

# Estate Administration Checklist

	Contact name	Company	Telephone number
Attorney			( )
Accountant			( )
Funeral home			( )
Financial advisor			( )
Insurance agent			( )
Real estate agent			( )

Our Trust, Estate & Charitable Planning Group assembled this checklist to help families and friends cope with the loss of a loved one. It is not a substitute for legal advice or the advice of other trusted advisors. Please contact a Gray Plant Mooty attorney for assistance in the administration of the estate or revocable trust of your loved one.

## Final Arrangements

- Follow the decedent's wishes about end-of-life treatment, pain management, and organ donation specified in a Health Care Directive or living will.
- Make arrangements for the care of the decedent's minor children and pets. Contact the surviving parent or the guardians designated by the decedent's last will.
- Make arrangements for disposition of the body with a funeral home or mortuary. The disposition of the decedent's body is governed by the decedent's last will. If no instructions are in the will, then the right to control the body's disposition is up to the person designated in a dated written instrument signed by the decedent, such as a Health Care Directive. Otherwise, the decedent's spouse, then the decedent's surviving children over the age of majority, have the right to control the body's disposition.
- Make arrangements for a funeral or memorial service. Locate information about a prepaid funeral or prepaid burial plan before contacting the funeral home or mortuary. If the decedent (or decedent's spouse) was an active duty, reserve, or veteran member of the U.S. military, contact the Department of Veteran's Affairs at (800) 827-1000 regarding burial benefits.
- Do not pay for any expenses personally if possible. The estate may not have sufficient assets to reimburse you. Unless you are an authorized person on the decedent's checking account, you may not use it to pay for expenses. Also, the decedent's financial power of attorney terminates upon the decedent's death.
- Contact the decedent's family, friends, employer, religious organization, social groups, and fraternal organizations about the funeral or memorial service.
- Collect all house keys and car keys so that valuables do not disappear. Contact any neighbors, cleaning services, or yard care services that might have additional keys.
- Arrange to have someone at the decedent's home during the funeral to prevent theft.

## ***Starting the Estate Administration***

- Contact an attorney in Gray Plant Mooty's Trust, Estate & Charitable Planning Group to start the administration process. Your Gray Plant Mooty attorney can assist you with probating the decedent's estate and administering the decedent's revocable trust, if any.
- Obtain the originals of the decedent's last will and revocable trust, if any. If you cannot locate the originals, these documents may be in the office of the decedent's attorney, in a safe deposit box, or filed with the probate court in the county of the decedent's residence.
- Before appointment as personal representative of the decedent's estate or trustee of the decedent's trust, the designated personal representative or trustee should take steps to protect the decedent's property. Do not remove or distribute the decedent's personal property before opening a probate, if probate is necessary.
- Make arrangements for the decedent's plants, perishable food, lawn care, snow removal, and other household maintenance and upkeep.
- Contact the local police department to occasionally check the decedent's house if no one else resides there.
- Contact the local post office to forward all mail to the personal representative or trustee.
- Contact the funeral home or mortuary to order certified copies of the death certificate. If additional copies are needed, contact the Minnesota Department of Health at (612) 676-5120. You may need to present certified copies to obtain the decedent's account information or transfer assets.
- Do not transfer title to assets or make claims as a beneficiary without contacting your Gray Plant Mooty attorney and your accountant regarding the legal and tax issues. You may subject yourself to additional taxation by accepting or transferring an asset.
- Gather copies of the decedent's income tax returns for the last three years; all of the decedent's gift tax returns; any trust agreements for which the decedent was a beneficiary, trustee, or trustor; any antenuptial (prenuptial) agreements; any post-nuptial agreements; and any divorce decrees.
- If the decedent was on any Minnesota assistance programs, contact the local county or regional human services, social services, or family services office to report the death. For more information, call the Minnesota Department of Human Services Information Desk at (651) 297-3933.
- After appointment as personal representative of the estate or trustee of the revocable trust, file an IRS Form SS-4 to apply for an employer identification number for the estate or trust. This number will be used to open estate or trust accounts and to report fiduciary income taxes.
- Open a new estate or trust checking account and investment account. These accounts will be used to receive the decedent's assets, to sell securities, to pay debts and administration expenses, and to distribute the remaining assets.

## ***Gather the Decedent's Assets***

- Contact the decedent's employer (and former employers) to check for pension benefits, group life insurance, or other death benefits.
- Contact newspaper and magazine companies to cancel subscriptions and to request refunds.
- Contact the decedent's banks to check for safe deposit boxes.
- Contact the Social Security Administration at (800) 772-1213 to report the death. Check for benefits for a surviving spouse and minor children. Do not cash the decedent's Social Security check for the month in which the decedent died. Return

the check or any direct deposits to Social Security as soon as possible.

- If the decedent was an active duty, reserve, or veteran member of the U.S. military, contact the Department of Veteran's Affairs at (800) 827-1000 regarding possible benefits, such as Dependency and Indemnity Compensation, Death Pension, and VA Civilian Health and Medical Program.
- Locate all life insurance information, and contact the insurance companies to report the death. It is important to work with your Gray Plant Mooty attorney to process any claim forms.
- If the death was accidental, check with the decedent's employer and life insurance companies for additional accidental death benefits. Accidental death benefits may also be payable by travel insurance, credit cards used to purchase travel, etc.
- Locate all annuity information, and contact the annuity companies to report the death. It is important to work with your Gray Plant Mooty attorney and your accountant to process any claims forms.
- Locate all retirement plan information, and contact the plan administrators to report the death. It is important to work with your Gray Plant Mooty attorney and your accountant to process any claims forms.
- If the decedent owned any business interests that are not publicly traded, contact the other business owners to report the death. Check for buy-sell agreements and restrictions related to transfer of the interests.
- Locate all bank, brokerage, and other financial account information, and contact the companies to report the death and obtain date of death asset values.
- Locate car, boat, and other vehicle titles, and contact the local office of the Minnesota Department of Public Safety, Driver and Vehicle

Services Division. For more information, call (651) 296-6911.

- Contact any parties that owed the decedent money on promissory notes, contracts for deed, or similar debts, and report the death.
- Contact the Minnesota Department of Commerce's Unclaimed Property Division at (651) 296-2568 to check for assets in the decedent's name that were unclaimed or abandoned.

### *Pay the Decedent's Debts, Taxes, and Expenses*

- Maintain homeowner's insurance and motor vehicle insurance policies while administering the estate.
- Contact guardian, conservator, or other agents acting on behalf of the decedent to report the death and to settle agency relationships.
- Contact telephone, TV cable, water, sewer, gas, electric, and other utilities or services to terminate or change services.
- Locate all loan information, and contact the lenders to report the death.
- Pay any amounts owing under any antenuptial (prenuptial) agreements, any post-nuptial agreements, and any divorce decrees.
- Contact any parties to vehicle leases or other leases to report the death and determine options.
- Contact the major credit bureaus to report the death and prevent fraudulent post-death transactions. Call Equifax at (888) 766-0008, Experian at (888) 397-3742, and TransUnion at (800) 680-7289.
- Before paying off a credit card, mortgage, vehicle loan, or similar debt, check whether there was credit insurance with the lender.

- Contact any health insurance providers regarding the medical bills related to the decedent's final illness or death.
- After consulting with your Gray Plant Mooty attorney, pay all allowable medical bills, loans, and other debts of the decedent.
- For credit cards held in two names, both are liable for the balance due. Remove the decedent's name from the account to continue using the account or close unwanted accounts.
- For credit cards is in the decedent's name alone, close the account. In Minnesota, a surviving spouse is only responsible for "family necessary" bills, including medical bills, on account of a deceased spouse. However, the decedent's estate is liable for the bills.
- Pay real estate taxes that might be due on May 15 or October 15 (or November 15 for agricultural land).
- Pay any income tax estimated payments that might be due on January 15, April 15, June 15, or September 15.
- Pay any gift taxes and income taxes that may be due on April 15 of the year following death.
- Pay any estate taxes that may be due nine months after the date of death.

***Distribute the Decedent's Remaining Assets***

- For real estate owned by the decedent and someone else as joint tenants with a right of survivorship, file an Affidavit of Identity and Survivorship with the County Recorder (abstract property) or Registrar of Titles (Torrens property) to remove the decedent's name from the title.
- Other assets and accounts owned by the decedent and someone else as joint tenants with a right of survivorship can be transferred using a certified copy of the death certificate. Assets such as stocks,

bonds, and vehicles may require additional paperwork to remove the decedent's name.

- Assets such as life insurance policies, retirement accounts, annuities, and pay on death accounts that have a designated beneficiary pass to that beneficiary. The beneficiary should not file claims for these assets without contacting an attorney and an accountant regarding the legal and tax issues. The beneficiary may be to additional taxation by accepting an asset.
- At the end of the administration process, consult with your Gray Plant Mooty attorney, accountant, and financial advisors to coordinate the distribution of the remaining assets according to the decedent's will or revocable trust, if any.