



SUDDEN LOSS RESOURCE

WHAT TO DO IF A FAMILY MEMBER, FRIEND, OR LOVED ONE DIES WITHOUT A WILL

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SUDDEN LOSS RESOURCE WHAT TO DO IF A FAMILY MEMBER, FRIEND, OR LOVED ONE DIES WITHOUT A WILL

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The purpose of this checklist is to help provide a basic resource for the friends and loved ones of Texans who pass away, expectedly or unexpectedly, without a will (although parts of this checklist will apply even if the deceased has a will).

This guide is not all-encompassing. It is intended to provide general information only and is not a substitute for legal counsel. If you have a specific legal problem, please consult an attorney. The laws and resources discussed herein are subject to change.

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I. Steps to Take Immediately After the Death of Your Loved One

- 1. Get a legal pronouncement of death.
 - If a doctor is present, they will take care of this.
 - If the person dies under hospice care, call the hospice nurse.
 - If the person was not in a healthcare facility or under medical supervision (e.g., hospice care or care facility) call 911 immediately so that a medical professional can assist you with getting a pronouncement of death.
- 2. Ensure the well-being of the deceased's dependents and pets.
 - Ensure the immediate well-being of the deceased's dependents and pets, and start to consider your long-term plans for them.
- 3. Notify family and friends.
- 4. Ensure the deceased's property is secured.
 - Check on the deceased's personal property, including their home(s) and car(s), and make short-term plans for maintenance. Consider contacting neighbors to watch the home if it will be left unattended.
- 5. Notify employer(s) and/or retirement account manager(s).
 - Call the employer's Human Resources Department to notify them of the death.
 - Ask the employer about remaining benefits that are still due (for information, see Section **Arrange Funeral or Burial Services**).
- 6. If receiving Social Security, notify the Social Security Administration to prevent any further payments, which will have to be returned.
 - The Social Security office needs to be notified as soon as possible about the death of your loved one.
 - ❖ Funeral homes may report the death. Double-check with them to see if they did.
 - ❖ If the funeral home did not report the death of your loved one and/or you need to apply for benefits, contact:
 - Phone: 1-800-772-1213
 - Hours of operation: 8 a.m. to 7 p.m., Monday through Friday
 - Specific questions about benefits and their limits can also be answered on the website: <https://www.ssa.gov/benefits/survivors/ifyou.html>.

- Or contact your local Social Security office directly (<https://secure.ssa.gov/ICON/main.jsp#officeResults>)
- If the deceased was receiving monthly benefits from Social Security, then you will have to return their direct deposit or check that they received for the month of their death and any later months.
 - ❖ If the deceased received payments through direct deposit, leave the funds in the account and Social Security will reverse the deposit.
 - ❖ If the deceased received payments through check, do not cash their checks for the month of their death or any later months.
 - ❖ Note: Social Security payments are paid one month behind. For example, benefits for February are paid in March. Accordingly, if the deceased died in February, you will have to return the benefits received by direct deposit or by check in March.

II. Arrange Funeral or Burial Services

A. Funeral or Burial Service

1. Deceased had plans in place

- Locate the will or other notarized legal document (e.g., Appointment of Agent to Dispose of Remains or pre-arranged burial plan) of the deceased that details the burial or funeral arrangements.
- Contact the funeral home identified, if any, and arrange for the delivery of the deceased.
- If the instructions are unclear or there is an unresolvable dispute about who has the right to make the decisions, contact a lawyer. Often, if not specifically detailed in the deceased's instructions, it is the right of the decedent's surviving spouse or adult children to make decisions regarding funeral or burial arrangements.

2. Deceased did not have plans in place

- If the deceased did not leave prearranged funeral plans or any direction on how to proceed then it is often up to the decedent's surviving spouse or adult children to make the decisions regarding the funeral or burial arrangements. If there is unresolvable conflict on who should be making the decisions, contact a lawyer.
- If you plan to have a funeral for the deceased, consider these things when planning:
 - ❖ Select a funeral home.

- ❖ Make decisions about whether you want the deceased to be buried or cremated.
- ❖ Select the type of service you want for the deceased. Options include: religious, non-religious, or military services.
- ❖ Choose where you want to have the funeral and arrange the visitation service. The type of service you select will likely help dictate this. Some options include: churches, synagogues, mosques, funeral homes, or ceremony halls. The Texas Funeral Director's Association, www.tfda.com, may be able to assist you in locating a licensed funeral provider in your area.
 - Select speakers, readings, and music for the service.
 - Select pallbearers for the service if there is a casket.
 - Consider including a memorial display or video production of the deceased's life during the service.
 - Consider purchasing a registration book to collect guest's signatures.
 - Arrange flowers and music for the service.
 - Contact the funeral home and/or cemetery about arranging transportation of the body from the funeral to the cemetery.
- ❖ Schedule an officiant or clergy member.
 - You may find a funeral officiant online and contact them directly, or ask the funeral home if they have recommendations.
 - Alternatively, consider contacting the deceased's or your local religious organization.
- ❖ Choose where you want the deceased to be buried or where you want the ashes to be interred or held. This decision will dictate whether you need to select a casket, burial container, and/or vault.
- ❖ If you choose a burial, contact the cemetery directly (if separate from the funeral home) to discuss purchasing a plot and grave marker.
 - You should also:
 - ◆ Consider the accessories you want the deceased to be buried with including clothes and jewelry.
 - ◆ Discuss with the funeral director about the cosmetology options for the deceased.
 - ◆ Discuss cemetery maintenance standards with the cemetery.

- ◆ Consider whether you want to have an open-casket ceremony.
- ❖ Make decisions about the arrangements at the cemetery, including whether you want a service held at the gravesite or burial site.
- ❖ Consider organizing a post-funeral or post-service reception.
- ❖ Consider choosing a charity that mattered to the deceased so family and friends can make charitable contributions in memory of the deceased.

3. Veterans

- Contact the U.S. Department of Veteran’s Affairs (the “VA”) directly if you have questions about eligibility, requirements, and burial options.
 - ❖ VA website: <https://www.va.gov/>
- Additional VA webpages to help guide you:
 - ❖ Eligibility for burial in a national cemetery
<https://www.va.gov/burials-memorials/eligibility/>
 - ❖ Eligibility for burial in a private cemetery
<https://www.va.gov/burials-memorials/eligibility/burial-in-private-cemetery/>
 - ❖ Navy’s Burial at Sea program
<https://www.va.gov/burials-memorials/eligibility/burial-at-sea/>
 - ❖ Eligibility for bereavement counseling
<https://www.va.gov/burials-memorials/bereavement-counseling/>
 - ❖ Scheduling a burial for a veteran or family member:
<https://www.va.gov/burials-memorials/schedule-a-burial/>
 - ❖ Requesting:
 - Burial flag
<https://www.va.gov/burials-memorials/memorial-items/burial-flags/>
 - Veteran’s headstones, markers, and medallions
<https://www.va.gov/burials-memorials/memorial-items/headstones-markers-medallions/>
 - Presidential Memorial Certificate (PMC)
<https://www.va.gov/burials-memorials/memorial-items/presidential-memorial-certificates/>

- Burial allowance (eligibility dependent)

<https://www.va.gov/burials-memorials/veterans-burial-allowance/>

- ❖ Applying for veteran's benefits as the survivor

<https://www.va.gov/pension/survivors-pension/>

B. Out-of-State Funeral or Burial Service

- If transporting your loved-one across state lines, it is helpful to:
 - ❖ Consult your home state's burial and transportation requirements.
 - ❖ Contact the funeral home at your selected destination so that they can help coordinate transportation with your local funeral home.
 - If transporting ashes domestically by plane:
 - ❖ Check:
 - TSA guidelines
 - Airline requirements
 - State requirements for transporting remains to that destination
 - ❖ You will also likely need an actual cremation permit, certified copy of the death certificate, and an x-ray-able cremation container.
 - ❖ Note: There are additional, often stricter, requirements if you plan to transport cremated remains internationally by plane. Contact the receiving country's embassy for specific requirements.
 - Consular offices in Texas
- <https://www.sos.state.tx.us/border/intlprotocol/embassies/>
- If shipping ashes domestically or internationally:
 - ❖ The U.S. Postal Service (USPS) offers the only legal method of shipping cremated remains:
 - Check their guidelines: <https://faq.usps.com/s/article/Shipping-Cremated-Remains-and-Ashes>
 - Check destination requirements for cremation transportation.
 - If the death of a U.S. citizen occurred abroad, contact the U.S. embassy or consulate. The consular officers will provide information on options including transport or burial. *See* Consular offices in Texas, above.

C. No Funeral Service

If the deceased's family chooses not to have a funeral service, consider other ways to memorialize the person:

- Celebration of life party.
- Ash-spreading ceremony. Please check with the appropriate representatives to gain permission prior to spreading ashes on private property.
- Selecting a charity so that friends and loved ones can make charitable contributions on behalf of the deceased.

D. Obituary

- Consider preparing an obituary for the deceased and submitting it to a local newspaper and/or an online publication.
- Consider what details you want to include and the people who will help you prepare it.
- Things to consider when writing the obituary:
 - ❖ Including their full name, date of birth/age, date of death, and hometown.
 - ❖ Including a brief summary of their lives.
 - ❖ Including the names of surviving family members and deceased family members.
 - ❖ Sharing funeral or memorial service details.
 - ❖ Noting where to send flowers or donations, if applicable.
- Do not include home address information to protect the deceased's home from theft.

E. Organ/Tissue Donation

- If the deceased agreed to join the organ donor registry when applying for a Texas driver's license then a Hero's Heart symbol will be located on the face of the license. However, the heart is not a confirmation of their donor registration status because they could have removed their name from the registry.
- If the deceased from Texas dies in another state, their registration information will be accessible in the national "Donate Life America" registry network.
- Family members will only be contacted by recovery specialists if the deceased is a likely candidate for organ, eye, or tissue donations.

- If the deceased is a likely donor and not registered, then a recovery specialist may approach the next of kin for consent.
- For more questions, visit: <https://www.donatelifetexas.org>.
- Check the documents of the deceased to determine if they donated their body to medical research. If so, follow up with the organization to notify them of the donor's death.

F. Funeral and Burial Assistance

1. Social Security

- If the deceased was receiving or eligible for Social Security, then you may be eligible to receive a one-time payment of \$255, often called the “burial benefit.”
 - ❖ Payment is made to a surviving spouse or child who is eligible for benefits on the deceased's record.

For more information, or to claim the benefit and report the death, contact the local Social Security office or call the national Social Security number at 1-800-772-1213, or visit the Social Security website at <https://www.ssa.gov/benefits/survivors/ifyou.html>

2. Crime Victims

- Crime victims may be eligible for funeral reimbursements. Examples of potentially reimbursable expenses include: caskets, urns, flowers, grave markers, and transportation of the deceased over 50 miles.
- Compensation for dates of crime after July 14, 2016 is limited to \$6,500, not including transportation costs.
- <https://www.texasattorneygeneral.gov/crime-victims/crime-victims-compensation-program/funeral-cost-reimbursement>
- Toll Free Number: 800-983-9933.
- Austin Number: 512-936-1200.

3. Natural Disaster Victims

- The Federal Emergency Management Agency (FEMA)
 - ❖ An individual may qualify for reimbursement of certain funeral arrangements for declared disaster-related losses.
 - ❖ Call 1-800-621-3362 or go to www.disasterassistance.gov.
 - ❖ To apply for COVID-19 Funeral Assistance, call 1-844-684-6333.

4. Burial or Cremation Assistance

a. Texas Department of State Health Burial or Cremation Assistance Registry

The Texas Department of State Health Services maintains a registry of free common burial or low-cost private burial services.

<https://www.hhs.texas.gov/providers/health-care-facilities-regulation/burial-or-cremation-assistance-registry>

b. Local County Government

If you are seeking financial burial or cremation assistance, contact your local county government.

- *Travis County*

- ❖ 512-854-1440

- ❖ <https://www.traviscountytx.gov/health-human-services/burial>

- *Bexar County*

- ❖ 210-335-0757

- ❖ <https://www.bexar.org/3571/Pauper-Burial-Assistance>

- *Harris County*

- ❖ 713-696-1952

- ❖ <https://csd.harriscountytx.gov/Pages/Bereavement.aspx>

c. National Organizations that will Help Fund Funeral and Burial Expenses

- *Children's Burial Assistance* (<http://childrensburial.org>)

- ❖ This organization helps families cover the burial expenses associated with the burial of minor children.

- ❖ Eligibility: families without life insurance for their child or without money saved to bury them.

- ❖ Questions: 404-507-6310 or email childrensburial@gmail.com

- ❖ Apply online: <http://childrensburial.org/about/apply/>

- *The TEARS Foundation* (<https://thetearsfoundation.org>)

- ❖ This organization provides financial funeral assistance for babies from 20 weeks gestation to youth up to 22 years old.

- ❖ Questions: 253-200-0944 or email office@thetearsfoundation.org
- ❖ Apply online: <https://thetearsfoundation.org/application/>
- *Funeral Consumers Alliance* (<https://funerals.org/>)
 - ❖ This organization can help people find low-cost funeral and burial options.
 - ❖ Funeral Consumers Alliance of Central Texas
 - ◆ Questions: 512-480-0555 or email office@fcactx.org
 - ◆ Website: <https://www.fcactx.org/>
 - ❖ Funeral Consumers Alliance of North Texas
 - ◆ Questions: 972-509-5686 or email info@fcant.org
 - ◆ Website: <https://www.fcant.org/>
 - ❖ Funeral Consumers Alliance of San Antonio
 - ◆ Questions: 210-341-2213 or email fcasatx9@gmail.com
 - ◆ <https://www.funeraladvicesatx.org/>
- *Final Farewell* (<http://www.finalfarewell.org/>)
 - ❖ This organization helps provide affordable funerals for children.
 - ❖ Apply online: <http://www.finalfarewell.org/request>
 - ❖ Questions: 215-870-8110 or email p_quinn@finalfarewell.org

d. Charities

- *Jewish Federations of North America*
 - ❖ This charity provides burial assistance. Find your local federation on the website (<https://www.jewishfederations.org>) and contact them directly.
- *Catholic Charities USA*
 - ❖ This charity provides funeral and burial assistance. Find your local agency on the website (<https://www.catholiccharitiesusa.org/>).
- *The Islamic Foundation*
 - ❖ This charity provides assistance with funeral services. Details can be found on the Funeral Services pages of their website (<https://www.islamicfoundation.org/funeral-service/>).

- Contact your local churches, synagogues, mosques, or other religious organizations. They may be able to help on a case-by-case basis.

e. Texas Department of Family and Protective Services

- Website: <https://www.dfps.state.tx.us/>
- Child Protective Services (CPS) will arrange a funeral for:
 - ❖ Youth who die while in CPS managing conservatorship
 - ❖ Young adults, 18 or older, who die in extended foster care
- Contact the child's caseworker if you have any questions.

f. Employers

- Some employers may provide family death benefits; contact the deceased's employer.
 - ❖ For example, someone who died because of work-related injury or illness will likely be eligible for burial benefits.

g. Unions

- Some unions provide burial allowances or access to certain burial options. Check with the deceased's union directly.

h. Medicare Medical Savings Account (MSA) Plan

- If the deceased has a Medicare MSA Plan, then any remaining funds deposited before the current calendar year can be distributed to the beneficiary.
- If you are the spouse beneficiary, the funds are tax-free for qualified medical expenses.
- If the beneficiary is not the spouse, the funds are taxable and counted toward that person's gross income.
 - ❖ Amount taxable is reduced by qualified medical expenses paid for the deceased by the beneficiary within one year after the death.
- If there is no beneficiary and/or the estate receives the money, the value of the remaining MSA funds is reported on the deceased's final tax return.
- **The MSA funds can be used to pay for funeral or burial costs but will be considered taxable because those costs are not qualified medical expenses.**

- See *Your Guide to Medicare Medical Savings Account (MSA) Plans*:
<https://www.cms.gov/files/document/medicare-guide-medical-savings-account-plans.pdf>.

III. Post-Funeral Checklist

1. Obtain a death certificate

- If in Texas, obtain a death certificate (online, mail, or in-person) through the Texas Department of State Health Services:
<https://www.dshs.texas.gov/vs/death/>
- Order multiple originals of the death certificate because you will likely need them.

2. Compile documents

Common documents you will need include:

- Birth certificate
- Marriage license
- A divorce decree, if applicable
- Social Security survivors' benefits
- Military service record
- Will, if applicable; contact the deceased's attorney if the will is not found among the deceased's papers.
- Burial or funeral insurance, if applicable

3. Check healthcare coverage

- Options if you (spouse or dependent children) were covered under the deceased's employer-sponsored health plan:
 - ❖ Surviving spouse and dependents may be eligible to special enroll in the employer health plan.
 - ❖ Surviving spouse and dependents may be eligible to special enroll through the Marketplace (<https://www.healthcare.gov/>).
 - ❖ Surviving spouse and dependents may also be eligible to continue existing health coverage for up to 36 months. Most plans require the election of extended coverage under COBRA (<https://www.dfps.state.tx.us/>) to be made within 60 days of the plan's notice.

- If the employee's spouse or dependent dies, they can adjust their healthcare plans within 30 days of the date of death.
- For more information, visit: <https://www.dol.gov/agencies/ebsa/workers-and-families/death-of-a-family-member>.

□ 4. Apply for benefits

a. Veterans Administration

- As the spouse or dependent child of a veteran or service member, you may qualify for certain benefits (e.g., life insurance, money for school/training, and health insurance).
- If you are the surviving spouse or dependent child of a veteran or service member you may qualify for additional benefits, including survivor pension and compensation.

❖ Survivor's Pension: Qualifying surviving spouses and children of deceased wartime veterans who meet certain income/net-worth limits are eligible to apply.

- ♦ To find eligibility requirements, visit:
<https://www.va.gov/pension/survivors-pension/>
- ♦ Consider submitting an intent to file form while you gather evidence: (<https://www.va.gov/resources/your-intent-to-file-a-va-claim>)
- ♦ Contact: 800-827-1000
- ♦ You can apply:

Online: <https://eauth.va.gov/accessva/?cspSelectFor=quicksuubmit>

By mail: Form (<https://www.va.gov/find-forms/about-form-21p-534ez>)

Department of Veterans Affairs
Pension Intake Center
PO Box 5365
Janesville, WI 53547-5365

In person:

Find a VA regional office near you
(<https://www.va.gov/find-locations/?facilityType=benefits>)

❖ Survivor and dependent compensation:

- ◆ You may be eligible as a surviving spouse, child, or parent if the service member died in the line of duty or the veteran died from a service-related injury/illness.
- ◆ Review eligibility requirements and find the form on:
<https://www.va.gov/disability/dependency-indemnity-compensation/>
- ◆ Consider submitting an intent to file form while you gather evidence: (<https://www.va.gov/resources/your-intent-to-file-a-va-claim>)
- ◆ You can apply:

Online: <https://eauth.va.gov/accessva/?cspSelectFor=quickssubmit>

By mail: Form

Department of Veterans Affairs
Pension Intake Center
PO Box 5365
Janesville, WI 53547-5365

In person:

Find a VA regional office near you

(<https://www.va.gov/find-locations/?facilityType=benefits>)

b. Social Security benefits for survivors

- <https://www.ssa.gov/benefits/survivors/>
- The spouse, children, and parents of the deceased may be eligible for Social Security benefits.
 - ❖ Eligibility for benefits is determined by the claims representatives in the Social Security office.
 - ❖ The amount of benefits is dependent of the earnings of the deceased (i.e., the more the deceased paid into Social Security, the higher survivor benefits will likely be).
 - ❖ Specific questions about benefits and their limits can be answered on the website: <https://www.ssa.gov/benefits/survivors/ifyou.html>.
 - ❖ Or contact your local Social Security office directly (<https://secure.ssa.gov/ICON/main.jsp#officeResults>)
- Families are also likely eligible for a \$255 lump-sum “burial benefit” from Social Security (more details in the Funeral and Burial Assistance section).

c. Deceased's ex-employer

- Contact the employer directly (HR Department), notify them of the deceased's death, and consider asking questions such as:
 - ❖ What were the deceased's benefits? Is there any pay the deceased is still due, including disability income and/or vacation or sick time?
 - ❖ Are the dependents (e.g., spouse, children) still eligible for health insurance coverage?
 - ❖ Does the deceased have a life insurance policy through the employer?

d. 401K

- Check to see who the account owner named as their beneficiaries.
- If you are the beneficiary, contact the deceased's employer or plan administrator to make claim to the available benefits.
 - ❖ They will likely request a copy of the deceased's death certificate.

e. Unions

- Unions may provide family death benefits, contact the union directly.

□ 5. Settle the deceased's finances

a. Take an inventory of the deceased's bank accounts, bills, assets, and liabilities.

b. Make arrangements to take care of the mortgage or rent.

- Until title transfer or probate is complete, consult the probate attorney on whether to continue mortgage or property taxes for real property. Note: First party lienholders have a right to repossess collateral in the event a loan becomes delinquent. Ensuring that loan payments remain current will prevent this from occurring.

c. Bank accounts

- Each bank and/or credit union will have its own specific policies and procedures regarding deceased accounts.
 - ❖ Consider assembling account numbers, ATM pins, and online account information.
 - ❖ Have a copy of the death certificate available, as well as your identification documentation.

- ❖ Contact each financial institution individually and be ready to provide them with a copy of the death certificate. Be patient and feel free to ask questions.
- ❖ Note: A financial institution will not provide any information regarding an account unless confirmation is provided that the individual associated with an account is deceased.
- Look for records concerning whether the deceased owned a safety deposit box, and contact the financial institution directly to gain access.

d. Bills

- Consider compiling a list of bills due and collect corresponding documentation.
- Possible bills to consider:
 - ❖ Mortgage or rent
 - ❖ Vehicle payments
 - ❖ Auto insurance
 - ❖ Homeowners insurance
 - ❖ Homeowners association (HOA) fees
 - ❖ Utility bills (heat, gas, water, cable, electricity, and internet)
 - ❖ Cell phone bills
 - ❖ Tuition or childcare costs
 - ❖ Pet insurance
 - ❖ Health insurance
 - ❖ Monthly memberships and subscriptions
 - ❖ Life insurance
 - ❖ Student loans
 - ❖ Credit card bills
 - ❖ Storage fees

e. Investment portfolio

- Identify all of the deceased's relevant investment accounts:
 - ❖ Mutual funds

- ❖ Stocks
- ❖ Bonds
- ❖ Investment accounts
- ❖ Retirement accounts
- Contact the investment professionals directly to notify them of the death.
- Gather as much documentation as possible because it will likely be important for tax purposes.

f. Debts

(1) Determine the types of debt and how much debt is due. For certain debts, it is advisable to consult an attorney prior to making payments on the deceased's accounts.

(2) If applicable, contact the deceased's student loan service provider.

(3) Notify the credit reporting bureaus of the death to help prevent identity theft. You only have to notify one of the three credit bureaus because that credit bureau will notify the other two. It can be useful to call the credit bureaus first, so that they make a note on the account before you get around to filing your claim. The deceased person's credit files are deleted after being flagged for seven years.

- Experian: Experian P.O. Box 9701 Allen, TX 75013 or submit online (<https://www.experian.com/upload>)
 - ❖ Phone number: 800-888-4213
 - ❖ Copy of death certificate required and proof of authorization (e.g., executor).
 - ❖ <https://www.experian.com/blogs/ask-experian/reporting-death-of-relative/>
- Equifax: Equifax Information Services LLC P.O. Box 105139 Atlanta, GA 30348-5139
 - ❖ Phone number: 888-548-7878
 - ❖ Include: legal name, Social Security number, date of birth, date of death and your name, mailing address, copy of identification and proof of authorization (if not the spouse).
 - ❖ Website: <https://www.equifax.com/personal/help/relative-death-contact-credit-bureaus/>

- TransUnion: Trans Union P.O. Box 2000 Chester, PA 19016
 - ❖ Phone number: 888-397-3742
 - ❖ If spouse: include name, mailing address and a copy of your identification (e.g., driver's license) and the death certificate.
 - ❖ If executor or non-spouse: include requestor's identification and a copy of the will and the death certificate.
 - ❖ Website: <https://www.transunion.com/blog/credit-advice/reporting-a-death-to-tu>

g. Request a credit report

- <https://www.annualcreditreport.com>
- Equifax, Experian, and TransUnion are each required to give you a free credit report every 12 months.
- Immediately after the deceased dies, you should request a credit report to locate information about their debt and credit cards.
- A few months after the deceased dies, you should request a credit report to monitor for identity theft.

h. Close out credit accounts

- Credit cards
 - ❖ If the primary cardholder dies - close credit card accounts.
 - ❖ If the joint cardholder dies - notify the credit card company.
 - ❖ Note: Most credit card companies have a direct phone number that you can call for deceased member services.
 - ❖ Contact information for commonly used credit card companies:
 - ◆ Discover: 1-800-347-5519
 - ◆ American Express: 1-888-297-3947
 - ◆ Chase: 1-866-926-6909
 - ◆ Capital One: 1-877-357-5659
 - ◆ Citi Bank: 1-833-956-0413

i. Cancel automatic charges

- Consider canceling automatic charges that are not necessary or, if necessary, arranging for their payment.

- Water bill
- Electricity bill
- Amazon: <https://www.amazon.com/gp/help/customer/contact-us>
- Netflix: <https://help.netflix.com/en/node/110165>
- Spotify: <https://support.spotify.com/us/article/contact-us/>

□ 6. Settle the deceased's insurance policies

- Locate the deceased's insurance policies
- Check on the deceased's insurance benefits
 - ❖ Contact the insurance companies to notify them of the deceased's death.
 - ❖ Possible applicable insurance companies:
 - ◆ Health insurance
 - ◆ Automobile insurance
 - ◆ Automobile GAP insurance
 - ◆ Homeowners insurance
 - ◆ Renters insurance
 - ◆ Disability insurance
 - ◆ Umbrella insurance
 - ◆ Long-term care insurance
 - ◆ Life insurance
 - ◆ Pet insurance
 - ❖ If applicable, inquire about how the policy will change, if you need to cancel/adjust/renew, and if applicable, how much time you have to avoid a lapse in insurance coverage.
 - ❖ You will likely need to provide the insurance company with a death certificate. Some insurers may require additional documentation (e.g., letter of administration).
- Life insurance search: <https://eapps.naic.org/life-policy-locator/#/welcome>

- ❖ Note: The above website can assist you in locating life insurance policies of a deceased family member.

□ 7. Real Property

- Renting:
 - ❖ Check lease, give notice to vacate, clean up, and secure the security deposit
- Transferring ownership of a vehicle from a deceased owner (TX Department of Motor Vehicles: <https://www.txdmv.gov/node/4836>)

(1) Visit your local county tax office. To find your local tax office, visit <https://www.txdmv.gov/tax-assessor-collectors/county-tax-offices>

(2) If there is a Right of Survivorship Ownership Agreement for a Motor Vehicle > bring documents:

- ❖ Option 1: If there is a “Survivorship Rights” remark placed on the Texas title > survivor(s) may obtain a new Texas title by submitting the title and/or registration application (Form 130-U) and a copy of the death certificate
- ❖ Option 2: Survivors may obtain a new title by submitting the title and/or registration application (Form 130-U), Rights of Survivorship Ownership Agreement for a Motor Vehicle (Form VTR-122), and a copy of the death certificate
- If there is no Rights of Survivorship Ownership Agreement for a Motor Vehicle > bring documents:
 - ❖ Title (if available)
 - ❖ Original release of lien (if applicable)
 - ❖ Title and/or registration application (Form 130-U)
 - ❖ Authority to transfer ownership
 - ◆ Provide: letters testamentary or letters of administration from probate
 - ◆ Or if the estate is not probated, provide: heirship affidavit
 - ❖ DMV gift affidavit form: <https://comptroller.texas.gov/forms/14-317.pdf>
 - ❖ Government-issued photo identification
 - ❖ If registering the vehicle:
 - ◆ Current vehicle insurance

- ◆ Current Texas vehicle inspection

(3) Bring payment. Fee amounts and payment methods are dependent on the county tax office

8. Requesting access and/or deactivation of online accounts

- Consider deactivating or requesting access to the deceased's online accounts.
- Requesting access to Apple accounts: <https://support.apple.com/en-us/HT208510>
- Requesting access to Microsoft accounts (Outlook, OneDrive, etc.): <https://support.microsoft.com/en-us/office/accessing-outlook-com-onedrive-and-other-microsoft-services-when-someone-has-died-ebbd2860-917e-4b39-9913-212362da6b2f>
- Submitting a request to a deceased Google user's account: <https://support.google.com/accounts/troubleshooter/6357590?hl=en>
- Request to memorialize or remove a Facebook account: <https://www.facebook.com/help/1518259735093203>
- Deactivating a Twitter account: <https://help.twitter.com/en/rules-and-policies/contact-twitter-about-a-deceased-family-members-account>
- Request to memorialize an Instagram account: <https://help.instagram.com/264154560391256>
- Deactivating a TikTok account (contact TikTok account administration): <https://www.tiktok.com/about/contact?lang=en>

9. File tax returns

- The surviving spouse or representative needs to file a tax return on behalf of the deceased.
- The IRS does not need an individual notification of the death. The person who files on behalf of the deceased will note the death of that person.
- For more information, visit (on the IRS website): How to file a final tax return for someone who has passed away (<https://www.irs.gov/newsroom/irs-tax-tips>).

10. Report the death to the Department of Motor Vehicles (optional)

- The DMV is eventually notified of the deceased's death after the Social Security Administration is notified.

- You can contact them if you are worried about identity theft, want to notify them as soon as the death has occurred, and/or want to dispose of the deceased's license.
- DMV procedures vary by state.
 - ❖ For Texas, contact the Texas Department of Public Safety (TxDPS) by phone at 512-424-2600 regarding how to dispose of the deceased's driver's license.
- Keep a copy of the deceased's driver's license. The number is important in probate

□ 11. Contact a probate attorney

- A lawyer can help with a variety of concerns when a loved one dies, including estate settlement and probate.
- Be prepared to provide the deceased's will, an inventory of assets, and/or trust information.
- If the deceased did not have a will, start to gather contact information for nearest relatives (i.e. surviving spouse, children, or parents).
- When to contact a probate attorney:
 - ❖ A bank account or other financial account (e.g. retirement account, insurance policy, stock account) does not have a beneficiary
 - ❖ A vehicle does not have a right of survivorship agreement
 - ❖ The deceased owned real estate
 - ❖ The deceased owned registered firearms or weapons
 - ❖ A minor child is inheriting property or money
 - ❖ The deceased had debts
 - ❖ The deceased had a will
- It is important that you speak to a probate attorney within four years of the deceased's death even if you are the surviving spouse and property is owned jointly.

NOTES

Prepared as a public service by the
Texas Young Lawyers Association
and distributed by the State Bar of Texas

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