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Memorandum

COMMON CONCERNS MEMO™

Many clients have common questions or concerns which arise shortly after the passing away of their loved one. In order to assist you during this interim period between now and the time you are able to meet with your attorney, we have put together this short memorandum. We hope that this will serve to ease your mind during this anxious and difficult time.

Is there anything I need to do immediately?

The first step is to locate your loved one's Living Trust® Portfolio (red leather three ring binder). In that portfolio, your loved one may have left Instructions for Final Arrangements (located behind a *Memorial Instructions* tab) or anatomical gift instructions (located behind a *Anatomical Gift* tab). In addition, your loved one may have left a list of individuals you need to contact regarding final services (located behind the *Location List* tab).

If you or a family member have attended Nuts 'n Bolts training, you wish to refer to the Trust Settlement Instructions in the Helpers Handbook™ in order to prepare yourself for your Settlement Counselling Session™.

How many death certificates do I need to order?

Generally, the funeral director will order as many certified death certificates as you request. At a minimum, you will need an original certificate for yourself, the law office and each financial institution at which your loved one maintained an account (including banking, insurance and brokerage institutions). If you're unsure how many death certified death certifications to order, we recommend you initially request ten. If additional certified death certificates are needed, then can be obtained from the State Department of Health at a later date.

What should I do with any Social Security checks which arrive after my loved one has passed away?

If you discover an un-cashed Social Security check, please hold it until your Settlement Counselling Session™, and we will provide you with complete instructions as to how to proceed at that time. Normally, monthly Social Security payment received after the date of death must be immediately forwarded back to the Social Security Administration and must not be deposited or cashed.

What do I do with other checks made payable to my loved one?

Hold on to these checks until you meet with your attorney. The attorney will discuss this issue during your meeting. However, if you are uncomfortable holding on to the checks, feel free to call the office for direction. This is one of the first issues discussed in the Settlement Counselling Session™.

Should I be getting appraisals of any of these assets?

Until we have our Settlement Counselling Session™, there is no need to secure appraisals for your loved one's assets. However, eventually we will need a quoted value in writing on the value of any real estate, residential personal property, crops growing in the ground, licensed vehicles and watercrafts, and business interests. The "formality" of the appraisal or valuation will depend on the type of asset and the death tax situation involved.

Should I be dividing up any of the personal property among surviving loved ones?

No. You should not be dividing up any of the personal assets of your loved ones among the beneficiaries until you have had sufficient opportunity to assess the value of the items for tax reporting purposes. All distribution of your loved one's property should be postponed until after the Settlement Counselling Session™, and after the property has been properly valued.

How do I pay funeral expenses?

The funeral director will normally work with you on this issue. If your loved one made for pre-paid arrangements, you'll simply need to verify this fact. If no pre-paid arrangements were made, the funeral director will normally be satisfied with either an assignment of life insurance or, if possible, an advance from a family member that will be repaid once your loved one's accounts become available. It is recommended that you NOT withdraw funds from any of your loved ones accounts in order to pay the funeral home.

How do I pay other bills that come due prior to the Settlement Counselling Session™?

Most creditors are very understanding of the position you're in. You have no legal access to your loved one's funds until formal action has been taken. We recommend that you explain this to any creditor's, and to simply inform them of when you will meeting with your attorney for the Settlement Counselling Session™. If you're faced with a particularly pushy or hostile creditor, call the law firm immediately so that we may work through the situation for you.

We hope these general guidelines help you through the first days after the passing of your loved one. It has been our experience that the closer you follow these guidelines, the smoother things go once we get together. Rest assured that your clarity and comfort level will improve considerably once we've conducted our initial Settlement Counselling Session™.