

Now What?!?

The Things You Need to Do
- and Things Not to Do -
When Someone Dies



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What to Do-and What Not Do-When Someone Dies

1) Do Very Little

- ☐ Honor and celebrate the person who passed, work through the funeral process.
- ☐ Do not take on logistical items at this point, other than those associated with the funeral.

2) Don't Claim Any Authority

- ☐ Powers of Attorney are no longer valid.
- ☐ Authority nominated in a Last Will is not granted until the Court takes action.

3) Don't Pay Bills or Creditors Out-of-Pocket

- ☐ There is a legal priority which defines the order to pay claims, creditors, bills, and heirs.
- ☐ Do not open yourself to liability by paying out of order. Also, be wary of paying out-of-pocket as there may not be funds to pay you back.

4) Talk to an Attorney

- ☐ It is important to understand options and processes that may be required.
- ☐ It is important to understand attorneys' fee structures as they may vary by thousands of dollars.
- ☐ Watch the video - Probate Overview - to understand the attorney fee structures

5) Do Not Distribute or Pay...Yet

- ☐ Until everything is inventoried and valued, the distribution of property cannot be determined.
- ☐ A PR may be personally responsible to a party not paid if a lower priority party is paid.

6) Do Not Let Anyone Spend, Take, or Use Property

- ☐ This will be difficult, but the PR must do his/her best to protect property from being used, taken, etc.
- ☐ The estate, PR, and person taking/using property may be liable for lost, damaged, or harm to property.

7) Determine the Process(es) and Move Forward

- ☐ Once the necessary process are determined, then the required steps and time frames will be known.
- ☐ It is important to inform everyone what the processes are and what needs to happen to move forward.

8) Understand What is in Probate, the Estate and What is Not

- ☐ Even if Probate is required, some assets will not be included in Probate or the Last Will provisions.
- ☐ Non-Probate Transfer rules may transfer some property to parties without other administration action.

9) Stay on Schedule and Communicate Progress

- ☐ Some processes may take months and you need to remain diligent to complete on time
- ☐ Keep everyone informed of the process, expected time frames, and delays.

10) Finish Strong

- ☐ Stay on schedule so the process can be completed in the most efficient way possible.
- It is the best way to keep costs down and preserve any possible inheritance for heirs.