

Utah Retirement Systems

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(401(k), 457, IRAs)**

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**Utah
Retirement Systems**

Suddenly Single

**Essential Legal
and Financial Steps
You Need to Take
During the First Days and
Weeks Following the
Death of Your Spouse**



Suddenly Single



The whirlwind of demands suddenly put upon you at the passing of your beloved can exhaust and bewilder a new widow or widower. However...

Understanding the nature of your tasks in the days and weeks ahead can impart a sense of order and calm. Here, then, is a view of your priorities.

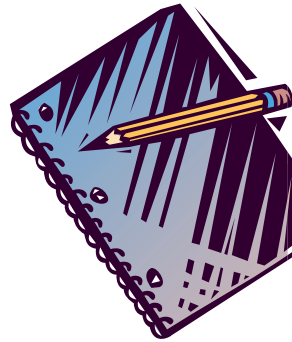
1. Contact the funeral director, crematory, memorial society, or donation center.

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.

You should assign family or friends to answer telephone calls, arrange hospitality for visitors, coordinate meals, and secure your home during the funeral.

2. Locate important papers.

Ideally, you'll know where they are now — before you need them. If burial instructions and



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

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. If you know who prepared the will, he or she may have kept copies on file.

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. The funeral home may offer to do this for you.

**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 appraising 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 (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. Says a Salt Lake City attorney, "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; therefore, probate must begin."

5. Notify the Retirement Office.

If your spouse was a member of the Retirement Systems, notify us of his or her death and provide us with a copy of the death certificate. We can then determine whether you're entitled to any retirement benefits. If you're eligible for retirement benefits, we'll notify you in writing. If your spouse was retired, we'll explain what to expect regarding your spouse's final benefit check. If your spouse was not a member of the Retirement Systems, but you are, you should complete a new BENEFICIARY DESIGNATION.

If you're a beneficiary for your spouse's URS 401(k), 457, or IRA, we'll provide you with the forms to transfer the funds to your name, as we will with any other beneficiaries.

6. Call Social Security (SSA).

If you *or* your spouse were receiving SS benefits, notify SSA at 800-772-1213. If you were living with your spouse who was receiving SS benefits, no benefit is payable for the month of death. However, you will receive a one time payment of \$255 (2009).

If you *and* your spouse have been receiving SS benefits and you're 65 or older, you're eligible to receive the larger check of the two. If you're age 60 to 65, you may receive a reduced amount.

If *neither* you nor your spouse were receiving SS benefits before death, you and certain family members may be eligible for a benefit if you're 60 years old, provided the deceased worked long enough under Social Security to qualify for benefits. Death and marriage certificates are required.

7. Submit insurance claims.

You may be eligible for life insurance or other benefits from the sources following. You'll need documentation, such as policies or other evidence of eligibility.

- Privately purchased policies
- Veterans' benefits
- Your spouse's work or workers' compensation
- Mortgage insurance
- Auto and related policies
- Credit life insurance, covering card balances or loans

Private policies: Contact the insurance company directly or through your agent. You'll need a certified death certificate. Settlement may take several weeks, but you can often select from among different payout arrangements. *Note:* Even insurance policies that appear to have expired may have some cash value.

Veterans' benefits: Spouses of veterans can be reimbursed for some burial and plot expenses where the veteran was receiving VA compensation or pension and death was related to service or a service-connected disability (or died in a VA facility). A monthly pension payment and other benefits are available in some circumstances. Other income-based aid is available for widows of wartime veterans with a low income and high medical expenses, including nursing home or assisted living. All veterans qualify for grave markers or headstones, for burial at the State Veterans' Cemetery, and an honor guard and burial flag. The funeral home will make arrangements. To learn more, contact the VA Regional Office at 800-827-1000 or at www.cem.va.gov.

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

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 workers' 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. Auto and travel clubs or associations you belong to may also provide insurance benefits.

Mortgage life insurance: Mortgage life insurance pays the remainder of your home's loan balance should the policy holder(s) die. If you carry a mortgage on your home, contact your mortgage company.

Credit life insurance: If your spouse had an active loan, check with the lender to see if he or she had credit life insurance that would pay off the card or loan balance.

A caution: The recently widowed are frequent targets of compassionate sounding but untrustworthy financial advisors. *Decline them without regret.* You'll have ample time to become familiar with reputable counselors and investments.

And Then...

Once you've completed these priority tasks, it may dawn on you that you're doing what you thought 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.