



**Sverdlov Law**

# **Seven** **Immediate Actions** **to Take When Your** **Loved One Passes** **Away**

**How to close accounts, notify key authorities, access death benefits, and begin the administration process.**





# Introduction

This is a painful time for you and your family. While grieving, you still have the responsibility of handling all the final financial affairs of your loved one. You might face bureaucracy, multiple court forms, and other family members who are grieving or might be angry. We can guide you through this every step of the way.

Keep in mind, the following steps are essential for most of the estates. But depending on your loved one's unique circumstances, additional or different steps might be required. Mistakes can be very costly because government penalties can be high. You should consult with a probate attorney, to ensure that your loved one's affairs are handled efficiently and correctly.

## ACTION 1



### ORDER DEATH CERTIFICATES

Speak to the funeral home about ordering the death certificate. At least 10-20 death certificates should be ordered.

**REMEMBER**, every financial institution that you will be dealing with later will ask for an original death certificate, so plan accordingly.

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## ACTION 2



### NOTIFY SOCIAL SECURITY ABOUT THE DEATH AND APPLY FOR SURVIVOR'S BENEFITS.

All Social Security benefits will stop during the month of death. If there was a spouse or a minor child, they are entitled to survivor's benefits.

You should contact Social Security at **1-800-772-1213**, review [HERE](#) for information on specific documents you will need to show and apply for survivorship benefits immediately.

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## ACTION 3



### KEEP PROPERTY SAFE FROM THEFT

Unfortunately, this is an opportune time for unscrupulous people to take advantage of your loved one's death.

- Safeguard the decedent's assets by putting locks on the door or putting personal property into a safe deposit box.
  - Be sure to document all the assets that were removed from decedent's home, as they continue to remain part of the estate and may need to be distributed later to other beneficiaries.
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## ACTION 4



### FIGURE OUT IF THE DECEDENT HAD A WILL

If you don't know whether the decedent had a Will, there are several steps you can take to find out.

- You may need to go through decedent's personal possessions.
- If decedent's apartment has been sealed, you may need to petition the court to unseal it so that you can search for the Will.
- You may also need to petition the court to open decedent's safety deposit box, to see if there is a Will stored there.
- You may contact the decedent's attorney.

## ACTION 5



### BEGIN AN INITIAL INVENTORY OF ASSETS AND DEBTS.

These will be needed for both the probate and administration processes (Will or no Will). This process could take time, and you do not need to have this process completed before you file an initial Probate or Administration petition with the court. However, if you find new assets or debts after you file the court petition, the court will need to be updated, through an amendment to the initial petition.

**Assets** of the decedent includes: real estate, brokerage accounts, bank accounts, life insurance policies, annuities, employer benefits, retirement accounts, safe deposit boxes, cryptocurrencies, copyrights, business interests, potential law suit awards, personal possessions, etc.

- A good place to begin the inventory is by looking at the decedent's tax return from the previous year.
- In addition, you should continue looking through decedent's mail, to see if there are statements coming in. These may help with identifying both assets and debts.

**Debts** of the decedent include: mortgage, credit cards, hospital bills, business debt, IRS debt, pending law suits, etc.

- **DO NOT** pay any of the decedent's debts from your own funds. Wait until the probate process is complete to finalize creditor's claims.
- You may contact the creditors in writing and tell them about the death, so that no new charges will be accruing while the probate process is pending.
- If you do not feel comfortable speaking with the creditors yourself, direct them to your probate attorney.

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## ACTION 6



### BEGIN TO COLLECT INFORMATION ABOUT DECEDENT'S CLOSEST LIVING FAMILY MEMBERS.

Decedent's closest living family members will need to be notified properly (with all required court formalities) during the estate administration process. At the minimum, family will include the names and addresses of decedent's legal spouse (if any), and children (if any). Of course, every family circumstance is different. If there are no surviving spouse or children, you may need the names and addresses of decedent's parents, siblings, nieces/nephews, and cousins.

The court will require information about decedent's family before they accept any petition. If you do not know of family members, a diligent search will need to be performed and documented properly.



## **ACTION 7**

### **CONTACT A LOCAL PROBATE ATTORNEY TO BEGIN THE COURT PROCESS.**

Administering an estate can be costly, time consuming and confusing. Working with an attorney may alleviate much of this stress. It will ensure that the court process is handled properly and without mistakes, that the correct beneficiaries get the distributions, and that the government mandated deadlines are met.



**Sverdlov Law**

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**If you would like to discuss the next steps of the  
probate process, please call us at**

**212-709-8112**

**or**

**BOOK A FREE CONSULTATION**