

A resource for what to do when the worst happens.



The Critical Incident Resource Manual

**The Society of Experimental Test Pilots
Critical Incident Response Committee
Lancaster, California
661.942.9574**

Table of Contents

Suggestions for First Steps	2
Timeline and Checklist	4
One sheet checklist.....	15
Applying for Benefits.....	5
Funeral	8
Obituary	9
Emotional Care.....	11
Grief & Severe Stress.....	12
Grief Support Help	14
Frequently Asked Questions	16

First Steps in the Event of a Fatality

**First Step:
Take care of
yourself so
you can take
care of others!**

First Things First! Take care of yourself so you can take care of others. In addition, in talking with people who have gone through the process of settling a loved one's estate, they have made the following recommendations:

- **Friends: It is very important not to try to do everything yourself.** Designate one or two friends to assist you with carrying out some of the tasks below. Others can assist with making phone calls, organizing the memorial service, assisting with travel details for out-of-state family and friends and writing the obituary, if it's not already completed. Obviously, you have the final say. If your loved one's death is a newsworthy event, you might also want to designate a friend to talk to the press.
- **Business cards:** Take a business card from everyone you deal with, especially financial institutions. It is much easier to call back and talk to someone who you've already talked to and knows what you're going through. You don't want to have to keep repeating "your story".
- **Bereavement leave:** If you are employed and feel you need extended time off, contact your Human Resources Department right away to apply for "Bereavement Leave". You may have to see your doctor first. Survivors have told us that they are grateful for the time to off to sort through all the paperwork and have time to grieve.
- **Death certificates:** Request 5 to 10, or more, death certificates. Everyone seems to want one. Although many institutions return them right away or will accept a faxed one, you don't want to hold up paperwork because you don't have a death certificate to prove your spouse's death.

- **Notifications:** It is very important that **YOU** notify the military Defense Finance and Accounting Services (DFAS), The Veteran's Administration, Social Security, credit reporting agencies (Equifax, Experian and TransUnion), credit card companies and your Department of Motor Vehicles, or the equivalent in your area, of your spouse's death. Unscrupulous people read obituaries and will happily try their luck at identity theft. As of the date of the writing of this publication, the contact information for the above mentioned credit agencies are: (The included web links should be referenced for the most up to date information):
 - Equifax
P.O. Box 740256, Atlanta, GA 30374-0256. (800) 685-1111
<http://www.equifax.com>
 - Experian
P.O. Box 9556, Allen TX 75013. (888) 397-3742
<http://www.experian.com>
 - TransUnion
P.O. Box 1000, Chester, PA 19022. (800) 916-8800
<http://www.transUnion.com>
- **Probate Duties:** Once a person is appointed through the probate process (read the Frequently asked Questions regarding probate), certain duties have to be completed on behalf of the Estate:
 1. Collection, inventory and appraisal of all assets that are subject to probate.
 2. Paying the bills, to include taxes, estate expenses and creditors.
 3. Formal transfer of estate property according to the Will or by intestacy laws (no Will).
 4. Final accounting.

B. Time Line Checklist

These are meant only as a guide (next page).

A one sheet checklist is available on Page 15.

We strongly recommend that you contact a friend or loved one to help you while you go through this list. The checklist includes things that will need to be done and some that are simply there as reminders of what may need to be done.

CRITICAL (Day 1 - 5)	IMMEDIATE (Day 5 - 14)	SHORT TERM (30 - 60 Days)	LONG RANGE (More than 60 Days)
<p>NOTIFICATIONS</p> <ul style="list-style-type: none"> • Family • Friends • Pastor • Work • Children's school/ teacher • Veterans Administration, if military honors are requested for the funeral • Designate a friend to assist you with in the near term arrangements. You have the final say, but you can't do everything yourself. • Memorial Service or Funeral <ul style="list-style-type: none"> ➢ Mortuary Arrangements ➢ Cemetery Arrangements ➢ Pastor Program ➢ Traffic Control/Parking ➢ Audio Visual ➢ Hotel arrangements for out of town family ➢ Airport pick-ups <p>OTHER</p> <ul style="list-style-type: none"> • Begin constructing a contact list of people and phone numbers • Take a business card from everyone and keep it in a binder • Order a replacement phone (if you do not have the password or phone was not recovered) to receive alerts for secondary verification for accounts 	<p>NOTIFICATIONS</p> <ul style="list-style-type: none"> • Obituaries <ul style="list-style-type: none"> ➢ Local and Hometown Papers • Advisors <ul style="list-style-type: none"> ➢ Doctors Accountant, Financial Advisor • Government Agencies: <ul style="list-style-type: none"> ➢ Social Security Administration ➢ Department of Motor Vehicles (or equivalent) ➢ Military Pass and ID (if applicable) • Insurers: <ul style="list-style-type: none"> ➢ Life Insurance ➢ Medical, Dental and Vision Insurance ➢ Survivor Benefit Plan(if former military) <p>LEGAL DOCUMENTS</p> <ul style="list-style-type: none"> • Trusts, if applicable • Will, for special requests • Divorce Decree (if applicable) <p>FINANCE NOTIFICATIONS</p> <ul style="list-style-type: none"> • Banks • Credit Cards • Credit Agencies (TransUnion, Equifax, Experian) • Other charge cards • Other loans or creditors 	<p>REVISE LEGAL DOCUMENTS</p> <ul style="list-style-type: none"> • Trust, if applicable • Will <p>FAMILY FINANCE</p> <ul style="list-style-type: none"> • Update cell phone account. • File a tax extension if necessary • Pay some or all of household and utility bills (request help from a friend, if needed) ➢ Reassess your insurance needs <ul style="list-style-type: none"> • Meet with a Financial Advisor • Meet with an Accountant • Meet with a Mortgage Representative <p>OTHER</p> <ul style="list-style-type: none"> • Have your car serviced (for peace of mind) • Yard Upkeep – call on friends and family for help if necessary • Home Repairs – call on friends and family if necessary, or hire a professional as needed 	<p>NOTIFICATIONS</p> <ul style="list-style-type: none"> • Delete partner's email accounts and social media accounts (Facebook, Twitter, etc.) when you are ready. • Alumni Association(s) • Professional Organizations • Post Office • Physician, dentist, pharmacy, etc. <p>BENEFICIARY REVIEW</p> <ul style="list-style-type: none"> • Investments • Insurance <p>FAMILY FINANCE</p> <ul style="list-style-type: none"> • Update Club/Gym Memberships • Update Magazine Subscriptions <p>Update Professional Organization Memberships</p>

C. Applying for Benefits

1. Social Security

Most survivors are ONLY entitled to some form of Social Security benefits IF THEY ARE OVER 62 YEARS OF AGE, but they are not paid automatically. You must apply for Social Security benefits, by using the required forms and furnishing the required documents within a specific period of time.

Documents You'll Need to Claim Social Security Benefits:

- ORIGINAL Death Certificate with Official Seal on it
- Social Security Card for the deceased
- Copy of the marriage certificate
- Birth certificate of the applicant
- Birth certificate of the deceased
- Birth certificate of any minor children
- Disability Proof of disability, if applicable, for children over the age of 18
- Receipted funeral bill (if the applicant is other than the surviving spouse)
- Proof of support for the applicant's parent or husband

Death Benefit

The surviving spouse will receive a lump sum payment if he or she was living in the same household with the deceased at the time of death, which is \$255.00. If there is no qualified surviving spouse, the payment can only be made to eligible children.

Survivor's Payments

The widow, dependent widower, children and dependent parents of the deceased may be eligible for monthly survivor's payments. Contact Social Security for additional information at 1-800-772-1213.

Social Security survivor's benefits can be paid to:

- A widow or widower: Full benefits at full retirement age, or reduced benefits as early as age 60.
- A disabled widow or widower: As early as age 50.
- A widow or widower at any age if he or she takes care of the deceased's child who is under age 16 or disabled, and receiving Social Security benefits.
- Unmarried children under 18, or up to age 19 if they are attending high school full time. Under certain circumstances, benefits can be paid to stepchildren, grandchildren, or adopted children.
- Children at any age who were disabled before age 22 and remain disabled.
- Dependent parents age 62 or older.

Note: If you are divorced, you may still qualify for survivors benefits.

2. Veteran's Benefits

As an honorably discharged veteran from the Air Force, Army, Navy, Marines, or Coast Guard, your Estate may be entitled to:

- a. A burial allowance limited to \$300.00 for expenses for burial and funeral of the deceased. (This allowance will be paid only for veterans who were entitled to receive Veterans Administration pension or compensation.)
- b. An allowance of \$150.00 payable towards the burial plot expenses of a Veteran who is not buried in a national cemetery. (This allowance will be paid only for veterans who were entitled to receive a Veterans Administration pension or compensation.)
- c. A burial flag that can be given to next of kin or friend of deceased. You will have to fill out a lot of forms for this.
- d. Bronze Memorial or headstone.
- e. Presidential Memorial Certificate.

Veteran's benefits are frequently altered and revised. There may also be Veterans benefits from your county. To determine your eligibility, or to file your claim, write to:

Department of Veterans Affairs

810 Vermont Avenue, NW

Washington, DC 20402

or call (202) 872-1151.

How to File a Claim for Veteran's Benefits

The following forms must be submitted:

- a. Veteran's Discharge Papers
- b. Certified copy of the Death Certificate
- c. Itemized funeral bill with receipt for payment

3. The SETP Scholarship Foundation

Since 1967, the (nonprofit) Society of Experimental Test Pilots Scholarship Foundation has ensured that children of deceased or disabled SETP members can attend college. The Scholarship Foundation has awarded more than \$2 million in scholarships to over 150 students since its inception.

These scholarships are not need or merit-based. Rather, any child of a deceased or disabled SETP member is entitled to these benefits, provided, once enrolled in college, students make adequate progress.

SETP Headquarters will contact the family of the deceased or disabled member to obtain information about children and when they will attend college. SETP Headquarters may be contacted at (+1) 661-942-9574 or by writing:

The SETP Scholarship Foundation

P. O. Box 986

Lancaster, CA 93584-0986

Their email address is: setp@setp.org

4. Insurance

To make a death claim, call your agent. If you do not have an agent, you need the family member's social security number OR the policy number. It is better to use the social security number because then all policies associated with that number will come up in the database of most companies. You will also need a certificated copy of the death certificate (a raised seal original) for each claim you are making.

The agent will assist in filling out the necessary forms. If you do not have an agent, the company will send forms to you and their customer service department should be able to help you fill it out.

To file an insurance claim with your family member's employer-paid insurance, there are a couple of ways: either Google the company to get their Human Resources phone number, or you can go online to see what benefits are available. For example, Boeing provides employer-paid life insurance up to a specified amount (which is listed in the employee's summary of benefits that they get once per year, in the fall, and also located online at the employee's website for the company). This is through one company (Aetna), which requires you phone that company for assistance with a claim. If that employee has purchased additional voluntary group coverage, this is through a different company (MetLife), and a separate claim needs to be made with them. Each company has its own forms to fill out. Each will require a raised seal death certificate.

Funeral/Burial Instructions

Did your loved one have a preference for burial or cremation?

Notes:

- What would he or she wear/would prefer to be buried in?
- Would they want to be buried with their wedding ring on?
- Would they want their flight helmet in their casket with them?
- Anything else?

Planning Wisely for a Funeral

- **Shop around and compare prices in advance**
- **Ask for a price list**
- **Resist pressure**
- **Avoid emotional overspending**
- **Recognize your rights**
- **Apply smart shopping techniques you'd use for other major purchases**

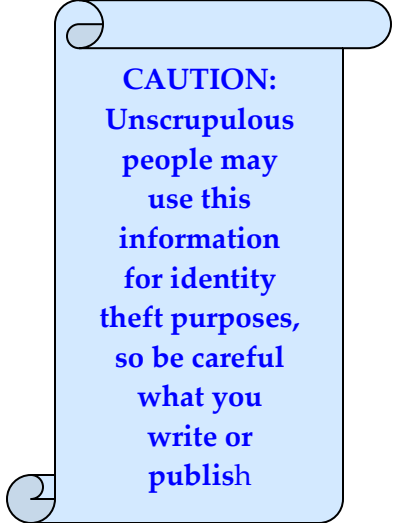
Determine which charitable organization or fund should receive donations in your loved one's name (The SETP Foundation or the SETP Scholarship Foundation? Note that both of our Foundations **can hold donations for later** submittal to the charitable organization of your choice.)

- Burial location
- Memorial type and inscription
- Determine casket type
- Vault or crypt
- Type of service (religious, military, fraternal)
- Special selection(s) from scriptures
- Special music for the service
- Are you going to be having guests from out of town? Many hotels will give a discount rate for hotel rooms to the family of the deceased.
- Have someone help you with airport pick-ups if needed.

Obituary Information

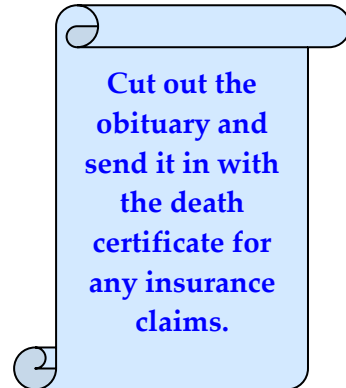
You may want to create two versions, a lengthy one and a one-paragraph version.

- First paragraph
 - Name
 - Address (city/state)
 - Age
 - Date of death
 - City and state of death
- Second paragraph
 - Date of birth
 - Place of birth
 - Parents' names
 - Educational accomplishments
 - Military service, if applicable
 - Wars or conflicts in which he/she served
 - Where stationed if overseas
 - Marriage(s)
 - Residential history
- Third paragraph
 - Post high school education
 - Degrees earned
 - Licenses held
- Next paragraph
 - Work history and affiliations
- Next paragraph
 - Church membership and organizations within the church
 - Civic memberships
 - Fraternal memberships
 - Club memberships
 - With all the above, include positions or offices the person may have held
 - Hobbies
 - Other interests



CAUTION:
Unscrupulous
people may
use this
information
for identity
theft purposes,
so be careful
what you
write or
publish

- Next paragraph
 - Survivors, include spouse in parentheses and city and state of residence
 - Spouse
 - Children
 - Grandchildren
 - Great-grandchildren
 - Parents
 - Grandparents
 - Brothers
 - Sisters
 - Nephews|
 - Nieces
 - Cousins
 - Friends
 - List family that preceded him/her in death, usually spouse, parents, children, grandchildren, great-grandchildren, brothers and sisters



- Next paragraph
 - Service: include date, time and place
 - Name of officiate and title
 - Place of burial/entombment
 - Visitation information, if applicable
 - Memorial services held by others
 - Vigil or prayer services being held
- Next paragraph
 - Listing of any memorial funds that may be been established and for what causes or organizations
- Next paragraph
 - Mention of any people or groups you wish to publicly thank for care given

For samples, see <http://www.Elegantmemorials.com> and <http://www.Lippertfuneralhome.org>.

Taking care of yourself emotionally

The grieving process is more complicated if you experience a sudden and tragic loss. However, even if you experience the death of a spouse or partner by natural causes, this is a life altering and often devastating event. When experienced, a traumatic event or a critical incident causes unusually strong emotional reactions that have the potential to interfere with the ability to function normally).

This type of stress does not discriminate by age, event, or sex. Everyone will need to find their own new normal after the death of a loved one, and this section is designed to help mitigate or alleviate some of the stress associated with this loss and to prepare you to help a loved one, a friend, or yourself in the case of this event.

It is also important to be aware of the effects of stress if your partner or spouse experiences the tragic death of a friend, colleague, or employee. This loss can trigger the same stages of grief. There may also be a measure of guilt associated with the event as well. This can result in complicated grief – which is grief that lingers or stages that are more intense.

For those that are grieving themselves or are supporting friends and/or family in grief; remember:

1. No one will be able to say the magic words to take away the pain, loss, grief, anger, or even guilt. You are human, and these are normal human emotions when the death of a loved one occurs.
2. Most everyone will say the wrong thing while they are trying desperately to say the right thing. This is true for friends, family, colleagues, etc.. This goes back to #1. Very rarely can anyone say anything to make it better.
3. There is no time limit for grief. No one “gets over” the death of a loved one. The person who experiences the loss will, in their own time, figure out a new kind of normal for themselves. This may take years. There should be no judgment. But know, that the best you can achieve is learning to live with the loss and creating a life for oneself again.
4. Grief is typically experienced in cycles of denial, anger, bargaining, and acceptance. These stages can re-occur in no set order. Progress can be made and then reversed in any event or situation. One must be patient with themselves or the person that is grieving.
5. Tragic, unexpected loss can result in a more difficult grief process, but it does not make the loss easier. Death tops the charts of stressful events in life. One person’s loss is not easier than another’s.
6. ASK for help if you need it – from friends and family. If you think you may need some more help, please let someone know.

Even though the event may be over, you may now be experiencing or may experience later, some strong emotional or physical reactions. It is very common, in fact normal, for people to experience emotional aftershocks when they have passed through a horrible event.

Sometimes the emotional aftershocks (or stress reactions) appear immediately after the traumatic event. Sometimes they may appear a few hours or a few days later. And, in some cases, weeks or months may pass before the stress reactions appear.

The signs and symptoms of a stress reaction may last a few days, a few weeks, a few months, or longer, depending on the severity of a traumatic event. The understanding and the support of loved ones usually cause the stress reactions to pass more quickly. Occasionally, the traumatic event is so painful that professional assistance may be necessary. This does not imply craziness or weakness. It simply indicates that the particular event was just too powerful for the person to manage by himself.

Physical:

Chills, thirst, fatigue, nausea, fainting, twitches, vomiting, dizziness, weakness, chest pain, headaches, elevated BP, rapid heart rate, muscle tremors, shock symptoms, grinding of teeth, visual difficulties, profuse sweating, difficulty breathing, ect.....

Cognitive:

Confusing, nightmares, uncertainty, hyper vigilance, suspiciousness, intrusive images, blaming someone, poor problem solving, poor abstract thinking, poor attention / decisions, poor concentrations / memory, disorientation of time, place or person, difficulty identifying objects or people heightened or lowered alertness, increasing or decreasing awareness of surroundings, ect....

Emotional:

Fear, guilt, grief, panic, denial, anxiety, agitation, irritability, depression, intense anger, apprehension, emotional shock, emotional outbursts, feeling overwhelmed, loss of emotional control, inappropriate emotional response, ect....

Behavioral:

Withdrawal, antisocial acts, inability to rest, intensified pacing, erratic movements, change in speech patterns, loss or increase of appetite, hyperalert to environments, increasing alcohol consumption, change in usual communication, ect....

Things to try:

- Within the first 24 – 48 hours periods of appropriate physical exercise, alternated with relaxation will alleviate some of the physical reactions.
- Structure your time, keep busy.
- You're normal and having normal reactions; don't label yourself crazy.
- Talk to people, talk is the most healing medicine!
- Be aware of numbing the pain with overuse the drugs or alcohol, you don't need to complicate this with a substance abuse problem.
- Reach out; people do care.
- Maintain as normal a schedule as possible.
- Spend time with others.
- Help your co-workers as much as possible by sharing feelings and checking out how they are doing.
- Give yourself permission to feel rotten and share your feelings with others.
- Keep a journal; write your way through those sleepless hours.

- Do things that feel good to you.
- Realize those around you are under stress.
- Don't make any big life changes.
- Do make as many daily decisions as possible that will give you a feeling of control over your life, i.e., if someone asks you what you want to eat, answer them even if you are not sure.
- Get plenty of rest.
- Don't try to fight reoccurring thoughts, dreams or flashbacks – they are normal and will decrease over time and become painful.
- Eat well-balanced and regular meals (even if you don't feel like it).

For Family Members and Friends

- Listen carefully.
- Spend time with the traumatized person.
- Offer your assistance and a listening ear if they have not asked for help.
- Reassure them that they are safe.
- Help them with everyday tasks like cleaning, cooking, caring for the family, minding children.
- Give them some private time.
- Don't take their anger or other feelings personally.
- Don't tell them that they are "lucky it wasn't worse", a traumatized person is not consoled by those statements. Instead, tell them that you are sorry such an event has occurred and you want to understand and assist them.

Warning signs that professional help should be sought:

- **Severe depression.** It is normal for a person to experience depression after the death of a loved one. It is normal for a person to not want to get out of bed for weeks. It is normal for a person to verbalize that they feel that they do not want to live. However, it is dangerous if someone expresses that they want to end their life. Please seek help for yourself or someone you know if they are truly suicidal. At the end of this section, you will find a list of organizations you can call to help if you need professional help.
- **Excessive drinking or self-medicating.** Over a long period of time, this type of behavior can form habits and addictions that can lead to serious health, familial, emotional, relational, and employment problems.
- **Extreme restlessness or extreme exhaustion.** Both are normal but be aware that either can indicate an overload.
- **Extreme changes in personality after a long period of time.** "Long period of time" is difficult to quantify. There have been many studies about what happens when people are in denial about their own grief. Indicators can be: shrinking from their usual friends or activities; strained relationships with a spouse, children, family, or friends; separation or divorce; and a sudden and radical need to change one's life, job, or circumstance.

- **Paranoia and/or Suspiciousness.** This too is in the realm of normal, but look out if the behavior becomes extreme.

The warning signs are not absolutes that someone needs professional help; however, they are warning signs. If you or someone close to you experiences a sudden loss and you experience any of the above. It is advised that professional help be sought.

What can YOU do?

You can encourage your spouse, child, partner, friend, family member, or colleague to talk to someone. Here is a list of organizations that can help.

If you are the person struggling, there is no shame in asking for help! And, you certainly do not have to go through any severe signs of stress to attend a support group or speak to a professional. Talking about what you are experiencing with others that understand can be very helpful.

The following resources are available and have been recommended by other SETP family members as helpful organizations.

- TAPS (Tragedy Assistance Program for Survivors) (<http://www.taps.org>). Many resources -- chat rooms, 24/7 hotline, peer counseling, seminars, grief camps for the surviving children.
- ICISF (International Critical Incident Stress Foundation) <http://icisf.org/>. This organization offer grief counselors that specialize in fatal accidents. Their counselors are specially trained to work with those whom have experienced a loss in a plane accident.
- GriefShare offers many resources including a 12-week program with DVDs, workbooks, discussions, and grief support groups throughout the U.S. and Canada. <http://www.griefshare.org/>
- Hospice is an excellent resource for further information about grief and offers information about local support groups in most communities in the United States. <http://www.hospicefoundation.org/supportgroup>

You can also check with your insurance for local mental health providers that specialize in grief counseling. They can help give you specific strategies based on your own strengths to help you through this painful and stressful process.

CHECKLIST FOR THE SURVIVING FAMILY

Place an " X " in the left column when item has been completed

	Notify immediate family and close friends
	Evaluate the emotional impact on the surviving spouse, children and close relatives and friends;
	arrange for support
	Deal with donation of bodily organs to an "organ bank," as appropriate
	Arrange care for dependents, if any
	Notify attending physician or coroner
	Arrange care for pets, if any
	Evaluate the need for security at Decedent's residence
	If password is not known or phone is lost, order a replacement (for account verifications)
	Have Post Office hold mail?
	Find perishable property (food, plants, etc.), arrange for care or disposal
	Find and review Decedent's expressed funeral and burial wishes
	Notify agent under any power of attorney
	Prepare and arrange for obituary
	Arrange for mortuary, cemetery, burial, cremation, as appropriate
	Arrange funeral/burial services
	Notify other members of family and friends
	Keep records of all payments for funeral and other expenses
	Locate safe deposit box(es)
	Locate wills, codicils, trusts
	Locate life insurance policies
	Locate other important documents, relationships, accounts, investments, etc.
	Advise Social Security, Medicaid, other agencies as appropriate
	Investigate social security benefits
	Investigate life insurance
	Investigate union death benefits
	Investigate veterans burial allowance and other benefits
	Investigate fraternal organizations
	Investigate employee benefits, including accrued vacation pay, death benefits, final wages, retirement plans, deferred compensation, medical reimbursements,
	Investigate refunds on insurance or canceled subscriptions
	Investigate Keogh and IRA accounts
	Investigate business, partnership and investment arrangements
	Retain and meet with attorney regarding estate matters
	Retain and meet with CPA as to tax and accounting matters
	Meet with life insurance agent to collect proceeds or consider options
	Obtain death certificates (ask attorney how many are needed)
	Deal with fire, theft, liability and auto insurance on Decedent's property
	Work with attorney and CPA to prepare inventory, list of accounts and list of debts
	Review credit cards and charge accounts, cancel as appropriate
	DO NOT pay any of Decedent's debts until attorney discusses with family or executor
	Obtain valuations of assets, as appropriate
	If Trust involved, arrange for any allocations and transfers
	Arrange for final income tax return and estate tax return, as necessary

Frequently Asked Questions

Question: **Is there grief counseling?**

Answer: Yes!! Your health care provider can recommend someone. Google is a wonderful source for providing resources as is your local Hospice.

Question: **Is an obituary mandatory?**

Answer: No it is not. If you do choose to have one, please refer to Section V, Section C, Paragraph 11.

Question: **Do I need to file anything with the (U.S.A.) Internal Revenue Service?**

Answer: The IRS Form 712 (Life Insurance Statement), <http://www.irs.gov/pub/irs-pdf/f712.pdf>, is a form which the executor prepares and files with the Form 706, (United States Estate (and Generation-Skipping Transfer) Tax Return), <http://www.irs.gov/pub/irs-pdf/f706.pdf> . It makes sure the life insurance proceeds are not counted as income.

Question: **What information will I need when I call the insurance company?**

Answer: The name of insured, his / her date of death, the policy number(s) and social security number. The agent might call you for more information to process the forms for the claim.

Question: **Would it be legally enforceable if we just wrote our own Will without an attorney?**

Answer: The main requirement is that it be signed, witnessed and notarized. In most cases, that will suffice. However, what you may have put in the Will might conflict with what you have set up for beneficiaries of your assets, and in that case, the titling / named beneficiaries will trump whatever the Will says. It is best, then to have a professional at least review what you have written. In the case of other important documents like the Healthcare Power of Attorney and Durable Power of Attorney, you should definitely seek professional help to make sure what you intend is what happens.

Question: **Doesn't everything just automatically transfer to the surviving spouse?**

Answer: Not necessarily. If the spouse is not listed either as a co-owner (Joint Owners with Right of Survivorship), or a named beneficiary (like Transfer on Death in the case of a bank or stock account, or on an IRA or pension or life insurance policy) then the assets will have to probate before transfer.

Question: **What if we live and work in different states? Which laws take precedence?**

Answer: The state of legal residence of the deceased takes precedence, but unless you have a Trust, you will probate in each state in which the deceased or couple jointly owned property.

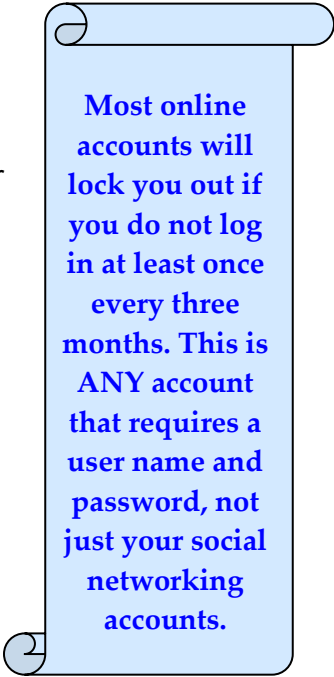
Question: **When should I be canceling the social networking accounts like Facebook, Twitter, Email etc., and what information will I need to do this?**

Answer: You can do this as soon as you are comfortable, but we suggest you do this between the two to six month period after a loved one's passing.

For the 'Social Networking' accounts you will need the login user name, or login email address, and password for each account. If you do not have these, you will need to send copies of the death certificate and in some cases a copy of a published obituary.

Facebook suggests you convert the site to a memorial site. This allows existing family and friends to post remembrances on the site but blocks new users from joining.

http://www.facebook.com/help/contact.php?show_form=deceased



Most online accounts will lock you out if you do not log in at least once every three months. This is ANY account that requires a user name and password, not just your social networking accounts.

Regarding Probate:

Question: **Does all property have to go through the probate process?**

Answer: Not necessarily. Some states have a certain amount of property, such as property with a named beneficiary or ½ of community property, etc. that can pass free of probate. They might require that everything else pass through probate. Some even have a simplified process for a "free" Will where the court has outlined exactly who gets what in the event of a death without a Will.

Question: **In what state is the probate process initiated?**

Answer: It is initiated in the state of the decedent's legal residence at the time of death.

Question: **Who is responsible for probating the Will?**

Answer: The executor/executrix named in the Will.

Question: **What if there is no Will?**

Answer: If there is no Will, the person is deemed to have died intestate, "without a Will". If this occurs, then the court is requested to be appointed as the administrator of the deceased's Will, in order to perform the same function of the executor.

Question: **Do I need a certified copy of the death certificate to start the probate process?**

Answer: Yes. We recommend you order at least twenty-five copies of the death certificate, with raised seal. Don't be surprised if, later on, you need to order more.

Question: **How do I begin the probate process?**

Answer: After receipt of the certified copy of the death certificate, the executor will initiate a Petition for Probating the Will and Appointment of Executor at the probate court clerk's office in the state/country in which the person died. Note: Probate court is a division of the state court legal system and could be referred to by another name depending on where you live.

Question: **Do I need a lawyer to begin this process?**

Answer: A lawyer is not required to begin the process.

Question: **What happens once I request the petition for probate?**

Answer: There are several steps that occur:

1. A date will be set by the probate court for the executor or administrator to appear before a judge, present the Will and ask to be formally appointed.
2. The Will's validity is established and the court issues an order, "admitting the Will to probate", which is recorded in the county clerk's records.
3. The Will becomes public record along with all subsequent filings with the court.
4. The probate judge will officially appoint the executor (or administrator) who will be given full authority to deal with the decedent's probate property and accounts.

Question: **Who should I select as an Executor?**

Answer: This is a difficult question. Lawyers advise against naming spouses because the spouse is least able to deal with all the stresses and the administration of the estate. You should consider using an adult child, a good friend or a trusted CPA. Choose someone who will act in good faith, in a timely manner, and who is comfortable with forms, finding paperwork and handling various companies and courts.

Question: **I have minor children. What are the advantages of having a Trust (versus just a Will)?**

Answer: There are three reasons of which we can think to do this:

1. The privatization and assurance that the person(s) you select as the guardian(s) for them will not be subjected to the opinion of the court, nor overruled by the court (as it can be with a Will). This is especially true for divorced couples, or couples with multiple sets of grandparents who might contest the naming of someone else as guardian. Since the Trust does not probate, the Court does not become involved.
2. Minor children cannot inherit until they reach the age of 18. In the meantime, who will manage the funds for them? If no one is named, the court will appoint a guardian ad litem (at the expense of the estate / funds left to the children), and the state will manage the money in a financially conservative manner. This currently means in a simple bank account. If someone is named, that person may or may not be a good financial manager, and is not subject to any oversight. With a Trust, a Trust Company will manage the funds as a fiduciary (in the best interests of the children), allowing the funds to grow, and with oversight.

3. With a simple Will, at age 18, the children inherit all with no oversight or limitations. With a Trust, the parents can stipulate the situations in which money is released, the amount, and the age or triggering event at which the money would be released.

Question: **How do I contact...?**

Answer:

Social Security 800-772-1213 <http://www.ssa.gov>

Veterans Affairs 800-827-1000 <http://www.va.gov>