors’ benefits, see the “Veterans’ Benefits” section in the Financial Benefit Programs chapter in the *Handbook for Washington Seniors: Legal Rights and Resources*.

Date & Notes: _____

Banks, Financial Institutions, and Credit Card Companies: If you were a co-signer or had a joint account with the deceased, you must notify the bank or other financial institutions (including credit card companies) of the death. For joint accounts “with the right of survivorship” the survivor owns all of the money in the account, but you still must notify the bank of the death.

Date & Notes: _____

Office of Financial Recovery, DSHS: If you are the Personal Representative, or you are responsible for the deceased's estate, you must send notification of the death to Washington State's Office of Financial Recovery (OFR). Notification is required for any possible “Estate Recovery” which might be due if the deceased (or deceased’s spouse) had certain Long Term Care medical services paid by Medicaid and Washington State. For more information, see the memo *Estate Recovery for Medical Services Paid for by the State* listed in the Resources section at the end of this checklist under the [Estate Administration, Safe Box Access, and other Legal Help](#).

Date & Notes: _____

Washington State Department of Revenue (DOR): The DOR must be contacted if the deceased had either:

- A small business and owes any Washington State business taxes, or
- A very large estate (with \$2 million or more in assets) and owes estate tax.

See the *Small Business Guide*, by the Department of Revenue for information about closing or changing a business after a death occurs. Also see the “Probate and Estate Administration” section of the Dealing with Death chapter in the *Handbook for Washington Seniors: Legal Rights and Resources* for more information about paying other taxes and debts, such as IRS taxes and estate taxes. See Resources at the end of this checklist.

Date & Notes: _____

Washington State Department of Labor & Industries (L&I), Crime Victim’s Compensation Program: Contact this agency for help and possible benefits if the death was the result of a criminal act.

Date & Notes: _____

Washington State Department of Labor & Industries (L&I): Notify this agency for possible Worker’s Compensation benefits if a job-related injury or illness caused the death.

Date & Notes: _____

Credit Bureaus: It is recommended that the three major Credit Bureaus are notified of the death, to help avoid possible identity theft. These Credit Bureaus are Equifax, Experian and TransUnion.

Date & Notes: _____

5. Final Steps

See the Dealing with Death chapter of the *Handbook for Washington Seniors: Legal Rights and Resources* for your next steps, including the “Funerals, Burials, and Cremation” and “Probate and Estate Administration” sections. The “Probate and Estate Administration” section includes information about paying the deceased’s debts, bills and taxes, and explains how the deceased’s assets are transferred.

Feedback

We hope this checklist has been helpful. If you have any feedback regarding this checklist or the information provided, please send an email to info@legalvoice.org. Your feedback helps us improve our materials and keep information up to date. *Thank you.*

Resources

General Resources

- *Handbook for Washington Seniors: Legal Rights and Resources*, by Legal Voice: This book and a wide range of other free and low-cost legal publications are available for free on the Legal Voice website. You may also purchase a hardcopy (\$10) online or by phone.
By phone: 206-682-9552, ext. 114.
Online: www.legalvoice.org; click on “Tools & Resources,” then “Handbook for Washington Seniors”
- Nolo.com: Legal information and publications for Personal Representatives (“Executors”) and others about settling estates, probate, and much more.
Online: www.nolo.com/legal-encyclopedia/executor-probate
- WashingtonLawHelp.org: Legal self-help information and resources for seniors, including dealing with death and probate issues.
Online: www.washingtonlawhelp.org/issues/aging-elder-law/wills-probate-other-advanced-directives

For Funerals, Burials, Cremation and other Information

- Federal Trade Commission (FTC): Free publications (both available in Spanish)
By phone: 1-877-382-4357 (toll-free) Eastern Time
Online: www.consumer.ftc.gov/blog/planning-funeral-know-your-rights
 - *Paying Final Respects: Your Rights When Buying Funeral Goods and Services*
 - *Shopping for Funeral Services*
- People’s Memorial Association (PMA): A Washington State non-profit organization providing education, consumer information and legal resources about cremation, burial, and other issues after a death occurs.
By phone: 1-866-325-0489 (toll-free)
Online: www.peoplesmemorial.org/funeral_education/ (see the Links & Resources tab for legal resources and more)

- Washington State Attorney General’s Office: Information on “Dealing with Death” issues, including funerals and consumer protections, death certificates, state laws & rules:
By phone: 1-800-551-4636 (toll-free; in-state only) or 206-464-6684
Online: www.atg.wa.gov/dealing-death

For Death Certificates

- Washington State Department of Health, Center for Health Statistics:
This office will give you the contact information for the local Department of Health in the county where the death occurred. If the death occurred three or more months ago and the death certificate is no longer available at the local Department of Health office, you can apply directly to this office.
By phone: 360-236-4300 or 1-800-525-0127 (toll-free)
Online:
www.doh.wa.gov/LicensesPermitsandCertificates/BirthDeathMarriageandDivorce
- Public Health Seattle & King County, Vital Statistics: For death certificates, if the death occurred in King County.
By phone: 206-897-4551 or 1-800-325-6165, ext. 6-4768 (toll-free)
In person: 908 Jefferson St, 2nd Floor, Seattle WA 98104
Online: www.kingcounty.gov/healthservices/health/vitalstats/death.aspx

For Notification of Death (and to Check for Benefits)

- **Credit Bureaus**: Send a copy of the deceased’s Death Certificate to each of these three credit bureaus, to help avoid identity theft:
 1. Equifax
By phone: 1-888-766-0008 (toll-free)
By mail: PO Box 105139, Atlanta, GA 30348
Online: www.equifax.com
 2. Experian
By phone: 1-888-397-3742
By mail: PO Box 4500, Allen, TX 75013
Online: www.experian.com
 3. TransUnion
By phone: 1-800-680-7289
By mail: PO Box 2000, Chester, PA 19022
Online: www.transunion.com
- Office of Financial Recovery, DSHS: For legally required notification of a death in the state of Washington. Send notice of death (including the deceased’s Social Security number and copy-of death certificate), by certified mail with return receipt requested. For more information, see the Columbia Legal Services publication *Estate Recovery for Medical Services Paid for by the State* (listed below under **For Estate Administration...**).

By phone: 1-800-562-6114 (toll-free)

By mail: PO Box 9501, Olympia, WA 98507-9501

Online: www.dshs.wa.gov/esa/dcs-office-financial-recovery/office-financial-recovery

- Social Security Administration: For notification of death and to check for benefits, either by phone or in person at a local Social Security office.
By phone: 1-800-772-1213 (toll-free) Eastern time; TTY: 1-800-325-0778
In person: Call for the location of your local Social Security office.
Online: www.socialsecurity.gov/survivors/ (for information only; you cannot report a death or apply for benefits online)
- Veterans Affairs: For notification of death and to check for benefits (or contact the Washington State Department of Veterans Affairs – see next listing).
By phone: 1-800-827-1000 (toll-free) Eastern time
Online: www.va.gov/opa/persona/dependent_survivor.asp
- Washington State Department of Veterans Affairs: For information on Death Benefits and Survivor Benefits for Veterans.
By phone: 1-800-562-2308 (toll-free)
Online: www.dva.wa.gov/i-am-survivor
- Washington State Department of Labor & Industries (L&I): Contact immediately if death was due to work-related illness or injury.
By phone: 1-800-LISTENS (1-800-547-8367) (toll-free) for claims;
1-800-4BE-SAFE (1-800-321-6742) (toll-free) to report workplace fatalities
Online:
www.lni.wa.gov/Safety/TrainingPrevention/Help/ReportFatalityHospitalization.asp
- Washington State Department of Labor & Industries (L&I) Crime Victim's Compensation Program: Contact for help if death was due to a crime.
By phone: 1-800-762-3716 (toll-free); (TTD) 360-902-5797
Online: www.lni.wa.gov/ClaimsIns/CrimeVictims/Homicide
- Washington State Department of Revenue (DOR): Contact DOR if the deceased owes any Washington State taxes (such as business related taxes or estate taxes, if applicable).
By phone: 1-800-647-7706 (toll-free) (for business taxes); 360-534-1403 (for Estate taxes)
Online: www.dor.wa.gov
 - *Small Business Guide*: Includes information on closing a deceased's business, go to the DOR website, click on "Doing Business," then click on the guide's title under "More Information"

For Estate Administration, Safe Box Access, and other Legal Help

- *Dealing With the Death of a Loved One*, by Estate Planning Council of Seattle:
Also of interest is *The Fiduciary's Handbook*, and the *Guide to Estate Planning*. All are available to view online, or you can purchase a hardcopy.
Phone: 206-504-4968
Online: www.epcseattle.org/cat/publications1.cfm
- *Estate Recovery for Medical Services Paid for by the State*, Columbia Legal Services
Online: www.washingtonlawhelp.org; in the search box at the top of the web page, type the publication's title, then click on that title in the search results.
- *Handbook for Washington Seniors: Legal Rights and Resources*, by Legal Voice
By phone: 206-682-9552, ext. 114
Online: www.legalvoice.org; click on "Tools & Resources," then "Handbook for Washington Seniors"
- Senior Services (Seniors Rights Assistance): For King County seniors. Call or check online for a list of King County probate lawyers, and other consumer issues for seniors.
By phone: 206-448-5720 or 1-800-972-9990 (toll-free)
Online:
www.seniorservices.org/financiallegalprograms/SeniorRightsAssistance/AdditionalResources.aspx
- Washington Probate website, by Richard Wills, Esq.: This website gives detailed information to help understand Estate Administration, the probate process and what forms are needed.
Online: www.wa-probate.com
 - Gaining access to a safety deposit box:
www.wa-probate.com/Instructions/Opening/Access-Safety-Box.htm
 - If the person did not leave a Will:
www.wa-probate.com/Instructions/Opening/Opening.htm#Petitioning
- Washington State Bar Association: Legal resources and information for the public. Includes local lawyer referral services for all WA counties, referral program for discounted legal help for moderate income ("Moderate Means Program") and free legal help for lower income residents, tips on finding lost wills, etc. Also legal memos (Probate, Wills, Trusts), located online in the Consumer Information tab.
By phone: 1-800-945-9722 or 206-443-9722
Online: www.wsba.org/the-public

Grieving

- People's Memorial Association (PMA): Maintains a resource list for grief support.
By phone: 1-866-325-0489 (toll-free)
By email: info@peoplesmemorial.org
Online: www.peoplesmemorial.org/grief-support.html

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

Updated by Janne Endreo and Chloë Phalan, 8/24/15. Resource listings updated 3/16/15.

Acknowledgements June Krumpotick and Anne Bradley Counts for their work on previous versions of this memo.

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