



After a Death...  
What do I do Now?  
A Practical Guide  
for Survivors

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## **PURPOSE OF THIS BOOKLET**

At Rothman Gordon, P.C., our estate planning attorneys counsel clients in planning for the most beneficial distribution of their assets during life and upon death. We analyze, plan and administer estate, tax and probate matters for individuals and businesses. Clients are counseled on the need for, and preparation of, such instruments as wills, trusts, living wills, powers of attorney and guardianships.

This outline is intended to provide you with a basic understanding what a survivor may face when dealing with the death of a family member, as well as a basic understanding of the estate planning process. It is not intended to be used as a substitute for legal advice, but rather is designed to give you the information that you would need to help you to ask the right questions when you decide to prepare an estate plan.

The information provided herein is current as of the date set forth below. The laws and regulations described herein are subject to change without notice and their application to particular facts may be complicated. The reader should consult an attorney before applying the same to ascertain that there have been no changes in the law or regulations and to assure the correct application of these rules to particular facts. Questions may be addressed to us by calling us at (412) 338-1100.

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## I. INTRODUCTION

Death comes to us all. We will encounter it many times in our lives with the final encounter being our own eventual demise. It is human nature to avoid the topic. No one wants to deal with his or her own mortality. Very often, the tendency is to put off the discussion to a later date. We don't want to deal with issues of death and the changes it brings until we must. Unfortunately, by the time they are forced to deal with these events, our survivors are faced with choices and tasks that are made much more difficult than they would have been had we taken the time to plan for that day that we all must face.

It is our survivors, and not we, who must make the final decisions and who must go about the sometimes unpleasant, and often overwhelming task of handling our "final affairs." The administration of an estate can be difficult, but it does not need to be. Proper planning and organization now, while you are living, will make it easier for your survivors.

These materials are intended to serve a dual purpose. First, we address what you might face in the event of the death of a loved one, and what might be asked of you as a survivor. The second focus of these materials is to help you learn what you can do now to make your survivor's tasks easier. We will discuss estate planning, generally, and the documents involved in a comprehensive estate plan. We will also discuss organization of your "Important Papers" so that your survivors know what to do when you are gone.

## II. A DEATH HAS OCCURRED...

The loss of a loved one is never easy. Whether death comes after a long illness, or suddenly and unexpectedly, the impact is the same on those left behind. For some, the burden is greater. When a loved one passes away, certain actions must be taken; decisions must be made. We are dealing with a whirlwind of emotions, still reeling from the loss and then are immediately hit with the question, "What do I do now?" Many of the actions discussed below will be taken within the first twenty-four to forty-eight hours after a death.

## **ACTIONS TAKEN IMMEDIATELY AFTER A DEATH**

Most people would not immediately know who to contact or what needs to be done when a death occurs. The answer depends on the circumstances as well as the location where the death occurred. Even when the death was anticipated following a long illness, many survivors are unsure what to do.

### **Unanticipated Deaths**

In many cases, death comes suddenly and without warning. Whether the death occurs at home or elsewhere, the survivors should immediately call 911. Police and/or emergency personnel will respond and will determine the course of action to be followed. If the circumstances of the death are suspicious or involve a crime, it is important to avoid disturbing the scene of the death as much as possible as you may inadvertently destroy evidence that may otherwise be helpful to authorities.

Under Pennsylvania law, the cause of death must be determined. Typically, if the deceased was under a doctor's care, the doctor may be able to provide the cause of death. If the cause of death is not apparent, it may be necessary for the deceased to be transported to the Coroner or Medical Examiner's office for autopsy. In some cases, the police will immediately release the deceased's body to the care of a funeral home. If your loved one has indicated a preference, or you have a personal preference for a funeral home, you should contact that funeral home as well. Most funeral homes will come to the home to remove and transport the deceased to their facility. In either event, the funeral home will contact the police or the Coroner's office to determine when the remains will be released to them.

### **Death Occurs in an Institution**

When a person dies in a hospital, hospice unit or a nursing/rehabilitation home, the institution's staff will advise you of their process. In many cases, the cause of death will be known and the institution will release the body to the funeral home directly. You will be asked to complete legal forms required by the institution and you

will need to inform the staff of the funeral home that will be caring for the deceased. Normally, the survivors will need to place the call to the funeral home as the institutions do not typically provide this service. The funeral home will then co-ordinate the removal and transportation of the deceased with the institution.

### **Anticipated Death at Home**

It is becoming more common for people with terminal illnesses to live out their final days in their home under hospice care. While the imminency of death is known, the day and time is not. In these situations, advanced planning with the hospice care provider is important. You should inform the hospice in advance of the name of the funeral home that will be in charge of the funeral arrangements. When the person dies, the hospice will either call the funeral home, or inform you to make the phone call, after which the funeral home will send someone out to the home to remove and transport the deceased.

### **Death Out-of-State**

Sometimes death will occur when families are traveling. In such a case, you should immediately call the local police. The body will be taken by ambulance to a hospital (or medical examiner's office) where a physician or medical examiner will be summoned to determine the cause of death. You should immediately contact a funeral home in your home town to advise of the death and arrange for the transportation of the body back to your home town. If the death occurs outside of the United States, the local authorities will contact the United States Consul. The Consul will contact family members and will assist in making arrangements for transporting the body home for burial or cremation.

### **CARE OF DEPENDENTS AND PETS**

Of immediate concern following an unexpected death is the care of the deceased's dependents or pets. If the deceased was the primary caregiver for a minor child or a dependent adult, arrangements must be made to ensure that they continue to receive appropriate care. If there is no responsible adult who could take over the care of the dependent (even in the short term), contact the local government social services

for assistance. In many cases, parents will have appointed a guardian for their children or adult dependents in their will. In some cases, special guardianship appointment documents may exist. Search for any documentation that may appoint a guardian as soon as practicable.

Also, remember the deceased's pets. Dogs, cats, birds or fish will need to be cared for and fed. If there are no family members who are able or willing to care for the pets, contact the local humane society or animal shelter for assistance.

## **FUNERAL ARRANGEMENTS**

Following the death of a loved one, many families rely heavily upon the funeral home for guidance and information. It is always beneficial to contact the funeral home as soon as possible so that they can make arrangements for the transportation of the deceased. You will also need to meet with the funeral director to arrange for the service. You will need to consider:

- The type of service;
- Number of days and visitation hours for viewing;
- Location of the service (at the funeral home, church or elsewhere);
- Method of final disposition of the remains (burial, cremation, donation, etc.); and
- Choosing a casket, grave markers, etc.

You will review with the funeral director all of the choices and the costs involved. Funeral homes are licensed by the state and are regulated by both the federal government and state government. The Federal Trade Commission (the "FTC") has developed a series of rules regulating funeral industry practices.

The Funeral Rule, enforced by the FTC, makes it possible for families to choose only those goods and services they want and to pay for only those services that they select. It allows for comparison shopping. The Funeral Rule gives you the right to:

- Buy only the services you want. You have the right to buy separate goods (such as caskets) and services (embalming, cremation, memorial service). You don't have to accept a "package" or bundled services that include services (and costs) that you do not want.
- Get price information over the telephone. Funeral directors are required by law to give you price information if you ask for it. You don't have to give them your name, address or phone number first.
- Get a written itemized price list. Funeral homes must give you a General Price List that you can keep. The list will include all of the goods and services that they offer and the price of each.
- See a written casket price list before you see the actual caskets. This way, you can ask about lower priced alternatives that may not be on display.
- See a written outer burial containers price list. Outer burial containers (burial vaults) are not required by law in all states, but many cemeteries require them to prevent the grave from caving in or sinking. Again, the price list will permit you to ask about lower price alternatives.
- Receive a written statement after you decide what you want and before you pay. The written statement must show exactly what you are buying and the cost of each item. The funeral home must give you a statement showing every good or service that you are buying and the individual cost thereof, and the total cost of the services immediately after you make the arrangements. They are also required to give you an explanation of the written statement.
- Use of an alternative container instead of a casket for cremation. There are no federal, state or local laws that require the use of a casket for cremation. A funeral home that offers cremation must tell you that alternative containers are available. Most funeral homes will provide "rental" caskets for the viewing.
- Provide a casket or urn that you purchase elsewhere. You are allowed to buy a casket or urn elsewhere and provide them to the funeral home to use. They can not refuse or charge you a fee to allow you to do so.

## BURIAL PLOT

Many people do not have a burial plot. Some do plan for that contingency, but most do not face that decision until there is a need. Often, the funeral home becomes involved in the process. The most important thing to remember when buying a cemetery plot is that when you buy the plot, you are not buying a piece of ground that you will own. You are buying the right to be interred in that piece of ground. The cemetery will continue to own the ground in which you will be buried. Cemetery plots may range from a couple hundred dollars to a couple thousand dollars for a single plot.

As with any purchase of real estate, location plays a role in the price of the grave plot. Grave sites that have panoramic views, or that are surrounded by beautiful gardens and statuary generally cost more than plots without the scenery. Location is also a key component in the decision for other reasons. When buying a plot for yourself (or any family member), remember that the family of the deceased will come to visit and care for the grave. Consider their safety when purchasing your plot. It would probably not be wise to buy a plot in an area where you would not feel comfortable with them driving through or being alone without access to help. Another factor to consider is price; not just the price of the plot itself, but also the ancillary fees and costs, which may include:

- Fees for opening and closing a grave.
- Fees for burial vaults (some cemeteries require them, even though state and federal law do not).
- Fees for perpetual care. Cemeteries are large fields with lawns that must be cut and trees and shrubs that must be pruned. Those costs are passed on to the purchasers of plots in the form of a perpetual care fee.
- Fees for installation of gravestones or markers. While you may purchase a marker elsewhere, the cemetery will usually require that the stone must be erected by their employees at a set fee. The same applies to any required foundation for the marker.

Many cemeteries have rules that can rival a homeowners' association, from restricting the types and sizes of grave markers, to the types of flowers or plants that you can use to decorate a grave. Many cemeteries, in an effort to reduce costs, will permit only flat markers so that lawn tractors may easily negotiate the area (very often that means mowing down the flowers that you've just planted). Be sure to get a copy of the cemetery's rules and regulations prior to purchasing your plot.

Another consideration is the number of plots to buy. Many families want to be interred together. At the very least, you may want to acquire two plots so that your spouse will be next to you. If your intent is to have your family interred together, buy as many plots as you will need at one time. The purchase of multiple, contiguous plots will ensure that your family will stay together and will save you money.

Another way to save money is to purchase an unused cemetery plot from an individual owner. Many times, families will move from an area, or there will be a divorce, or a surviving spouse remarries and decides to buy a new plot with the new spouse, leaving unused plots. As mentioned above, when you buy a cemetery plot, you are only buying the right to be interred. In many cases, that right belongs to the purchaser. In some cases, the transfer of a cemetery plot is not effective until and unless the cemetery is notified of the sale and consents to it. Sometimes, the rules of the cemetery require that they be given a right of first refusal on all secondary sales of plots. Always check with the cemetery BEFORE buying a plot from a private owner.

A final note on cemetery plots; if you buy plots in advance of any need, make sure that your family knows about it. Leave clear instructions regarding the location of the cemetery, and where to find the paperwork related to the plots so that your family avoids the costs associated with purchasing another plot.

## **DEATH CERTIFICATES**

The funeral director will order certified copies of the death certificate. You will need the death certificate for a number of matters: closing of bank accounts, applying for insurance proceeds, selling assets, opening the estate and many other actions the survivors will need to

undertake will require an original certified copy of the death certificate. Pennsylvania law prohibits the copying of a death certificate as well. Be sure to order enough certificates to meet your needs. You will need one for each bank account, each mutual fund (by family or company) each stock owned, and each insurance policy. You will need one to open the estate. You may order additional copies at any time, but processing can take several weeks. Make sure that you get enough to meet your needs. It is better to have a few extra than to not have enough.

## **LOCATE IMPORTANT PAPERS**

As soon as practicable, you should search for the deceased's important papers. This would include a will, insurance policies, retirement account statements, bank account statements, brokerage account statements, stock and bond certificates, and other documents, such as utility bills, credit card bills, and rent or mortgage payment information. Credit card companies should be notified immediately of the death to protect against fraudulent charges against the accounts. The executor or administrator will need to contact Social Security and the administrator of any pension or annuity plan to advise of the death as many such payments stop at death.

Hopefully, the deceased was organized and had compiled a list of all of these documents and accounts, identifying where they can be found. More often than not, the deceased did not and the survivors are forced to search for them. When searching, do not assume that the deceased would think like you and keep things in "sensible" places. Everyone is different and may have "filing systems" that defy logic to most of us, but made perfect sense to them. The same holds true for hiding places for valuables, which we will address below.

## **NOTIFYING FAMILY AND FRIENDS**

You should immediately contact family members of the deceased to advise of the death. It is not always practical or possible for one person to make all of the calls necessary. You should call immediate family first (parents, children, and/or siblings), and then neighbors and close friends and ask that they spread the word.

The family may wish to have an obituary or death notice published in the local newspaper. The funeral director can often provide assistance with the preparation and publishing of the obituary.

One word of caution: it is not unusual for the less honorable segments of our society to monitor death notices in the newspaper to identify potential targets for burglary. Make sure that the deceased's home is secured and ask neighbors to keep a watch on the property and report any suspicious behavior. It would also be wise to arrange for a house sitter during the hours of visitation and the funeral service, as those are the time most likely for a break in.

### **NOTIFYING EMPLOYER AND/OR BUSINESS ASSOCIATES**

You should also immediately notify the deceased's employer of the death. Someone will need to arrange for the collection of the deceased's personal property from the workplace. In addition, many employers offer group term life insurance as a benefit. You can also determine whether the deceased participated in a 401(k) or other benefit and/or retirement plan. Also, it should be noted that if the deceased's family was covered by health insurance through the employer, continued coverage for those family members may terminate at the end of the month in which he or she died (or sooner). Continued coverage may be obtained under COBRA. The employer can provide instructions to continue insurance coverage.

### **NOTIFYING SOCIAL SECURITY, VETERANS AFFAIRS, PENSION ADMINISTRATORS AND OTHERS**

Within the first five days following the death of a loved one, you should contact the Social Security Administration to notify them of the death. Social Security benefits cease at death. Promptly notify Social Security of the beneficiary's death by calling the Social Security Administration toll-free at 1-800-772-1213. (TTY 1-800-325-0778.) Any checks issued following the date of death should not be cashed, but rather, must be returned to the Social Security Administration. Likewise, veterans' benefits will also cease at death. If you continue to

receive social security or veterans' benefits following death, and cash those checks, you will be required to repay that money. Failure or refusal to do so may result in criminal prosecution.

In addition, pension benefits may also terminate upon the death of a pensioner. As with the government benefit checks, any pension checks issued and received after death must be returned (or refunded in the case of direct deposit). It should be noted that in some cases, pension and retirement benefits may include life insurance. When contacting the pension administrator, you should inquire about any life insurance policies that may be in effect.

## **LIFE INSURANCE, SOCIAL SECURITY, VETERANS AND OTHER DEATH BENEFITS**

**Life Insurance:** The deceased may have had life insurance through a variety of sources. You should contact the deceased's employer (even if retired) to determine if there was a group term life insurance policy through the employer's benefits or retirement programs. In addition, if the deceased was a member of a union, a life insurance policy may have been included in a collective bargaining agreement or available through the union itself. Veterans of the United States Military may have a policy through the Veterans Administration. Also, check with mortgage lenders and auto finance companies. Many times, creditors on mortgage and auto loans offer a life insurance policy that would pay off the debt in the event of the death of the borrower.

**Social Security:** A family member or other person responsible for the beneficiary's affairs should do the following:

- Promptly notify Social Security of the beneficiary's death by calling the Social Security Administration toll-free at **1-800-772-1213**. (TTY 1-800-325-0778.)
- If monthly benefits were being paid via direct deposit, notify the bank or other financial institution of the beneficiary's death. Request that any funds received for the month of death and later be returned to Social Security as soon as possible.
- If benefits were being paid by check, **DO NOT CASH** any checks

received for the month in which the beneficiary died or thereafter. Return the checks to Social Security as soon as possible.

**One-time Lump Sum Death Benefit:** A one-time payment of \$255 is payable to the surviving spouse if he or she was living with the beneficiary at the time of death, OR if living apart, he or she was eligible for Social Security benefits on the beneficiary's earnings record in the month of death.

If there is no surviving spouse, the payment is made to a child who was eligible for benefits on the beneficiary's earnings record in the month of death.

**Benefits for Survivors:** Monthly survivors benefits can be paid to certain family members, including the beneficiary's widow or widower, dependent children and dependent parents.

**Veterans Benefits:** If the deceased was retired military: contact the Defense Finance and Accounting Service Casualty Assistance Line to report the death and check for survivor annuity or life insurance policies. You will need the following information: (1) certified copy of the death certificate; (2) copy of your marriage certificate (spouses only); and (3) copies of the birth certificate for dependent children.

If the deceased served as a member of the United States military, you should contact the Department of Veterans Affairs (VA) regarding certain benefits available to the deceased. It should be noted that the VA does not make funeral arrangements or perform cremations. Families should make these arrangements with a funeral provider or cremation office. Any item or service obtained from a funeral home or cremation office will be at the family's expense. Your funeral director should be able to assist you in contacting the VA about veteran death benefits. These benefits may include:

- **Burial in a National Cemetery**

Burial benefits available include a gravesite in any of the VA's 131 national cemeteries with available space. There are nine (9) National Cemeteries in Pennsylvania. The benefits include the opening and closing of the grave, perpetual care, a government headstone or

marker, a burial flag, and a Presidential Memorial Certificate, at no cost to the family. Some Veterans may also be eligible for Burial Allowances. Cremated remains are buried or interred in national cemeteries in the same manner and with the same honors as casketed remains.

Burial benefits available for spouses and dependents buried in a national cemetery include burial with the Veteran, perpetual care, and the spouse or dependent's name and date of birth and death will be inscribed on the Veteran's headstone, at no cost to the family. Eligible spouses and dependents may be buried there as well, even if they predecease the Veteran.

- **Burial in a Private Cemetery**

Burial benefits available for Veterans buried in a private cemetery include a Government headstone or marker, a burial flag, and a Presidential Memorial Certificate, at no cost to the family. Some Veterans may also be eligible for Burial Allowances. There are not any benefits available to spouses and dependents buried in a private cemetery.

- **VA Burial Allowances**

VA burial allowances are partial reimbursements of an eligible veteran's burial and funeral costs. When the cause of death is not service related, the reimbursements are generally described as two payments: (1) a burial and funeral expense allowance, and (2) a plot or interment allowance.

*Who Is Eligible?*

You may be eligible for a VA burial allowance if:

- you paid for a veteran's burial or funeral, **AND**
- you have not been reimbursed by another government agency or some other source, such as the deceased veteran's employer, **AND**
- the veteran was discharged under conditions other than dishonorable.

In addition, at least one of the following conditions must be met:

- the veteran died because of a service-related disability, **OR**
- the veteran was receiving VA pension or compensation at the time of death, **OR**
- the veteran was entitled to receive VA pension or compensation, But decided not to reduce his/her military retirement or disability pay, **OR**
- the veteran died while hospitalized by VA, or while receiving care under VA contract at a non-VA facility, **OR**
- the veteran died while traveling under proper authorization and at VA expense to or from a specified place for the purpose of examination, treatment, or care, **OR**
- the veteran had an original or reopened claim pending at the time of death and has been found entitled to compensation or pension from a date prior to the date of death, **OR**
- the veteran died on or after October 9, 1996, while a patient at a VA-approved state nursing home.

#### *How Much Does the Veterans Administration Pay?*

Service-Related Death. The VA will pay up to \$2,000 toward burial expenses for deaths on or after September 11, 2001. The VA will pay up to \$1,500 for deaths prior to September 10, 2001. If the veteran is buried in a VA national cemetery, some or all of the cost of transporting the deceased may be reimbursed.

Nonservice-Related Death. The VA will pay up to \$300 toward burial and funeral expenses and a \$300 plot-interment allowance for deaths on or after December 1, 2001. The plot-interment allowance is \$150 for deaths prior to December 1, 2001. If the death happened while the veteran was in a VA hospital or under VA contracted nursing home care, some or all of the costs for transporting the veteran's remains may be reimbursed.

More information on VA death benefits can be found at the Veterans Administration web site at [www.va.gov](http://www.va.gov).

## **PROBATE**

As stated above, a will states the desire of the maker with respect to the final disposition of his or her assets following his or her death. The process by which this is accomplished is called **Probate**. Whether the deceased had a will or not, his or her estate must be probated. Probate is simply the administration of the estate by a court according to the terms of a will, or if there is no will, by the state's intestate succession laws.

The probate process begins by opening the estate. The executor (or if there is no will, a family member) will go to the Orphan's Court for the county in which the deceased resided and open an estate file. The executor will apply for **Letters Testamentary**. If there is no will, often a family member will seek **Letters of Administration** that appoint that person as the Administrator of the estate. The administrator serves the same function as an executor, the only difference being that the executor is appointed by the deceased and the administrator is appointed by the Court. Letters Testamentary or Letters of Administration are documents issued by the court that authorize the executor (or the administrator) to act as the personal representative of the deceased and to administer the estate. Often, where there is no will, there will be multiple parties who may qualify to serve as administrator. Often, because of the amount of work involved, many family members will consent to one member being the administrator and will file with the Court a **renunciation**, which is a legal document by which they formally withdraw from any consideration for appointment and consent to the appointment of a specific person. On the other hand, they may contest the appointment of one person over another, resulting in litigation to determine who will be appointed as the administrator of the estate.

When the personal representative is appointed, and Letters Testamentary or Letters of Administration are issued, the Court will also issue a special document commonly referred to as a **Short Certificate**. The Short Certificate is an official statement of the court verifying that the executor or administrator has the legal authority to act on behalf of the estate. The executor or administrator will need to

present this document to insurance companies, banks, transfer agents and governmental agencies such as Social Security Administration or Veterans Affairs, when transferring assets or applying for benefits. Be sure to order enough Short Certificates to meet your needs. Usually, around twenty will suffice, but additional certificates can be obtained from the court at minimal cost if needed.

When the estate is opened, the will is filed with the Court. The will is authenticated by the Court. If there are witnesses and the will is not notarized, the witnesses must come to the Orphan's Court and, under oath, authenticate their signatures and the signature of the testator. This step in the process can be avoided if the will is executed in the presence of a notary public. The notary, by placing his seal on the will, authenticates the signatures. A notarized will is called a self-proving will for this reason.

The first job of the executor or administrator is to file an inventory of the assets of the deceased. The assets are assembled and listed on the inventory. Certain assets are excluded however from this inventory and are considered to be outside of probate. Examples of such assets are life insurance policies made payable to anyone other than the estate of the deceased and jointly held property such as bank accounts or real estate. These assets will automatically become the property of the survivor upon the death of one of the parties. It must be noted, however, that while these assets are not listed as part of the estate in the inventory, the decedent's share is still subject to the Pennsylvania Inheritance Tax and/or Federal Estate Tax (if applicable). So, if the deceased held a joint bank account with his child valued at \$50,000, the child will receive the entire amount, however, one-half will be assessed for estate tax purposes and the estate's tax liability will be increased.

Once the assets are assembled, the executor will assemble the debts. These debts may include funeral expenses, unpaid credit card bills and loans, utility bills or any other obligation owed by the decedent. These debts will be paid from the estate's assets. Next, the "death taxes" will be paid from the estate. The lawyer will be paid his fee and the executor or administrator will be paid his commission. Then, after all of this, if anything is left, it will be distributed to the beneficiaries. In very basic terms the probate process can be summarized as follows:

- All of the deceased's assets are assembled.
- All of the deceased's debts are assembled.
- The debts will be paid from the assets of the estate.
- The costs of administration are paid. These costs include attorney's fees and the executor's commission. If there is not enough cash on hand to pay these costs, estate assets will be sold to pay them. Then, the estate taxes are paid.
- Finally, what ever is left over after all the debts, costs and taxes are paid is distributed to the beneficiaries named in the will or to the heirs according to the laws of intestate succession.

### **ASSEMBLE ASSETS AND DEBTS**

The executor or administrator must marshal the assets and liabilities of the estate as soon as practicable. This will require an extensive search of the deceased's home and possibly his place of employment for records or assets. Much of this will occur while you are searching for the important papers.

When searching for assets, be aware that things may not be as they appear. Do not assume that the boxes of books in the garage are just trash. Don't just empty the closets and drawers into boxes and drop them at the local Goodwill or St. Vincent de Paul Store. When something has value, the owner will try to protect it, often by hiding it.

While it may be time consuming, or even uncomfortable, take your time and look at everything. Be as careful and organized as you can, as the time you spend now will save you considerable time and effort in the future.

- Go through each drawer carefully, setting aside documents or papers that may lead to the identity or location of assets.
- Check drawers for false bottoms.
- Remove the drawers and check the inside of the furniture for hidden items. Often, small items can be found in envelopes taped or tacked

to the underside of a drawer or in the space under the drawers.

- Check the canisters in the kitchen. Many people will keep cash or other valuables in the flour canister or the cookie jar.
- Look in the freezer. Some will wrap cash or other valuables in foil and place it in the freezer for safekeeping. Don't throw out that frozen block of foil marked "STEAK" without first confirming that it is, in fact, a piece of steak!
- When assembling clothing for donation, check the pockets.
- Check shoe boxes in the closet.
- Some people will keep large denomination bills inside books for emergencies; thumb through books before donating them.

How many times have you heard about treasures being purchased for a pittance at a thrift store or yard sale? Take your time; the benefit to the estate and the heirs will be worth it.

Look for bank statements. Contact the bank and ask if the deceased had a safe deposit box. Safe deposit boxes are typically sealed at death. Many banks will have an employee screen the obituaries and check for customers. If a deceased customer has a box, the family can get into it only to retrieve the will. Nothing else leaves the box until and unless the State Department of Revenue is present to audit the box and determine if it contains items of value that can be taxed.

Once you have found all the bank accounts, brokerage accounts or other assets, you must determine the value as of the date of death. That amount is crucial as it is the basis for the taxes to be paid. Also, with respect to assets that will pass in kind to the heirs, it becomes the heir's tax basis for capital gains purposes. Once the executor or administrator is sworn in, and the estate has been issued an employer identification number, an estate bank account can be opened. All other bank accounts should be closed and the proceeds deposited into the estate bank account. As assets are liquidated, the sale proceeds should also be deposited into the account.

Stocks and bonds do not necessarily have to be sold. Instead, they

can be transferred in kind to the beneficiaries or heirs. The new owners of the stock will have a “stepped-up” tax basis to the date of death value. If the stocks were held for a long period, the capital gain would be completely avoided!

For assets such as coin and stamp collections, the value of the collections can be affected by how and where they are sold. Be careful! Many executors or administrators without knowledge of the coin or stamp markets may fall victim to unscrupulous dealers who will low-ball their offers to acquire the collection. Before you sell, speak to a friend or relative who also collects to try to get a feel for what the collection is worth. In the alternative, find a reputable dealer and get an appraisal of the collection before you try to sell it. Keep in mind that in the collectible market, whether you are talking about coins, stamps, baseball cards or bobble heads, there is a retail price that dealers sell items for, and a wholesale price, that dealers will pay for the item. Price guides are available for many collectibles. Just be sure to determine if the guide is a retail price guide or a wholesale (bid or buy) price guide.

As you assemble the assets, also look for debts. Utility bills, credit card statements, medical bills, store accounts; anything that would indicate a debt owed by the deceased. It is important not to pay any of these debts immediately! Many of these expenses are subordinate in priority of payment to other costs, such as funeral expenses, state inheritance taxes, federal estate taxes, and legal fees. If you unwittingly pay expenses leaving insufficient funds for taxes or probate costs, you may be held personally liable for these costs. These are all debts of the estate and are deductions for the estate tax return. Once the estate bank account is opened and you have determined that there are sufficient funds to pay all estate liabilities, you can start paying the debts from that account. Make sure that the person preparing the estate tax return is made aware of all payments made on these open accounts.

Unpaid taxes are also a debt of the estate. Look for real estate tax bills, local, state and federal income taxes and unpaid capital gains taxes. All debts outstanding at the time of death and thereafter become debts of the estate. Keep good records and receipts for any debts paid.

It is very important that all debts of the deceased be paid prior to

distribution of the estate to the beneficiaries. If a debt is not paid, the creditor can file a claim against the estate. If you, as executor, have distributed all of the assets to the beneficiaries, and there are no funds available, you may be “surcharged” for the amount of the debt and have to pay it from your own pocket. Even if you are sure that all of the debts have been paid, it is prudent to hold back a contingency reserve for a period of six months or so in case some claim is presented. Once that you are fairly confident that there will be no further claims, the reserve can be distributed to the beneficiaries.

### III. MAKING THE SURVIVOR’S JOB EASIER

**“We say that the hour of death cannot be forecast, but when we say this we imagine that hour as placed in an obscure and distant future. It never occurs to us that it has any connection with the day already begun or that death could arrive this same afternoon, this afternoon which is so certain and which has every hour filled in advance.”**

**~Marcel Proust**

When it is all said and done, and we have reached our journey’s end, we will leave behind family, friends and colleagues. Our work in this world will be completed, but we will have created a great deal of work for those we leave behind. The best thing we can do is to take steps now, while we are alive, to make the job of cleaning up our affairs easier for our survivors. How can we do that? It’s not that difficult, really.

- First, write a will. Let your wishes be known as to what you want done with all of the possessions accumulated in your lifetime. If you have young children, designate a guardian to care for them in the event of your death.
- Make a list of all of your bank accounts, mutual funds and stock holdings. Prepare a list of all of your assets and where they may be found.
- If you have purchased a cemetery plot, let your family know about it!
- Many people will pre-pay for their funerals or make other advance

arrangements with a funeral home. If you do, you should make a note of what you've paid to whom, and what goods and services you have contracted for.

- Make a list of the people whom you want to be notified of your death, along with their addresses and phone numbers. Include contacts for your employer if you are working, or pension or retirement plan administrator if you are retired.
- Prepare an information sheet of information required for a death certificate, including date and place of birth, names of parents, military service (branch, rank and if retired, date of retirement).
- Make a list of all insurance policies that you have, including the carrier's name, address and phone number, policy number, location of original policy, and amount of the policy. Also include any insurance policies provided through your employer, your union or any fraternal, social or other organizations to which you belong.

#### **IV. ESTATE PLANNING**

One of the most difficult tasks we will ever face is dealing with a death of a loved one. When a death occurs, the survivors are hit with a whirlwind of emotions. In the case of a sudden, unexpected death, their stress is increased as a result of the many decisions that have to be made. While we can not do much to provide emotional comfort to those we leave behind, we can, during our life, take steps to ease their burden and make their lives easier in the time immediately following our death. Our loved ones will face a great deal of stress following our death. There will be information that they will need to find; questions that must be answered, and decisions that must be made, all within a mere twenty-four to forty-eight hours after our death. By taking the time now to properly plan for your demise, you can make those tasks far easier to accomplish.

One way in which you can ease the burden on your loved ones is to prepare a comprehensive estate plan. This does not need to be complex. By preparing a Last Will and Testament, you can ensure that your loved ones are provided for following your death. You can purchase at

relatively low to moderate cost, life insurance, including mortgage or credit life insurance policies that will pay off the outstanding balance on large loans. Another way to ease the burden is through providing your survivors with a road map for handling your affairs through lists of information or documents that we will call “Important Papers.”

If you have certain wishes for how your affairs (and even your remains) are to be handled following your death, talk about them with your family. Let your wishes be known so that they may be honored. Make sure that those who will be asked to handle your affairs know what they are.

In this part of the materials we will discuss wills and other estate planning documents and help you organize your important papers.

## LAST WILL AND TESTAMENT

**What is a Will?** Most people have some idea what a will does. Generally, a will is a document written by a person that directs how his or her assets are to be distributed after he or she dies. However, a will can and does do much more.

The person who makes a will is called a **Testator** (if a man) or a **Testatrix** (if a woman). The testator will do several things in his will. One of the most important parts of a will is the appointment of a personal representative. This person is called an **Executor** (if a man) or an **Executrix** (if a woman). The first duty of an executor is to assemble the assets of the deceased and all of the debts of the deceased. The executor will administer the estate until all debts are paid and then will distribute the remaining assets to the beneficiaries named in the will. If you do not have a will, the personal representative will be appointed by the court and is called an **Administrator** or **Administratrix** (if a woman). The duties of the administrator are the same as the executor. The only difference is that you choose your personal representative if you have a will. The court will make that choice if you do not have a will.

There are two types of wills, **holographic** and **formal**. A holographic will is a will that is entirely hand written by the testator and dated and signed by him at the bottom. The authenticity of a holographic will

is verified by the handwriting of the decedent. There are often no witnesses and the will is not notarized. A formal will is a typed document signed by the testator that is authenticated and verified by witnesses who will also sign the will. A holographic will is valid in many states, including Pennsylvania, but may present some problems at probate and is more likely to be challenged than a formal will. You can write a will without a lawyer's help, but just remember this one caveat: There are laws which may invalidate provisions of your will or the entire will itself if you do not comply with them. When writing a holographic will, many people neglect to appoint an executor or inadvertently cut off people to whom they wish to leave a bequest. The benefits of hiring an attorney to write your will far exceed the costs involved.

The difference between dying **testate** (with a will) or **intestate** (without a will) is that if you die with a will, you tell the court how you want your assets to be distributed. If you die intestate, the Pennsylvania State Legislature (by means of the Laws of Intestate Succession) tells the court how your assets are to be distributed.

## INTESTATE SUCCESSION

If you do not have a Will, the State will decide how your assets will be distributed by means of the Laws of Intestate Succession. So, how does this law work? As complicated as the concept may seem, the law is laid out quite simply. If the decedent is survived by a spouse, the amount he or she will receive varies depending on which other relatives of the decedent also survive. The law controlling what portion of the decedent's estate the surviving spouse receives can be found at 20 Pa.C.S.A. § 2102. It can be summarized as follows:

- No surviving children. If the decedent was survived by his or her spouse and had no surviving children or parents, the surviving spouse receives the decedent's entire estate. However, if the decedent was survived by his or her spouse and one or both parents, but had no surviving children, the surviving spouse would be entitled to the first \$30,000.00 of the estate, plus one-half of the remaining estate, if any. The decedent's parents' share is dependent on other factors discussed below.

- Surviving children. If the decedent was survived by his or her spouse and had surviving children, all of whom were also the surviving spouse's children, the surviving spouse will receive the first \$30,000.00 of the estate, plus one-half of the remaining estate, if any. However, if the decedent was survived by his or her spouse and had surviving children, at least one of whom was not also the surviving spouse's child, the surviving spouse will only receive one-half of the estate. Under these circumstances, the surviving spouse would not be entitled to the first \$30,000.00. The reason for the difference in these two scenarios is that the law presumes that the surviving spouse will care and provide for children of his or her own, but does not make the same presumption for children that are not his or hers. Regardless of how the child was treated by the surviving spouse during the decedent's lifetime, the legislature did not want to take the chance that child would not be provided for after the decedent's death.

What if there is no surviving spouse? What about the portion of the estate that is not going to the surviving spouse? The laws of Intestate Succession (which can be found at 20 Pa.C.S.A. § 2103), provide for the share of the estate, if any, that is not going to the surviving spouse or which passes if there is no surviving spouse. This section of the statute regulates the passing of the remaining share.

1. Children. First, to the children of the decedent.
2. Parents. If no children survive the decedent, the decedent's parents share the estate equally; if only one parent survives, the surviving parent takes the entire estate. Recall that, if the decedent was survived by a spouse, the spouse will take the first \$30,000.00 and one-half of the remaining estate. So, in the event there is a surviving parent of the decedent, the surviving spouse will get \$30,000.00 plus half the remaining estate and the surviving parent will receive the other one-half of the remaining estate. If both parents survive the decedent, they will share the remaining one-half.
3. Brother, Sister, or their Children. If no children and no parents survive the decedent, then the estate will be distributed to the children of the decedent's parents (the decedent's siblings and their children).

4. Grandparents. If no siblings survive the decedent, then the grandparents of the decedent shall receive, one-half to the paternal grandparents and one-half to the maternal grandparents, and their children.
5. Uncles, Aunts, and their Children and Grandchildren. If no grandparents survive the decedent, the estate is distributed to the decedent's uncles, aunts, and their children and grandchildren.
6. Commonwealth. If no one mentioned above survives the decedent, then the estate passes to the Commonwealth of Pennsylvania.

## **PROBATE**

As stated above, a will states the desire of the maker with respect to the final disposition of his or her assets following his or her death. The process by which this is accomplished is called **Probate**. Whether you have a will or not, your estate must be probated. Probate is simply the administration of your estate by a court according to the terms of your will, or if you have no will, by the State's intestate succession laws. In very basic terms the probate process can be summarized as follows:

- All of your assets are assembled.
- All of your debts are assembled.
- The debts will be paid from the assets of the estate.
- The costs of administration are paid. These costs include attorney's fees and the executor's commission. If there is not enough cash on hand to pay these costs, estate assets will be sold to pay them. Then, the estate taxes are paid.
- Finally, what ever is left over after all the debts, costs and taxes are paid is distributed to the beneficiaries named in the will or to the heirs according to the laws of intestate succession.

A more complete discussion of the Probate process is included above on page 17.

## POWERS OF ATTORNEY

A power of attorney is a document that gives someone else the authority to act in your place and to do anything on your behalf that you could do yourself. The person giving the power of attorney is called a **Grantor**. The person to whom the power is given is called the **Attorney-in-Fact**. The power of attorney gives someone else the authority to sign your name to documents or make bank transactions on your behalf. The power of attorney provides a safety net that allows someone else to handle your affairs when you are unable without the need for court proceedings. One word of caution is warranted. There are two categories of powers of attorney: durable and non-durable. A durable power of attorney survives your becoming incapacitated. A non-durable power of attorney ends if you become incompetent or disabled. If you are executing a power of attorney as a matter of convenience, a non-durable power may suffice. However, if you've been diagnosed with a some debilitating disease, you will want a durable power so that your loved ones can avoid the cost, not to mention the anguish, of having you declared incapacitated and having the court appoint a guardian.

There are actually many different types of powers of attorney. You can grant someone a financial power that would give him or her authority to handle your financial affairs. You can give someone a medical power of attorney, which will give someone the authority to make medical decisions for you in the event you are unable. You can give someone a very limited power of attorney to act in one specific instance, for example, to sign a deed for you if you are unable to attend a closing. You can have a "springing" power of attorney. A "springing" power is one that does not become effective until some specified event occurs. So, if you are afraid that you may become too frail or otherwise incapacitated in the future and want to plan for that event, but don't want to give anyone the authority to act on you behalf until then, a springing power of attorney is the proper instrument to use.

Powers of attorney can be limited or very broad. You must decide how much authority to give your attorney-in-fact. There are pre-printed forms available, but these may not address your needs. Further, these forms may give your attorney-in-fact more authority than you would like. Only you can decide how much authority you give the attorney-

in-fact. Always be careful to limit that authority only to those functions you wish to have the attorney-in-fact handle.

The main thing to keep in mind when giving someone power of attorney is that you are giving that person authority to act on your behalf. Make sure that you choose someone who will act in your best interests, someone you can trust. In a recent case, a woman gave a power of attorney to one of her sisters. The attorney-in-fact went to the bank and transferred all of the money in the woman's account to herself as a gift, an act that was permitted under the power granted her by her sister. So just remember, be very careful with your choices!

When giving someone power of attorney, keep in mind that the attorney-in-fact may wish to renounce the authority at some point, or may become unable to continue in that role. Always provide for a substitute attorney-in-fact in the event that your first choice is unable or unwilling to continue. This can be accomplished by naming a substitute in the Power of Attorney or by granting the attorney-in-fact the authority to appoint his successor. Keep in mind that if you choose the later, the attorney-in-fact and not you will decide whom that substitute will be.

### **LIVING WILL/ADVANCED DIRECTIVE**

A living will is a directive that you sign and give to your doctor that advises the doctor of your wishes with regard to future medical treatment. Previously, the directive was not enforceable. Pennsylvania law now allows a person to make a directive as to his or her care in the event that he/she is unable to communicate their wishes. The law is beneficial in that it allows a doctor to follow the directive without fear of liability. It also provides that life insurance policies can't be voided because the choice to withhold treatment was considered suicide.

The living will is a document used primarily by persons who wish not to be kept alive by artificial means if there is no hope for recovery. Like a medical power of attorney, it can also be used to appoint a person to make medical decisions for you if you are unconscious or incapacitated. Many hospitals now require a living will or medical power of attorney to be on file when admitting senior citizens or someone with a history of chronic (or potentially debilitating) illness for treatment.

The main difference between a medical power of attorney and a living will is that a medical power of attorney only gives another person the ability to authorize medical treatment for you if you are unable to do so. If you do not wish to be kept alive by artificial measures, an attorney-in-fact having medical power of attorney can authorize the withholding of treatment. For this reason it is very important that if you hold these beliefs, that you convey them to your attorney-in-fact. Further, be sure that your attorney-in-fact will follow your wishes.

A living will is not going to have the effect of causing the withholding of medical treatment for a treatable malady. It comes into play only in the event that you are terminally ill or in a state of permanent unconsciousness with absolutely no hope for recovery. In that event, you can, by means of this document, tell the attending physician that if, while in this condition, you have a heart attack, you do not want to be resuscitated. This does not mean that if you are in the prime of life, and suffer a heart attack or are in a car accident, and your condition can be treated and your chances of recovery are good, that treatment will be withheld. What it does mean is that if you have a terminal illness, and there is absolutely no way that you will ever recover, not even the slightest glimmer of hope, you can direct your doctor to withhold treatment that would serve only to prolong the process of dying.

A living will is a statement of your beliefs. It is a pre-need declaration of how your treatment is to be conducted if you are unable to make the decisions at the time of need. Some pro-life groups believe that living wills are wrong, that you should not have a living will because by doing so, you are playing God. This criticism can be answered by pointing out that if you are dying, doctors, by employing artificial means to prolong the process of death, are interfering with God's will. Simply put, both sides to this issue can make convincing arguments in support of their positions. The decision whether to have a living will is a very personal one. If you believe that it is wrong to make a declaration, by all means, don't. If you have a firm conviction that you do not want to be kept alive by artificial means if there is no hope for recovery, you may wish to execute a living will. In any event, before making a decision, talk about it with your family, your friends and your clergyman; be sure about your decision.

If you do not want to have an advance directive, you could still execute a healthcare power of attorney that will include a HIPAA release authorizing healthcare providers to release information regarding your treatment or condition to your agent, and will give a trusted person authority to make healthcare decisions for you when you are incapable of doing so yourself.

## **IMPORTANT PAPERS**

We all know about the Last Will and Testament, but what other documents should we prepare to make our survivor's job easier (or should we be looking for if we are the survivor)? There are a number of documents that survivors will need to find in order to properly handle your estate. One of the most important planning tasks that you can do to make your survivors' job easier is to complete a list of all of your important papers and where they are located.

The most important papers are obviously your estate planning documents: your Will, Powers of Attorney and Living Will or Advance Directive. Other important papers include:

- Life Insurance Policies
- Annuity Documents
- Stocks and Bonds
- Mortgage Documents
- Bank statements/Bank Savings Passbooks/Mutual Fund Records
- Pension Records
- Social Security Records
- Military Records
- Contracts

One of the hardest times for survivors is just after their loved one dies, and this is the time that they must also identify where the bank accounts are, what stocks you own, what bills you owe and what they

have to deal with now that you are gone. The greatest gift that you can give them is to make this difficult job a little easier.

So what can you do to accomplish this? You should create an inventory of all of these documents and identify where they are kept so that your survivors can find them. The inventory is intended to provide a list of everything your survivors will need with directions how to find it. A copy of the inventory should be kept with your Will and other estate planning documents. You should also provide a copy to your attorney and to your executor.

Identify all of your regular monthly expenses: credit card bills, utility bills, rent or mortgage payments, doctor's bills and any other regular expenses that you pay out each month. Even though you are no longer here, your bills will continue to accrue. Your survivors must identify these bills and make sure that they are paid. You also should identify your sources of income. List your employer and payroll information, any pension payments, annuity payments, social security, military benefits or other income that you receive. Your survivors will need to contact each of these payors to ensure that all moneys owed to you are paid to your estate.

You should prepare a list of all of your insurance policies and organize a file with copies of the policies and contact information for your insurance agent. In some cases, you may have life insurance benefits included in your retirement benefits. If so, contact your former employer to obtain copies of the policy and information regarding making claims.

This is important: list all of your bank accounts, with account numbers and addresses of the bank and branch in which the accounts were opened. List all stocks that you own and the location of the certificates (or if you have a brokerage account, the name, address and phone number of your broker). Do you own mutual funds? Do you have an Individual Retirement Account? Very often, people will have a safe deposit box in which they keep valuables and they forget to tell anyone about it. If the box and its contents are not claimed, the bank will eventually turn the contents over to the state. You should also complete a list of your other assets. Do you own cars? What about real estate? A vacation home or timeshare? All of these assets must be

identified and without a road map, the task can be difficult and some of your assets may be lost forever. Unclaimed assets may be taken by the state in a process called “Escheat.” “Escheat” means the transfer of title to the state, whether or not the property may be reclaimed. The laws of the individual states determine what type of property is escheatable, and the amount of time, or “dormancy period,” which applies before the property must be reported as unclaimed. Unclaimed property in Pennsylvania is governed by Pennsylvania’s Disposition of Abandoned and Unclaimed Property Act, 72 P.S. §§ 1301.1-1301.29, also known as Pennsylvania’s “Escheat” Law. This law governs who will ultimately own and control abandoned or unclaimed funds. The law also requires businesses holding unclaimed property to turn over, or escheat, the unclaimed property to the state, which then holds the property in trust for the rightful owner. When the owner of property cannot be found, the property will be transferred to the state. The state will make limited, passive attempts to find the owners, typically, by placing advertisements in newspapers or making a list of escheated assets available on the Internet. If the owner of the escheated property is not found after a period of time, the State will sell the item and the proceeds of the sale will go into the State’s general fund.

Many people keep their important papers and legal documents in a safe deposit box. While this is normally not a problem, you must keep in mind that if you fail to pay for the box when it becomes due for renewal, the bank may dispose of your papers when they reclaim the box. There are several alternatives to the bank safe deposit box. The first is a fireproof safe. It is important that if you keep these records in your home that they be kept in a fireproof safe or file cabinet. Another option is to deposit copies of these documents with your attorney or your heirs (or both). For the technologically savvy, you can scan the documents and save them to a compact disc that you give to a family member or legal or financial advisor. The bottom line is that you need to make sure that your heirs know about these documents and how to find them.

## **BUSINESS SUCCESSION PLANNING**

If you own a business (or are a co-owner of a business) your survivors will be faced with additional challenges. Many small business owners keep their records “in their heads.” This makes for quite a challenge for your survivors who must identify what bills are owed, what is in your accounts receivable, what your employees are owed for their labor. Remember, as the owner of a small business, your family may depend on the continuation of the business for income. Your employees depend on it for a paycheck. Your vendors and customers depend on it as well. Many businesses just fold with the death of the owner because there was no succession plan in place.

Succession planning for your business begins during your lifetime with gifting of interests to the next generation and training the next generation to assume the reins of the company. In some cases, the next generation of the family should simply not be running the business. Identifying key employees who would step into leadership roles, and training those individuals is crucial.

There is no “one size fits all” solution to succession planning. Each business has its own challenges. Family dynamics and the abilities of the next generation are also a variable. Passing down a family owned businesses to a next generation that has neither the skill sets nor the experience to manage the business will often result in failure.

## CONCLUSION

**To die, to sleep –**

**To sleep, perchance to dream, ay there's the rub,  
For in that sleep of death what dreams may come  
When we have shuffled off this mortal coil,  
Must give us pause; there's the respect  
That makes calamity of so long life.**

**- William Shakespeare**

We can plan and scheme all that we want, but death will still come to us one day. As Benjamin Franklin famously said, “But in this world nothing can be said to be certain, except death and taxes.” While planning and scheming to avoid death is folly, planning to avoid taxes, especially death taxes is certainly not. In addition, planning to preserve your legacy for future generations is likely to be one of the most beneficial things that you can do. It is not enough, however, to merely provide a Last Will and Testament. Simply saying how your earthly possessions are to be divided and distributed accomplishes only part of the task. The hardest work is identifying and finding those possessions.

A proper estate plan is more than a good Will or Trust. The greatest favor we can do for those we leave behind is to leave a roadmap for them. The administration and distribution of a decedent's estate is almost always a joyless task, fraught with frustration. Trying to figure out all of the banks, all of the stocks, all of the possessions can be and often is an overwhelming burden that we leave often for those we loved the most. As a final act of love and consideration for our survivors, one of the greatest gifts we can leave them is to lessen the burden. Leaving them a guide to your life can do many things. The first and most obvious is to make the task of assembling your estate, identifying and paying your final costs and handling your final affairs will be much easier, both emotionally and physically. But, it can do so much more. Identifying those who we want them to notify of our demise can open doors to new relationships where they can learn new stories of our pasts. It can give them a greater understanding of the events that shaped us and made us who we were.

Proper planning and organization now, while you are living, will make it easier for your survivors. The task may seem a bit daunting, but it really is not. You can write everything down in a long letter or you can complete a workbook. You may contact us for a complimentary copy of our Personal Information Workbook and/or Business Information Workbook. You do not need to fill out all of the personal information if you do not want, but the portions identifying your assets and liabilities and telling your survivors where they can find them will be greatly appreciated and will make their lives a lot easier.

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