



ElderLaw

Prepare for life without a spouse, before a crisis

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Unfortunately, in an elder law and disability practice such as ours, clients die. One of our roles is to help prepare and assist the survivor (widow or widower) in making the transition to a life without her/his spouse.

A U.S. Department of Health and Human Services Administration on Aging report published in 2012 provides some interesting -- and scary -- data. While people over age 65 were 13.3 percent of the United States population in 2011, in Pennsylvania they were 15.6 percent of the population (fourth highest of all states) representing almost 2 million individuals.

Let's discuss some of the steps to take in preparation for a difficult transition to living without your spouse. Although our focus is on an older population, this advice is relevant to any married couple as death can come at any age.

First, with both spouses alive, discuss freely and frankly your financial situation as to what you have, how it's titled (owned) and what you want done after your death.

Know where the key to a safe deposit box is (if you have one) and who is authorized to enter that box. Also know who the executor of each other's estate is, especially if it's not going to be the survivor (not uncommon in second-marriage situations).

Our October 2012 column "Don't Leave Your Loved Ones In The Dark" listed the kinds of information and documents to help prepare for the inevitable.

It's also extremely important to find trusted advisers (accounting, financial, legal and spiritual) who will be there to assist you through this difficult time.

What are some of the immediate steps you need to take after your spouse dies?

* Determine who, medically, to contact. Was your spouse an organ donor? Was the death due to natural causes? Was a physician in attendance?

* Contact your family, friends and professional advisers. Not only do you want to let them know, but they may be a strong source of support for you and your immediate family.

* Make funeral arrangements. Give consideration to doing this in advance to help minimize the emotional trauma this can entail. Make sure you obtain at least 15 death certificates as these will shortly be needed for other notifications.

* Contact entities such as banks and other financial institutions; credit card companies; credit reporting bureaus such as Equifax, Experian and Transunion; employers for information about any benefits due; insurance companies (not just life insurance, but also auto and homeowners); the state Department of Transportation to cancel deceased's driver's license; Social Security (one-time death benefit of \$255) and to help ensure decedent's payments are stopped and to determine your possible change in benefits; Veterans Affairs, both for possible benefits and possible burial at a national cemetery.

These are just some contact examples. There may be others depending on your circumstances, such as cable, telephone, Internet, utilities, etc.

Once the more immediate issues have been dealt with, let's look at some other major considerations:

1. Recognize that you are going to be emotionally in turmoil. You have a reasonable expectation to have people be patient with you. However, they may not. You will be on a roller coaster of emotions. Be careful with your major decision-making. Involve your trusted friends and advisers in this decision-making, especially initially, when your thought processes most likely will be clouded by your emotions.

2. Determine what your cash flow needs will be. Know what you are paying out and receiving in on a monthly basis. Are there expenses that can be eliminated? Do you have assets you can liquidate to build up cash? Get help in creating a budget.

3. Are you capable of managing your own assets? Do you even want to? If not, lean heavily on trusted advisers.

4. What are your health insurance options? Do you now have to obtain it on your own? Is it available from your spouse's employer? Determine this quickly as you don't want a void in the critical coverage.

5. Are you in a mental frame of mind to determine your goals for the next year? If not, put a structure in place to help you get to the point where you are both financially and emotionally secure to set longer-term goals for yourself.

Have a plan in advance so you're not at a loss for what to do. You could even keep a copy of this article with your valuable papers as a form of checklist to help you through that difficult time.