

LAYMAN & NICHOLS, P.C.

A Professional Law Corporation

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WHILE IT IS GENERALLY NOT NECESSARY TO CONTACT LEGAL COUNSEL PRIOR TO THE FUNERAL AND/OR MEMORIAL SERVICE, YOU ARE WELCOME TO CALL US AT ANYTIME IF YOU HAVE QUESTIONS. THE FOLLOWING INFORMATION SHOULD HELP YOU IDENTIFY MATTERS THAT NEED TO BE DEALT WITH INITIALLY. OUR OFFICE TELEPHONE NUMBER IS (540) 433-2121. AFTER HOURS, YOU MAY CONTACT MICHAEL L. LAYMAN AT (540) 433-1349 (HOME) OR (540) 421-6130 (CELL) OR DEAN M. (MAC) NICHOLS, AT (540) 433-1577 (HOME).

REMINDER: A POWER OF ATTORNEY IS NO LONGER EFFECTIVE UPON DEATH

MATTERS TO REVIEW IMMEDIATELY UPON DEATH

Prior to probate of the will and qualification of Executors, the named Executors have the following limited powers:

"No person appointed by a will executor thereof shall have the powers of executor until he qualifies as such by taking an oath and giving bond in the court in which or before the clerk by whom the will or an authenticated copy thereof is admitted to record, **except that he may provide for the burial of the testator, pay reasonable funeral expenses and preserve the estate from waste.**"

NOTE: *All survivorship accounts between a husband and wife are immediately accessible by the surviving spouse.*

Instructions: Indicate the name of the person responsible to perform the specific item and check off when item completed.

1. Determine if anatomical gift arrangements have been made. _____

Comment: _____

2. Assist in funeral/memorial service/burial/cremation arrangements. _____

Comment: _____

MATTERS TO REVIEW IMMEDIATELY UPON DEATH (continued)

3. Arrange for security of property (i.e., theft, weather damage); care of animals, if any, etc.

Comment: _____

4. Notify and cancel all credit cards by telephone. _____

Comment: _____

5. Arrange to collect mail. _____

Comment: _____

6. Keep records of all expenses, re: funeral and burial. _____

Comment: _____

7. Do not dispose of any records, property or papers. _____

Comment: _____

8. Confirm that the Surviving Spouse, if any, has appropriate finances to take care of his or her needs. Enter lock box(es); confirm most recent Will. _____

Comment: _____

9. Review Will. Determine if it will be necessary for anyone to qualify as Executor, and if required, who will qualify as Executor(s). Probate Will, qualify Executor(s) (if necessary). _____

Comment: _____

10. If Decedent was physician in a sole practice, secure all pharmaceuticals and contact another physician to oversee practice matters. _____

Comment: _____

MATTERS TO REVIEW VERY SOON

1. Obtain multiple copies of death certificate (generally requested for you by funeral home, otherwise available from the Health Department). _____

Comment: _____

2. With legal counsel, complete Initial Estate Administration Interview Checklist, Calendar of Key Dates and Estate Administration Questionnaire. Obtain estate tax and / or trust tax identification number(s) if needed: _____

Comment: _____

3. Obtain banking records in the name of the Decedent and reconcile accounts to date of death. _____

Comment: _____

4. Determine what debts (bills) are owed as of date of death. _____

Comment: _____

5. Review all insurances: life, disability, homeowners, vehicle, umbrella, etc. _____

Comment: _____

6. Review status of utilities of all real estate not regularly occupied (e.g., cabins, vacation homes, etc.) (especially in cold weather). _____

Comment: _____

7. Compile list of all assets. _____

Comment: _____

8. Determine what tax returns are due (income, gift, etc.) and the status of estimated tax payments and obtain extensions, if needed. _____

Comment: _____

9. Collect life insurance policies, including Veterans Benefits. Request Form 712 from insurance company. _____

Comment: _____

10. Review annuities, if any. _____

Comment: _____

11. Review retirement plan and/or IRA beneficiary provisions. _____

Comment: _____

MATTERS TO REVIEW VERY SOON (continued)

12. Contact all advisors: Legal, Tax, Accounting, Insurance, Financial, Banker, etc., to determine if there are any "in process matters". _____

Comment: _____

13. Contact Department of Motor Vehicles regarding cancellation of driver's license. _____

Comment: _____

14. Contact credit card companies by letter, close accounts, and destroy cards (if not already done). _____

Comment: _____

15. Obtain powers of attorney; take out of circulation, but retain any document used by an attorney-in-fact as evidence of authority. _____

Comment: _____

16. Contact Social Security Administration Office and notify of death. _____

Comment: _____

17. Cancel or review magazine subscriptions, memberships, etc. _____

Comment: _____

18. Determine if any contracts were entered into before decedent's death, that are yet to be performed. _____

Comment: _____

19. With legal counsel, review disclaimer options, including disclaimer of survivorship property (including property owned as tenants by the entirety with right of survivorship, which is possible since January 1, 1998). _____

Comment: _____

20. With legal counsel, determine if any investment property titled as husband and wife, tenants by entirety, with right of survivors or as joint tenants with right of survivorship was acquired before January 1, 1977 (a tax basis matter). _____

Comment: _____

21. Determine status of charitable pledges. _____

Comment: _____

Contact Information:

Harrisonburg Department of Motor Vehicles

3281 Peoples Drive
Harrisonburg, VA 22801-7600

Telephone: (804) 497-7100

Fax: (540) 801-0847

Monday - Friday, 8am - 5pm

Saturday 8am - 12pm

Harrisonburg Health Department

110 N. Mason Street
Harrisonburg, VA 22802

(540) 574-5100

(540) 574-5214 (Fax)

Harrisonburg Social Security Office

227 East Elizabeth Street
Harrisonburg, VA 22802
866-964-1718
800-772-1213

Monday - Friday, 9am - 3pm