



## *Sudden Death*

by John D. Whitaker

This last month a very close friend of ours died unexpectedly. Her death was a complete shock to her family and friends because she was always thought to be the healthiest of any of us. She was young, single and as vigorous as they come. A lot of us have a sense that life follows a certain pattern. People live their lives and then die after providing a period of warning. This is the way most people look at life and death, but those who have suffered through the death of a young person know better. You can never bank on the idea that you will be around tomorrow and in death my friend reminded me of an important lesson: Get ready, because as the grizzled old cop in the movie *No Country For Old Men* says, "you can't stop what's coming."

The day after my friend's funeral her family gathered to begin the process of tending to the estate. The ethereal quality of this meeting was stunning. Her family lives in another state, and although they had some idea what needed to be done they basically had to start from scratch in figuring out the nature and extent of her property. No one really knew where to start. Did she have life insurance? Where did she do her banking? Did she have any debt? What did she do with her diamond ring? Did she want to be cremated or buried? Imagine the scene if you were to die today. Would your family be in any better position in trying to figure out how to handle your estate? Would they know where your retirement accounts were located? Would they know who to call, or what to do? Imagine that a number of your family and close friends are sitting around the kitchen table at your house the day after your funeral. There are 10 large cardboard boxes which are full to the brim with old bank statements and brokerage accounts, some of which were from accounts that don't even exist anymore. Do you think your family might find this process unnecessarily stressful?

Wills are important, and everyone with any property



should have one. Yet, a will usually will only tell you where the property goes, they usually don't tell you where the property actually is. One of the things that I did after attending the family meeting was to sit down and make a record of what I had and where it was. I call this document a survivor's road map. I listed the names of the insurance companies and brokerage companies where I have accounts, the name of my insurance agents, the account numbers and the estimated values in the accounts. I put all of the car titles together, and I have a file for the house and the other real property we own. If I drop dead now, at least my survivors would know what property I owned, and most of the major questions that come up during this process have been answered. No one needs to stress out about what to do.

The purpose of this document is not to file it with the court. It is merely a guide so that the people who must settle your affairs won't be chasing their tails and wondering whether they have located all of your property. If my friend's mother had a list of her daughter's property with account numbers and values, she would not have been subject to the uncertainty of whether she knew about all the property and where it was.

In a lot of families one person usually takes care of the money. The other person is generally responsible for knowing how to operate the snowblower. This division of responsibility works if the snowblower operator dies, but snowblower operators can really struggle with the possible issues surrounding a 401k owned by a deceased spouse. Sure, they will figure it out in time, but why make it harder? Don't you think your dying is stressful enough without setting up the process to play out like a scavenger hunt?

Several weeks before our friend died, she celebrated her 43 birthday. I remember writing in her birthday card that at the rate she was going, at least she was not going to die young. I sure would have stayed at the party longer had I known how wrong I was about to be.

**The Wyoming State Bar does not certify any lawyer as a specialist or expert. Anyone considering a lawyer should independently investigate the lawyer's credentials and ability, and not rely upon advertisements or self-proclaimed expertise. This informative column is brought to you by John Whitaker who practices personal injury and criminal law throughout Wyoming. He can be reached at [jw@wyo injury.com](mailto:jw@wyo injury.com) or by calling his office in Casper at 265-6204.**