
What To Do When Someone Has Passed

After a person has passed away, a legal pronouncement of death should be made, either by contacting a doctor or a nurse, who can assist with arranging for transportation of the deceased. You should also notify the deceased's doctor or county coroner. Your loved one may have already chosen burial or cremation arrangements, and the funeral home or crematory can also assist with helping you obtain necessary paperwork, like a death certificate.

Notifying family and friends is important, as well as notifying the deceased's employer. The type of professional you may need to contact are estate attorneys, accountants, life insurance agents, or the Social Security Administration, or any other agency that provided benefits to the deceased.

What Do Testate and Intestate Mean?

Testate

When a person dies **testate**, this means they have died **with** a Last Will and Testament. The original Will should be with the deceased's important documents, items like their birth or marriage certificate, or their Social Security card. These items may be located in the deceased's home or apartment, or in a safety deposit box at a bank. On rare occasions, a Will may be at the office of the attorney who drafted the document.

A Will is either a typed document prepared by an attorney, or a handwritten document signed by the decedent. A handwritten Will is referred to as a "Holographic Will" and its contents and validity are subject to state law.

If you have been named as the Executor of a Will, you will be the estate's representative before the court, and will work to determine the deceased individual's heirs, assets, and liabilities. As an Executor, you are not personally liable for any of the deceased's liabilities, but you will need to follow the court procedures throughout the estate process. A court's estate department cannot give you legal advice and will not assist you with filling out forms.

Intestate

When a person dies **intestate**, they have died **without** a Last Will and Testament. Many people worry that dying without a Will means that the state will step in and take the deceased person's assets, but this is not the case. A qualified individual may apply to the court to become the



Administrator of the estate and will become responsible for determining the deceased individual's heirs, assets, and liabilities. The qualification of an Administrator is determined by state law, and may involve the process of **renunciation**, in which more qualified individuals will either voluntarily or involuntarily surrender their right to qualify as Administrator.

Do I Qualify For a Small Estate?

There is an option for Small Estate Administration, which is an option for someone who has died testate or intestate. In order to qualify, the deceased's estate must be valued at less than a certain amount determined by law, which varies depending on other qualifiers. A small estate proceeding can save time and money, but is may not be ideal for all situations that qualify.

What Documents Will I Need?

Ready to Get Started?

Prior to your appointment with an estate attorney, you should gather the following documents for the estate administration process:

- Original Last Will and Testament and Codicils (*if applicable*)
- Original Death Certificate
- Social Security number of the Deceased
- List of bank accounts of the Deceased including: Bank Name, Account Number, Value of Account At Date of Death. (*This should be accomplished by obtaining the bank statement from at or around the time of death.*)
- Signature Cards from Joint Bank Accounts. (*Requested from the bank.*)
- Inventory of Personal Property and its Value
- Certificates of Title for Vehicle (*if applicable*)
- The Names, Ages, and Mailing Addresses of any beneficiaries in the Will (*if applicable*)
- The Names, Ages, and Mailing Addresses of any heirs entitled to the estate (*for intestate individuals*)
- Copy of the Paid in Full Funeral Bill (*or copy of the bill with the remaining balance*)