Utah
Retirement Systems

Suddenly Single

Essential Legal and Financial Steps You Need to Take During the First Days and Weeks

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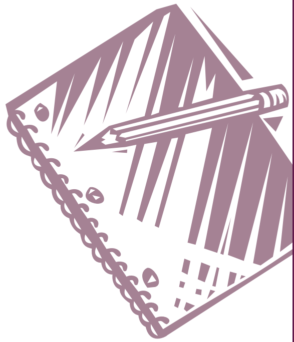
Would you be caught off-guard if your spouse were to die suddenly? What tasks would you have to confront in the first few days and weeks?

The whirlwind of demands suddenly put upon you at the passing of your beloved can numb, exhaust and bewilder a new widow(er). Some of your first tasks will occur simultaneously; individual needs will impose others. Although women are five times more often bereft than are men, this information applies to all.

1. Locate important papers.

Know where they are now—before you need them. If burial instructions and funeral plan documents, the will or trust agreement, deeds, and insurance policies are not filed safely at your home, they'll most often be in a safe deposit box at your bank. If you can't find the key to your box and no one else has one, call the bank. If you present a certified copy of the death certificate and picture ID, the bank can, for a fee, drill the box open.

Copies of wills may be also filed with district or probate courts for safekeeping, although courts discourage the practice. Salt Lake City probate and trust attorney Mark R. McDougal advises, "If you know the name of the attorney who prepared the will, oftentimes he'll have originals or duplicates in his office."



To pinpoint the location of all your financial and legal papers, fill out a *Record of Important Documents and Valuable Property* available from Utah Retirement Systems.

2. Contact funeral director, crematory, memorial society, or donation center.

Chances are you've discussed your spouse's preferences and made burial or other arrangements. You're probably aware if organs or body were to be donated. Instructions to that effect will likely be among your important papers. Funeral home personnel can ably guide you through arrangements and related decisions.

If you feel comfortable asking them, family or friends can answer telephone calls, arrange hospitality for visitors, coordinate meals, and arrange for someone to stay at your home during the funeral. (Would-be burglars read the obituaries to know when a home will be vacant.)

3. Get copies of the death certificate.

You can get certified death certificates for a small fee within 3-4 days of death by contacting your state's Bureau of Vital Statistics*. Since you'll need a death certificate when you make insurance or retirement benefit claims, or transfer accounts and titles, plan to order several copies depending on the number of transactions you need to make. Photocopies are usually not accepted.

**In Utah: Office of Vital Records and Statistics — 801-538-6105 or www.health.utah.gov/vitalrecords*

4. Contact your spouse's personal representative or executor, if it's not you.

If you are the executor, you can expect to:

- open a bank account to segregate monies due the estate
- inventory assets, which may include professionally assessing their present value
- collect all monies due the estate, such as insurance
- apply for a tax identification number if the estate's value exceeds the federal estate tax threshold. (This figure rises annually through 2010.) Otherwise the Social Security number is ok.
- begin probate, as necessary
- file IRS Form 56 — *Notice Concerning Fiduciary Relationship*
- list claims against the estate and pay all bills
- alert creditors by publishing notification of death
- sell assets as necessary
- prepare tax returns and pay tax liabilities
- distribute assets to heirs (a survivor's inherited assets generally receive favorable tax treatment)
- prepare an accounting for the courts

A word about probate.

If your and your spouse's names appear together on your statements of assets, you are considered "joint tenants with full rights of survivorship" and should have no trouble changing names on or accessing assets so titled. These assets are not subject to probate. "If you're not listed on the title but are designated as your spouse's beneficiary, or the title says 'husband and wife,' you own an undivided half of the property [or asset] and your spouse's estate owns the other half, and probate must begin," says attorney Mark McDougal.

5. Notify the Retirement Office.

If your spouse was a member of the Retirement Systems, we'll ask you for his/her Social Security number, the date of death and a death certificate. When there is no continuing benefit to you, this is all we'll need. If you're eligible for a continuing or lump-sum benefit, or a life insurance payment, we'll mail you the necessary forms to be completed and returned. If your spouse was retired, we'll explain what to expect regarding his/her final monthly benefit check.

Because of varying provisions among the several retirement systems, we'll rarely be able to give you specifics at the time you notify us. However, as soon as we have the information to determine the nature of the benefit due, we'll contact you. A continuing benefit of a retired member will usually begin the month following the date of death.

If you were the member and your deceased spouse was not, you should fill out a new beneficiary designation.

6. Call the Social Security office.

If you ***or*** your spouse are receiving Social Security benefits, a toll-free telephone call notifying the SSA office will do. If you ***and*** your spouse have been receiving Social Security benefits and you are 65 or older, you'll receive the larger check of the two. If you're between the ages of 60 and 65, you may receive a reduced amount.

If ***neither*** you nor your spouse were receiving Social Security benefits before his death, you become eligible if you're 60 years old or have a child age 16 or younger or who was disabled before age 22. A certified death and marriage certificate are required. For Social Security questions, call (800) 772-1213.

7. Submit insurance claims.

You may be eligible for life insurance from sources listed below. You'll need documentation, such as policies or proof of employment or enrollment.

- Privately purchased policies
- Veterans' benefits
- Your spouse's work or the Worker's Compensation Fund
- Mortgage insurance
- Auto or travel club policies
- Creditor insurance, covering card balances or loans

Private Policies: Contact the insurance company directly or through your agent. You'll need a certified death certificate. Expect settlement to take up to three weeks. You can often select different payout arrangements. *Note:* even insurance policies that appear to have expired may have some cash value.

Work: Contact the Human Resource Department of your spouse's former employers to see if any life insurance policies may be in effect, or whether he or she might have undisbursed money in a savings plan.

Workers Compensation: If your spouse's death was work-related, you may be eligible for Worker's Compensation benefits. In Utah call (801) 288-8000 or visit www.wcf-utah.com.

Auto Policies: Additional coverage may exist under your auto policy or, if death was due to an accident caused by another driver, that driver's auto policy. Check any club or association policies for separate benefits.

Veterans' Benefits: VA reimbursement of certain burial and burial plot expenses, pension payments and educational assistance depend on the circumstances of death, his/her discharge status, and financial need. If your spouse died in a VA Hospital or was receiving monthly VA disability checks, you're eligible for funds toward a burial plot as well as burial expenses. All veterans are eligible for grave markers or headstones. Apply to your local VA office or call (800) 827-1000.

If your spouse was covered by GI life insurance, write: Veterans Administration Regional Insurance Center, Whipple Federal Building, Fort Snelling, St. Paul, MN 55111.

Mortgage Insurance: Mortgage insurance pays the remainder of your home's loan balance should the primary wage earner die. If you carry a mortgage on your home, contact your mortgage company.

Creditor Insurance: If you own a credit card or have an active loan, check with the card sponsor or lender to see if you have insurance that would pay off the card/loan balance.

Auto and travel clubs you belong to may also provide insurance benefits.

And Then...

Once you've completed these priority tasks, it may dawn on you that you're doing what you may have felt you could never do — live without your sweetheart.

Even though you may be without your best friend, you can still largely decide what you wish the rest of your life to be.