

# EDUCATIONAL: DEATH

As painful as it may seem, advance planning can help you avoid legal battles and other emotionally exhausting experiences during one of the most difficult times of your life. If you have children or complicated financial assets, it's even more crucial that you plan now to protect them later. Today we are going to talk about what to do when a spouse dies. We will touch on how to prepare for that death, what to do when it happens and how to survive afterwards. Knowing what needs to be taken care of can be a tremendous help at this point, alleviating some of the stress and tension that is certainly swirling around you.

**We will start with a preparation list of items to think about and get in order before a loved one is even ill. We, as humans, have a tendency to believe that we can “put off until tomorrow”. That is not a good idea. Tomorrow is not promised to anyone. This time in our lives would be a lot smoother if we planned ahead. This will hopefully prevent a lot of heartache and frustration later.**

- Be sure to **get legal advice**. Contact an attorney to make yourself and your spouse familiar with the laws in your area.
- Check your wills. Make sure you are each designated to receive all joint property automatically in the event of the other's death. If that's not the case, have new papers drawn up and sign them now.
- Have adequate insurance coverage so your family's lifestyle won't change dramatically. Your kids will be distraught enough with your having to get a second job or move from the home you've all shared for years.
- Make sure you have a medical power of attorney so you can serve as his or her protector in life-or-death medical situations.
- Know where your spouse's investment accounts, IRA and other financial paperwork is located. If he or she keeps them at the office, you need to know this.
- Reviewing all property titles and deeds (for houses, cars, boats, other property or assets) to ensure that both of you are listed as legal owners. Sure, it's a technicality now, but when your spouse dies, it will be a major and legally challengeable issue that your car is in his or her name.
- Ask your spouse now whether you are eligible to receive benefits from your spouse's company in the event of his or her death. If you're both unsure, bring home the company handbook.
- Consult with a financial adviser to look for ways to secure your family's financial future.
- Stay involved with and have a clear understanding of the family finances so that there are no surprises when your spouse dies.
- Make sure your safe-deposit box is listed in both names; if it's under only your spouse's name, you'll need a court order to open it.
- Similarly, put bank accounts in both names so they won't have to go through probate.
- Be sure that your name is on all accounts, including utilities, associated with your home and finances. Even if your name is on an account as an “authorized user” this does not

guarantee that you will have any “authority” later. Some companies, like the cable company, will only allow the “primary account holder” to make changes to the account.

- Contact all companies involved to find out their policy after a death

\*How will they handle the account? Are you going to have to open another account like you are a new customer? Will you have the same privileges?

\* Some credit card companies will lower your available credit limit or close the account if the “primary account holder” is the deceased. In addition, the companies could continue to bill you for the remaining balance on the account.

\*Having to start over with services that charge you based on your time with them, like the electric or cable companies; can be extremely costly and frustrating.

- Be sure to get all passwords written down and know where to find them.

**\*\*\*Don't assume anything. The courts won't. Get everything spelled out in writing.**

**When our loved one becomes ill, there are a few things we can do to make sure everyone involved is prepared. During the time we are taking care of business, don't forget about the importance of starting to prepare ourselves emotionally. The following is a list you can follow to assist you in taking care of business.**

**Evaluate the alternatives of home care**, hospice care, nursing home care, and hospital care. Ask the loved one who is undergoing the dying process which alternative would be most appealing to him or her, and do your best to accommodate wishes. Bear in mind that costs and level of care differentiate with each option, and should be explored in greater detail before making a final decision.

**Call and make appointments to tour funeral homes.** Once you find a funeral home, the director can take care of a lot of the paperwork after someone dies. The funeral director can obtain the death certificate and plan the wake and funeral with your input. Make sure you request several copies of the death certificate to keep with your financial documents. However, unless your loved one asks about it, do not tell them. They may think that you are "doing them in." Take your direction from the loved one - some may want to talk about death, funeral plans, etc., while others do not. Don't presume that you know what they want or need - ASK. This is no time to play guessing games!

**Make sure that everyone in the family knows** that this loved one will be passing soon. Have your family go through a list of contacts while you take care of other things such as contacting the newspaper and writing an obituary. Explain to children what is about to happen. Keep far-away family members posted on the health. This will allow for everyone to say their good-byes.

**Sit and talk to your loved one as much as possible.** If you have regrets, or need to let him/her know something that you've kept in for years, use this time to let them know. Talk to them about death. They may need help coming to terms with their fears. Remember though, if it is something huge (you've been cheating on them for 15 years) it might be best to let it go. You don't want to stress him/her out more than they already are.

**Tell them you love them often** and that you will miss them. Be honest about how you feel. If you are scared or confused, they may be able to help ease your mind. Make sure you say everything that you want to say.

**Hold onto the memories!** Years from now, it may be the little things that matter, like their favorite color, their favorite dessert, etc. Gather family members in the room and talk about old times together. Everyone will have that memory of their loved one smiling and being content, or listening, remembering all of those moments. It will be a peaceful memory to look back on. If you're planning on planting a garden or a tree in your yard, as a memory for your loved one, tell him or her before they go. You can make a memory book of your loved one, especially for small children; have photos, journaling, mementos, sayings that your loved one always said, special recipes, etc. to forever keep their memory alive.

**Understand** that your life as you knew it will never be the same, but this does not mean it will not perhaps be better. Maybe you will begin a new career or move to a new location and, if it is what you want, you might one day love again. It is still possible to find another.

**Cry**, it is normal and it is better to let it out than keep things bottled up. When the tears come, let them out.

**Put things away now** that will be too hard to see, right after your loved ones death. Take them out when you feel as though you can handle it.

**Be honest** with your child/children, but use answers in an age appropriate way. Don't call a child morbid or tell them not to talk about things like that! Respect wishes - it is the child's/children's choice to attend the funeral/visit the grave/stone or not. Don't be offended, don't tell them off or force them to do so if they say no and/or they are not comfortable doing so.

**Do cry with your child/children** and do talk about the dead person. It shows your child/children that you never forget about that person and that it is OK to cry, show anger, and express feelings and grief. Remember people grieve in different ways.

**After our loved one dies, we can get into a fog. We usually resort to routines and things we know best and are comfortable with. The following is a list of things to be prepared for and ideas of how to handle them when they arise.**

Whether you and your spouse dealt with your bookkeeping on the computer or the old fashioned way with paper and pencil, hopefully, you are aware of the location of every important piece of paperwork that needs to be dealt with at this unfortunate time. Some matters will be more pressing than others and that is the order in which they should be handled. If you have no clue where everything or some things are kept, start looking for them now and gather as many of the financial documents as you possibly can.

If you are too emotionally distraught at this time, consider asking a close relative or friend to assist you. Worse case scenario, hire a lawyer or financial advisor to get you through this process of dealing with the financial end of becoming a widow or widower.

### **The Most Urgent Priorities**

After the funeral, it's time to take care of everything that was in your spouse's name. The following is a list of documents you should obtain so you can begin processing them into your name and take care of financial obligations.

List of important documents to review:

- Life insurance policy
- Will
- Birth certificate
- Death certificate (when available)
- Prearranged funeral arrangement papers
- Social security card (yours and your spouse's)
- Retirement plan documentation
- Deeds
- Car insurance policy
- Homeowner's insurance policy
- Loan documents
- Mortgage documents
- Leasing documents
- Tax returns
- Stock certificates
- Bank statements
- Brokerage statements
- Partnership agreements
- Divorce agreements
- Safe deposit box key and information
- Current billing statements
- Stocks and bonds information
- Medicare information (if applicable)

Once you have all or most of the documents together, go through them and sort them into piles according to urgency. Knowing what obligations and assets you have will guide the process of sorting out the financial end of things.

### **Deal with Documents**

While you may feel overwhelmed with the mountain of paperwork to take care of, it's not as cumbersome when you tackle one task at a time.

The first thing you must do is figure out how much money you have and how much debt your spouse owes. In most cases, this debt will have to be paid before you and other beneficiaries will be able to receive assets. You are also required to file a tax return for your spouse to find out if you need to pay taxes.

The next thing you should do is change the name on the will, bank accounts, bills, and insurance policies. Don't forget to change the name on real estate and cars. If you and your spouse shared credit cards, contact the credit card companies and ask them to leave your name but remove your spouse's. Don't close credit cards and open new ones because you will lose some of the good credit if you paid on those cards as required.

You need to contact Social Security if your spouse received benefits. This is true of any pensions or retirement income as well.

### **Meeting Due Dates & Paying Off Debts**

Use your cash assets to pay any pressing bills to avoid late fees and additional interest charges. If there isn't enough money available to pay off all of the debt with immediate due dates, contact the creditors and ask for a temporary delay or postponement. Most creditors are understanding and will work with you to come up with an arrangement that is acceptable to both of you.

Bills that carry the most importance and that should be paid first include the mortgage, home equity loans, health insurance premiums, homeowner's insurance, car insurance, and life insurance. Next in line are the utility bills.

### **Insurance Priorities**

If a life insurance policy was in effect, it may take several weeks to get the money. Try to arrange with your creditors and bank to ensure that you have enough working capital until you receive the money. Many of the larger issues such as stocks, brokerage statements, and partnership agreements can wait a few weeks until things settle down a bit.

Change the beneficiary on your will, life insurance policy, and bank accounts. Inform creditors to change the names on accounts or close them out once they are paid in full and open new ones. It is best to try and retain the same account with just the name change in order to retain the credit history that is attached to the account, particularly if it is good. Change the name on other important documents such as the deed, titles held on vehicles, and any other joint titles that you held.

If children are involved, you may want to consider acquiring disability insurance or increasing the amount on your insurance policy.

### **A New Beginning**

Once you have sorted through all the necessary changes that you need to make on your documents, begin to reassess your situation. Revisit your debt to income ratio. Work out a new budget -- one that incorporates the new level of income. Make any necessary cutbacks to keep your household financially viable. Then, relax and try to get back into the swing of things.

**Included in knowing what to do when your spouse dies is taking care of yourself emotionally. Not all of the formalities you must complete need attention immediately. Take some time to grieve. This person was someone who you cared for and loved deeply. It's not easy to continue on with life without the person you wanted to spend the rest of your life with.**

**Know that it will take time** before you can begin to feel normal again, but you will become used to living with the pain. It will not just disappear. This is the time to accept help from anyone that offers it. You are emotionally exhausted and you shouldn't put any additional stress on yourself than you have to at this time. Someone can help run errands and just be there to listen when you need it. Don't go through this alone!

**Try to ignore the negative talkers.** Do not pay attention to those who try to tell you that you are not grieving properly. Grief is as individual as you are, as your partner was, and as your relationship was. Specifically you will likely deal with some whom think you are healing 'too fast' and those who think you have become 'stuck in your grief.' If you have concerns in those areas, talk to a grief counselor. He or she is far better prepared to help you navigate your new life than someone who has never dealt with the death of their significant other.

**Realize that you have choices.** There is a time when you need to cry and there will come a time when you are ready to have a new life. When the tears come less often then you know it is time for your new life to begin.

**Do not worry that you will forget** your spouse. In time the pain of the loss will lessen. Continue living your life with the realization of knowing that your spouse would have wanted you to be happy and productive, with or without them.

**Ask yourself** what it was that you have always wanted to do but something you never had time to do because of family obligations. *Now is the time to do it!* Be anything you want to be. Become an artist, a pilot, or a scuba diver. Take a ride in a hot air balloon. Most of all strive to be happy and fulfilled. Your dreams can become a reality and help fill the void in your life. You will meet new people and realize that life can be satisfying and exciting even if you are alone.

**Be patient with yourself** because this change may not come quickly or easily. But once you allow yourself to be happy, you will find that you are.

**Adopt a pet.** If you don't have the energy to give a great amount of attention to a pet, consider a cat. They make great companions. They are clean and do not have to be walked. They give you love and affection. They give you someone to care for and care about. If you are not a cat person get whatever pet makes you happier. Understand that the pet will not replace your love, nor is it meant to, but animals can make you smile, listen to you when you feel like talking and fill a lonely day.

**Volunteer** your time to a cause or something that you feel strongly about. Write letters, or become a phone companion, a group that is backed by the Police Community Service. They make daily calls to shut-ins, to make sure that they are safe. Talk to them to keep them company and they will be keeping *you* company as well. Think positively and leave all of your negative thoughts behind.

**Understand** that if none of the above fits your needs, or if you are incapacitated to some degree, there is no reason why you cannot join the library and read. Most libraries have library buses that bring books to your neighborhood. Or you can rent a DVD, or watch movies on the TV.

**Know the Truth about life.** Try to understand the eternal truth of life "Every thing keeps on changing every moment".

**If needed, consider seeing a grief counselor or therapist.** Talk about the pain you are experiencing. Be willing to talk about the problem. If it gets to be too much and you are thinking of suicide, please call 911 or call a hotline! Suicide is not the way out. Please get yourself to a therapist as soon as possible! If you are thinking of suicide, know that there are better alternatives. Talk about the pain you are experiencing and allow someone to help you come up with alternatives to relieve that pain.

This is a new chapter in your life. You did not ask for it, you did not expect it, but you have it nevertheless. Make the best of being alone. Be happy within yourself. Gain your own strength from within, and eventually you will be able to enjoy and build your life again. Try to be positive. You have a right and need to realize that life isn't always fair, but you can be thankful for what you have.

I couldn't help but include this small section on protecting yourself from "Funeral and Cemetery Fraud". Please be careful.

**Tips for Avoiding Funeral and Cemetery Fraud:**

- Be an informed consumer. Take time to call and shop around before making a purchase.
- Take a friend with you who may offer some perspective to help make difficult decisions. Funeral homes are required to provide detailed general price lists over the telephone or in writing.
- Educate yourself fully about caskets before you buy one, and understand that caskets are not required for direct cremations.
- Understand the difference between funeral home basic fees for professional services and any fees for additional services.
- Know that embalming rules are governed by state law and that embalming is not legally required for direct cremations.
- Carefully read all contracts and purchasing agreements before signing and make certain that all of your requirements have been put in writing.
- Make sure you understand all contract cancellation and refund terms, as well as your portability options for transferring your contract to other funeral homes.

- Before you consider prepaying, make sure you are well informed. When you do make a plan for yourself, share your specific wishes with those close to you.
- As a general rule governing all of your interactions as a consumer, do not allow yourself to be pressured into making purchases, signing contracts, or committing funds. These decisions are yours and yours alone.

**As with all of the educationals, this is simply a guide to hopefully get you thinking and give you a place to begin. Please consult a professional for the laws and guidelines in your area.**

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***RESOURCES:***

- Healthcare and Elder Law Programs Corporation (H.E.L.P.)
- Vivian Gibson, Past ESA Foundation Board Member and Sooner Seniorette
- Marcelina Hardy, Author
- Alice Wisler, Author