WHEN SOMEONE YOU LOVE DIES.

A Texas Family Checklist

We Are So Sorry for Your Loss

Please accept our **heartfelt sympathy from everyone at Gilson Law Firm PLLC**. Losing someone you love is never easy, and we know that the days and weeks that follow can be especially difficult.

> *"Blessed are those who mourn, for they shall be comforted."*
> **— Matthew 5:4**

There are important things that need to be taken care of after a loved one's passing, but **you do not have to figure everything out at once.**

We prepared this checklist to help you take those first steps **one at a time**. It is not meant to add to your burden. Instead, we hope it gives you a simple place to start and helps you gather the information you will need as you begin settling your loved one's affairs.

A Note From Gilson Law

When you are ready, **we are here to help.**

We encourage you to work through the initial information-gathering steps in this guide before calling our office, when possible. Reviewing the mail, gathering documents, and making a few important calls can help uncover information that will be useful when we first speak with you.

You do not need to have all the answers before you call. **Bring us what you have, and we will help you determine what comes next.**

> *"My flesh and my heart may fail, but God is the strength of my heart and my portion forever."*
> **— Psalm 73:26**

GILSONLAW
PURPOSE DRIVEN PLANNING

START HERE

1. Obtain Certified Death Certificates

- ☐ Contact the funeral home about obtaining **10–15 certified copies**, depending on the size and complexity of the estate.
- ☐ Keep the certified copies in a safe place.
- ☐ Make a note of where the death certificates are kept.

You will likely need certified copies when dealing with financial institutions, insurance companies, government agencies, and other organizations.

2. Locate the Estate Planning Documents

Look for:

- ☐ Original Will
- ☐ Trust agreement and amendments
- ☐ Beneficiary designation information
- ☐ Deeds
- ☐ Lady Bird Deeds / Enhanced Life Estate Deeds
- ☐ Transfer-on-Death Deeds
- ☐ Other estate planning documents
- ☐ Military discharge papers/DD-214, if applicable

Don’t Forget the Safe-Deposit Box

- ☐ Locate the key and determine whether there is a safe-deposit box.
- ☐ Determine who else has access to the box.
- ☐ Look for the original Will and other important estate-planning documents.
- ☐ Look for deeds, certificates, financial records, jewelry, or other important assets.

Do not remove or distribute property simply because you find it. Make a note of what is there and discuss it with Gilson Law.

3. Review the Decedent’s Mail

The decedent’s mail can be one of the best sources of information about assets, debts, and financial obligations.

If you are not familiar with your loved one’s finances, review the mail received at the home and, if available, several months of prior mail.

Look for statements, bills, notices, and correspondence from:

- ☐ Banks and credit unions
- ☐ Brokerage and investment companies
- ☐ IRA, 401(k), and other retirement-plan providers
- ☐ Life insurance and annuity companies

- ☐ Credit-card companies
- ☐ Mortgage and home-equity lenders
- ☐ Auto lenders
- ☐ Property tax offices
- ☐ Homeowners' associations
- ☐ Employers and pension administrators
- ☐ Medical providers
- ☐ Government agencies
- ☐ Attorneys, accountants, or financial advisers
- ☐ Charitable organizations
- ☐ Fraternal organizations or membership groups
- ☐ Businesses or organizations
- ☐ Other creditors

Also look for:

- ☐ Renewal notices
- ☐ Tax documents
- ☐ Annual statements
- ☐ Memberships and subscriptions
- ☐ Safe-deposit box information
- ☐ Notices about unclaimed property
- ☐ Any unfamiliar financial correspondence

Keep anything that may identify an asset, debt, account, policy, benefit, or financial obligation.

> **Tip:** If you are the person handling the estate and you do not know what your loved one owned or owed, **the mail can provide valuable clues.** Don't discard financial mail simply because the account or company is unfamiliar.

4. Contact Insurance Companies

Notify the appropriate insurance companies and ask what benefits may be available.

- ☐ Life insurance
- ☐ Employer-provided life insurance
- ☐ Annuities
- ☐ Homeowners insurance
- ☐ Auto insurance
- ☐ Other insurance policies

Write down:

- Company name
- Policy number

- Beneficiary, if disclosed
- Claim number, if assigned
- Contact person's name and phone number
- Any documents the company says are required

Pay Attention to What the Company Tells You

If an insurance company or financial institution tells you:

> **"We cannot provide information or release the asset until you provide Letters Testamentary, Letters of Administration, or a court order."**

make a note of that and tell Gilson Law.

This **often indicates that the company is treating the asset as an estate asset** rather than an asset that can be paid directly to a named beneficiary. It may mean that **probate or another court proceeding is necessary**, although the exact reason depends on the asset and the company's requirements.

5. Contact Banks and Financial Institutions

Identify the accounts your loved one had and ask what information they need to process the death.

- ☐ Checking accounts
- ☐ Savings accounts
- ☐ CDs
- ☐ Brokerage/investment accounts
- ☐ Retirement accounts
- ☐ Credit unions
- ☐ Safe-deposit boxes

For each account, determine, if the institution will tell you:

- How is the account titled?
- Is there a joint owner?
- Is there a beneficiary or POD/TOD designation?
- What documents does the institution require?

> **Do not automatically close or transfer accounts.**
>
> The way an account is owned may determine whether it passes through probate or directly to another person.

ADDITIONAL CALLS & INFORMATION TO GATHER

6. Contact the Employer or Former Employer

Ask about benefits that may be available because of the death.

- ☐ Current employer
- ☐ Former employers
- ☐ Pension
- ☐ Retirement benefits
- ☐ Group life insurance
- ☐ Unpaid wages or other benefits

Write down any benefits identified and who to contact about them.

7. Contact Social Security

A funeral home will generally report the death to Social Security, but you should contact Social Security regarding **survivor benefits** and any other benefits that may be available to eligible family members.

Social Security Administration
800-772-1213

Ask about:

- ☐ Survivor benefits
- ☐ Benefits for a surviving spouse
- ☐ Benefits for dependent children
- ☐ The $255 lump-sum death payment, if applicable

Write down: who you spoke with, what benefits may be available, and what documents are needed.

8. If Your Loved One Was a Veteran or Military Retiree

You may need to contact both the **Department of Veterans Affairs and DFAS**.

U.S. Department of Veterans Affairs
800-827-1000

Ask about:

- ☐ VA benefits for surviving family members
- ☐ Dependency and Indemnity Compensation (DIC)
- ☐ Survivors Pension
- ☐ Burial and memorial benefits
- ☐ Life insurance benefits
- ☐ Other benefits for surviving spouses or children

Defense Finance and Accounting Service (DFAS)
800-321-1080

If your loved one received military retired pay, ask about:

- ☐ Survivor Benefit Plan (SBP)
- ☐ Military retired pay
- ☐ Arrears of pay
- ☐ Other survivor benefits

Military OneSource
800-342-9647

Military OneSource can provide additional military and family-support resources.

9. Contact Fraternal Organizations and Other Membership Groups

If your loved one belonged to a fraternal order, veterans' organization, professional association, service organization, or other membership group:

- ☐ Identify the organization.
- ☐ Contact the organization.
- ☐ Ask whether there are death benefits, life insurance, burial benefits, or other assistance available.
- ☐ Ask what documents are required.

Don't overlook these organizations. Benefits may exist even when the family is not aware of them.

10. Make a Preliminary List of Assets and Debts

Use the information you've gathered from the mail, statements, calls, and other records.

Assets

- ☐ Home and other real estate
- ☐ Bank accounts
- ☐ Investments
- ☐ Retirement accounts
- ☐ Life insurance
- ☐ Annuities
- ☐ Vehicles
- ☐ Business interests
- ☐ Mineral interests
- ☐ Valuable personal property

Debts and Obligations

- ☐ Mortgage
- ☐ Home-equity loan
- ☐ Credit cards
- ☐ Auto loans
- ☐ Personal loans
- ☐ Medical bills
- ☐ Property taxes
- ☐ Other debts

You do not need exact values yet. **Approximate values and account information are helpful for your first conversation with our office.**

> **Do not automatically pay every bill that arrives.**
>
> Make a list of known debts and bring it to Gilson Law.

BEFORE YOUR FIRST CALL WITH GILSON LAW

If available, have the following ready:

- ☐ 10–15 certified death certificates
- ☐ Original Will
- ☐ Trust documents
- ☐ Deeds, including any Lady Bird Deed / Enhanced Life Estate Deed
- ☐ Information from the safe-deposit box
- ☐ Bank and investment information
- ☐ Insurance information
- ☐ Retirement account information
- ☐ Employer benefit information
- ☐ Social Security information
- ☐ VA/DFAS information, if applicable
- ☐ Fraternal or membership organization information
- ☐ List of known debts
- ☐ Preliminary list of assets
- ☐ Names and contact information for the surviving spouse, children, beneficiaries, and other immediate family members

Don’t Worry If You Cannot Find Everything

Bring us what you have. We can help you determine what is missing and what needs to happen next.

YOUR FIRST CALL WITH GILSON LAW

When you call, we will generally want to know:

Who died?
When did they die?
Where did they live?
Was there a Will or Trust?
Was there a Lady Bird Deed or other deed affecting the property?
Who is the surviving spouse and immediate family?
What property did they own?
What accounts and insurance have you identified?
What debts or other obligations have you found?
Have you received information about any beneficiary designations?
Did any financial institution tell you that it needs Letters Testamentary, Letters of Administration, or a court order?
Was the decedent a Veteran or military retiree?
Did the decedent belong to any fraternal or membership organizations?

The more information you have gathered beforehand, the more productive this first conversation can be.

ONE IMPORTANT REMINDER

Don’t Make Major Changes to the Estate Before We Have Reviewed It

Until you have determined how the property passes, be cautious about:

- ☐ Selling or transferring real estate
- ☐ Signing a deed
- ☐ Closing or transferring accounts
- ☐ Distributing money to beneficiaries
- ☐ Giving away valuable personal property
- ☐ Selling vehicles or business interests
- ☐ Paying unusual or disputed debts

If you are unsure, pause and ask us before taking action.

TAKE IT ONE STEP AT A TIME

Get the death certificates.
Find the estate plan.
Check the safe-deposit box.
Review the mail.
Make the calls.
Gather the information.
Then call Gilson Law at (210) 566-6700.

We will help you determine what comes next.

Gilson Law Firm PLLC

Purpose Driven Planning

> *"But we do not want you to be uninformed, brothers, about those who are asleep, that you may not grieve as others do who have no hope."*
> **— 1 Thessalonians 4:13**

This checklist is provided as a general educational resource for Texas families. It is not a substitute for individualized legal, tax, financial, or other professional advice. Every estate is different, and the steps required will depend on the circumstances of the decedent and the assets involved.

Our office is located at 1996 Schertz Parkway, Suite 101, Schertz, Texas 78154