

## Our Services

### Probate Administration

Our team can guide you through the probate process, prepare the necessary documents and help ensure a positive outcome for your family.

### Probate & Estate Litigation

We specialize in dealing with situations of undue influence, coercion or lack of judgment and capacity issues. Our attorneys and staff are well-versed in probate and estate litigation and always put your goals first.

### Guardianships & Conservatorships

Guardianships and conservatorships help protect a minor or incapacitated loved one's safety and financial interests. While most guardianships and conservatorships are uncontested, our team can help defuse tensions and offer alternative solutions to ensure that your loved one is getting the best care and services.

### Estate Planning

A comprehensive estate plan will control, manage and distribute assets if an individual becomes incapacitated or dies. Our team will work with you to determine goals and draft related documents such as wills, revocable trusts, advance medical directives, powers of attorney and living wills.

### Special Needs Planning

We draft disability and special needs trusts to administer inheritances, personal injury settlements and other assets for disabled and other special needs individuals. This allows the beneficiary to benefit from their assets, while preserving their eligibility to receive public benefits.

Receive a free, no-obligation consultation to determine how Evans Case can help.

**303-757-8300**

Be represented by legal professionals who care about getting the best possible results for you.

Has a loved one recently passed away?

Do you need assistance with your Estate Plan?

Do you need legal guidance during a time when your family needs it most?

Evans Case can help with all your Probate and Elder Care needs. With more than 110 years of collective experience, we are relentless and compassionate advocates for our clients.

The deep legal experience and wisdom of our senior attorneys, combined with fresh thinking of younger associates, ensure the best possible results in each case. Our attorneys understand that the best outcomes are built on thorough understanding, compassion and respect.

We are accessible and trustworthy partners when you need it most.

For your FREE 30 minute consultation call  
303-757-8300

Email Aaron Evans at [evans@evanscase.com](mailto:evans@evanscase.com)



1660 South Albion Street  
Suite #1100  
Denver, Colorado 80222  
[www.evanscase.com](http://www.evanscase.com)  
303-757-8300



# What To Do When Someone Dies

## A Simple Guide to Assist After the Death of a Loved One



## Offering Probate and Elder Care Support

Our team of experts manages every aspect of the legal process, allowing you to:

### Plan Effectively

We help you develop powers of attorneys, wills, trusts and health care and estate plans.

### Understand Fiduciary Responsibilities

We provide options and counsel related to income, estate and gift tax matters, asset protection, as well as Medicaid and insurance, and Veterans' benefits.

### Advocate for Your Loved One's Rights

We help you understand rights related to living in long-term care facilities, Grandparents' rights, as well as age and disability discrimination.

### Improve Peace of Mind

We help you appoint legal guardians, conservators or personal representatives when and if they should be needed. We also provide probate guidance to help you settle an estate and avoid disputes.



# WHAT TO DO WHEN SOMEONE DIES

## ! WHEN DEATH OCCURS

Dealing with the loss of a loved one is never easy. Our goal is to provide you with important information you need in the days and weeks after their passing. Knowing what comes next can help you focus on what you need to do, as well as determine what you may wish to delegate to family and friends. Give yourself time to take in what has just happened and start grieving for your loss.

## ! CIRCUMSTANCES

The circumstances of the death will determine what happens next. If the death occurs in:

- Hospital or Hospice Facility – Staff will usually take care of the arrangements for you including transportation and care of the body.
- At Home or Work – Call 911 as the police and medical personnel will determine how to proceed.

## ! ADDITIONAL CALLS

There are other people, organizations, and agencies that will need to be notified of the passing of your loved one. The list may include:

- Attorney
- Insurance Agent
- Accountant
- Veterans Association
- Employer, if applicable
- Financial Advisor
- Social Security Admin.

## ! COMMON PITFALLS

Common issues faced by a Personal Representative:

- Improper notice to potential heirs or devisees
- Issues with heirs or devisees as to their share of the estate
- Questions regarding mental capacity of decedent, undue influence, coercion and other questions regarding the validity of a will.

## THE FIRST FEW DAYS



There will be people who you need to notify immediately, for example:

- Family Members
- Friends
- Clergy

You can ask them for help to:

- Call other family/friends
- Answer phone calls
- Coordinate meals

These are just a few ways for others to help ease your burden.

## TIME TO GRIEVE

Honoring your departed loved one through family or cultural rituals can be comforting. How you cope in the first few hours after the death is very personal; do what is right for you.

## FUNERAL ARRANGEMENTS



A funeral director can help you with the following:

- Arrange for care of body
- Obtain death certificates
- Arrange the funeral, memorial, burial service
- Notifications to various agencies and companies
- Prepare/publish the obituary

If your loved one made plans ahead of time, this is your opportunity to honor their wishes.

## NO PRIOR PLANS?

Ask someone to assist you with these decisions. Be sure to ask yourself:

- What would loved one want?
- What will comfort family most?
- What can you afford?

## LOCATE IMPORTANT DOCUMENTS



Locate and review important documents. This list includes, but is not limited to:

- Original Will and/or Trust
- Deeds
- Tax Returns
- Bank Accounts
- Investment Statements
- Insurance Documents
- Military Discharge Papers
- Social Security Information
- Vehicle Registrations
- Loan Papers
- Birth Certificate
- Marriage Certificate

## ESTATE PLANNING

These documents can give you a broad picture of your loved one's estate and are instrumental in determining what needs to be done.

## PROBATE OPTIONS



For assistance in managing the legal issues a death can bring, contact an attorney. Seeking legal advice before you act may avoid costlier legal fees later. It is good to know your options. Probate options are:

- Informal - Easiest option
- Formal - Copies of a will require formal probate
- Intestacy vs. Testacy

An attorney can answer questions and concerns that you will have regarding the probate process. Establishing an early relationship can help ease your burden and stress.

## AVOIDING PROBATE

- Payable on death accounts
  - Beneficiary deeds
  - Joint tenant accounts
  - Life Insurance, IRA
- The right planning can help avoid the probate process of your estate.

## PERSONAL REPRESENTATIVE



Personal Representative, after being accepted by the court, their duties include, but are not limited to:

- Collecting and keeping an inventory of the assets of the estate
- Paying bills of estate
- Managing assets of estate during probate process
- Distributions to the heirs or beneficiaries of estate
- Closing estate after all of the above responsibilities have been completed

## KEEP IN MIND

Once you are appointed by the court, as the Personal Representative, 75-85% of the probate process is completed within the first thirty (30-60) days.

## LEGAL ADVICE AND COUNSEL



A probate attorney can:

- Assist heirs with estate to make sure a Personal Representative is doing their job
- Make sure all assets are transferred properly
- Aid Personal Representative to do their job correctly to avoid potential liability
- Make sure the closing of the estate is done correctly
- Even when death is expected, the emotional impact of losing a loved one can be overwhelming.