

DEALING WITH UNEXPECTED DEATH

It's 7 a.m. Tuesday morning on your 39th birthday, and you and the kids just kissed your spouse goodbye as he left your base house to go to work. You will never see him again because at 8 a.m. he collapses from a heart attack and dies before the ambulance gets him to the hospital. You and your spouse talked about a lot of things over the years, but you never talked about either of you dying. In the next days, weeks, and months, you are going to feel very alone, lost and inadequate because you are alone and you were not prepared for being left alone. The following is not intended to be depressing but rather to be educational. It is intended to inform you of what to expect when you are suddenly left alone and of the people and programs available to help you when tragedy strikes.

After the initial shock you will realize that you have some decisions to make then. In fact, there will be an overwhelming number of decisions to make such as where to live, what to do about money, funeral arrangements, probate, and taxes. To avoid stress, plan now for these potential problems. Talk about them with your spouse in detail.

1. Some things may not apply in a given situation, but generally you can expect some of the things that follow:

a. In all probability the sad news will be delivered to you by the commander or the chaplain. Within 24 hours of death you can expect to receive a lump sum payment of \$100,000, known as a Death Gratuity. It is intended to help with the immediate adjustment of the loss and to meet unusual financial obligations created by the death. You may be paid these funds if the deceased died on active duty, at active duty training, at initial duty training, while traveling to or from a place for entry upon active duty, or on full time National Guard duty. Use these funds with prudence since taking full control of all family matters will take some time. When a family is notified of the death of an active duty military member, they are assigned to a Casualty Assistance Representative (CAR) whose sole job is to help the family through the process.

b. The body was moved to the local mortuary and the mortuary officer will be contacting you within 24 hours to make funeral arrangements. You will be responsible for directing the place of burial, type of funeral (burial vs. cremation), whether the funeral will include military honors, whether the headstone will be purchased (with limited reimbursement) or provided by the government, whether the burial will be in a national cemetery (Arlington, Andersonville, etc.) or in a civilian cemetery. The mortuary services officer will assist you with these arrangements. All arrangements can be made by the funeral home of your choice and then reimbursement (limited) will come from the government. If the funeral home plans the arrangements, you will be reimbursed (up to a limited amount) for the preparation of the body, casket, burial plot, clergy fee, obituary notices, and the funeral itself. The mortuary officer will brief you on the limits of the allowance, which varies considerably depending upon the type of funeral and location you select. It is generally more advantageous to make funeral arrangements through the mortuary services officer. When making funeral arrangements, you should ask the mortuary services officer to obtain at least **ten** certified death certificates. If you have decided that a national cemetery is the appropriate place of burial, the mortuary services officer will

check to see if there is a burial space in the national cemetery. If the decision is to have the burial at a civilian cemetery not located where you currently live, a military escort will ensure the body reaches the destination and will remain until the funeral is complete, if requested to do so. The funeral, in all probability, will be completed within 5 days of death.

c. After the funeral is the time to make long-term future plans. As a widow of an active duty member, you will be entitled to all the benefits you enjoyed before the death of your spouse, and those benefits may have some effect on your long-term planning (ease of access to commissary, hospital, Base Exchange, legal assistance, etc.).

d. The decision of where to live may be the most pressing matter following the funeral. If a servicemember dies on active duty, the DOD may allow family members of the deceased servicemember to remain in military housing for up to 365 days without charge. Basic allowance for housing is authorized if dependents are not occupying on-base housing, are in on-based housing in a rental capacity, or vacate on-base housing before 365 days. Housing benefit payments will terminate 180 days after the date of the servicemember's death.

e. Before making any physical relocation, you should establish where your money is and where any future money will be coming from. Money on hand will generally exist in the form of checking and savings accounts. If the accounts are in the name of the deceased only, then they may have to be probated for you to reach its proceeds. If the accounts are in both names, the deceased and yourself, you will have immediate access to the money. There are some savings institutions (such as the credit union) which provide life insurance as a part of the depositor agreement and will pay double the amount in a savings account (to a maximum of \$2,000), depending upon the age of the deceased and when the account was opened. Before drawing any money from the savings account, you should ask about this possibility and be prepared to present a death certificate if such insurance exists. You will also receive a check in your name for the money owed your spouse for accrued pay and allowances. You are also eligible for Dependency and Indemnity Compensation (DIC) which is payable for life or until you remarry. Dependency and indemnity compensation shall be paid to a surviving spouse at the monthly rate of \$1,067 for deaths occurring after January 1, 1993. If your spouse had over 20 years (active or retired and application is made therefore) of service, you would automatically get the Survivor Benefit Plan (SBP) annuity which would provide 55% of his base salary to you until you remarry. If you are eligible for both DIC and SBP, the DIC is reduced dollar for dollar by the SBP. A majority of any lump sum money will come in the form of insurance proceeds. As a rule, all military members have signed up for Servicemen's Group Life Insurance (SGLI). Upon proof of death (death certificate) the maximum disbursement on this insurance is \$400,000. There may be less than \$400,000 disbursement if your spouse signed up for less than the maximum of \$400,000. Private life insurance companies work the same way. The claimant must present proof of death before the payoff. Most payoffs can be obtained by merely writing a letter to the insurance company, identifying the policy number, stating that you are claiming the proceeds, and enclosing a copy of the death certificate. You may also be asked to surrender the life insurance policy. If there is not an immediate disbursement, this will at least get the ball rolling in the right direction. Depending on what state your spouse was a resident of at the time of death, release of life insurance benefits may also require a death tax release. Another source of income is Social Security. A \$255.00 lump sum payment designated as a burial benefit will be paid. Remember, we said it was your

39th birthday and you and the kids were at home, Social Security benefits would be paid to you. You need to apply for benefits with the Social Security office as soon as possible after the death. Finally, there may be money bonuses coming from the state (as opposed to federal) veterans' agency. We mention organizing money matters before making any physical relocation for two reasons: (1) it is going to be the most important need in the near and distant future, and (2) you will, in all probability, have a larger, more caring support group at your spouse's base to help you pursue matters in the event there are administrative problems.

f. Apart from identifying sources of money is the need to identify and get your hands on all-important papers relating to property held by you and your spouse. You need to "Clean out" any safe deposit box, locate any will, gather up deeds to real property, collect stock certificates, and locate title papers for automobiles and boats, life insurance policies, and income tax returns for the past 3 years. If your spouse had been previously married, you'll need to locate the papers dealing with the divorce, and especially the property settlement agreement or court order awarding property-fixing support. Also, be aware of any allotments which your husband may have had to cover debts or support matters; these allotments cease at death. You also need to safeguard valuable items of personal property. You will be busy and this is a time when being busy helps.

2. Now that you have arranged your short-term housing needs and organized and gathered your money affairs, it is time to deal with the rest of the estate.

a. Probate is generally all matters pertaining to the administration of an estate. There are particular actions you can take before death, which will decrease the complexity of a probate. List bank accounts and car titles in both your names. If your bank accounts, car titles, and land deeds are in joint tenancy with the right of survivorship, you have probably reduced your probate intricacies. A certificate can be filed at the courthouse to transfer land titles where the title is held joint with right of survivorship. If your car is titled in the name "Mr. X or Mrs. X," you merely go to the Department of Motor Vehicles; sign the vehicle title over to yourself, and a new title will be issued in your name only. If the vehicle is registered Mr. X and Mrs. X, the legal office may be able to prepare an affidavit to D.M.V. to transfer it to your name without probate. If the bank accounts, vehicle titles, and land deeds are not in the appropriate form, all will have to be processed (probated) through court unless the size of the estate and kind of property involved make you eligible for expedited procedures, which reduce court involvement. The Legal Office may be able to assist you with your probate paperwork.

b. While owning property in joint tenancy has many positive features it also has some drawbacks. Among these are loss of absolute control and potential adverse tax consequences both immediately and at death. You should not get on the joint tenant "band wagon" unless you understand its pluses and minuses.

c. There are two things said to be certain -- death and taxes. Generally speaking, taxes are imposed by both the federal government and the states in the event of death. Most states tax the privilege of passing property from the dead to the living, usually called an inheritance tax. The person receiving the property pays the tax. Whether there will be such a tax in your case depends on your spouse's state of residence at the time of death. The Federal Government taxes

the value of the estate. However, there is no tax on property left to the surviving spouse, and the estate tax will apply only to estates in excess of \$1,000,000 when left to other than the surviving spouse. The exception to the \$1,000,000 exemption is if the surviving spouse is not an American citizen.

d. Your base lawyer can give you guidance on the necessity of probating the estate and assist with the paperwork. At some point in time, depending on the complexity and size of the estate, you may be directed to a private attorney.

3. Once you have arranged your short-term housing needs, organized and gathered your money, and cleared the estate (or formally probated it if necessary), it is time to make some decisions about long-term life goals, needs, and objectives. You may be able to stay in base housing up to 90 days and the things we have discussed up to this point (except for a formal probate) should be completed or nearly completed within that 90-day period.

a. Long-term housing decisions must be dealt with at this time. If you live in base housing, you will have to move out within 90 days. If you have bought and live in a house off base, you have to decide whether you want to continue to live in that house. On the subject of houses and relating back to insurance--there is one other insurance policy/benefit you should look for, that is mortgage insurance. There are two kinds of mortgage insurance: (1) the kind that protects the mortgage company from your default on the loan by protecting the mortgage company's equity -- yours--and under the terms of most loans you are obligated to pay the premium; and (2) the kind which will pay off the balance of the mortgage in the event of your spouse's death. (This type of life insurance should also be looked for in any loan situation (example: a signature loan at the credit union) so that all loans can be quickly paid off. Let's assume you had the second kind, the proceeds have paid off the mortgage, and you stand as the sole owner of the house--now free and clear as they say. If you sell your home, be aware that there are income tax aspects and tax deferral features which you must handle.

b. If you decide to move, the government will move you at Uncle Sam's expense to either your spouse's or your home of record. You must use this benefit within 1 year of your spouse's death. The government will also move your household goods to your next home at no expense (within Joint Travel Regulations (JTR) weight limit). Let's say you've decided to move to Pittsburgh, buy a house, and start a career. You can have your household goods temporarily stored for 90 days in Pittsburgh while you're waiting to move into the house you bought. When you find that house, you are more than likely going to have to get a mortgage to pay for the house. You are eligible for a VA loan and should look to see if that is the type of loan that best suits your needs. Remember, there are many different types of loans (conventional, owner carried, Federal Housing Administration (FHA), Veterans Administration (VA), graduated payment, fixed rate, other "creative" financing). Generally, a VA loan has lower interest rates and closing costs for you as the buyer.

c. Now that you've purchased your new home, gotten things out of storage, moved in, and have some steady income, you may want to pursue a federal civil service job, remember to claim a veteran's preference. There are a certain number of "points" added in your civil service score because of your military association. If you need education, you can obtain monetary assistance from the VA. The Air Forced Aid Society can also provide low interest educational loans in

certain situations. These benefits apply to children in addition to scholarships from the VA and possibly additional Social Security benefits.

4. Now 6 to 9 months have passed and other than the emotional trauma that continues for many years, your life should be on a fairly even keel. Most of us do not want to talk about the death of a spouse, but the importance of talking about it, in detail, cannot be stressed enough. As you can see from this discussion, there are too many decisions to be made to be thrown into this situation cold. At a minimum, you should have a brief knowledge of what to expect. You never know, some morning your whole life may change. Are you ready?

TWENTY QUESTIONS

Now that we have a general idea about what to expect, we want to introduce you to a variation of the game "20 Questions." Remember when the kids asked you question after question until you thought you would go crazy? Well, you need to play the revised version with your spouse. You both may think you will go crazy, but you will also realize the importance of getting the question answered.

1. Do you have a current will? Where is it kept? Do you have a living will? Do you have a durable medical power of attorney?
2. Do I have a current will? Where is it kept?
3. Who is appointed guardian of the children? Are these stepchildren?
4. Do the guardians know they are in the will?
5. Are the guardians listed on the emergency data card; if not, how will they find out of our death? Do we have a safe deposit box? Where is it?
6. Where are all our bank (money) accounts?
7. Are there any accounts in your name only and "and" accounts?
8. Does our bank (credit union) insure (double) the money in our savings upon your death?
9. Are you signed up for Servicemen's Group Life Insurance (SGLI)? Who is the beneficiary?
10. What are the amount, policy number, and company name of any private life insurance? Who is named as beneficiary?
11. Is the car title in the "you or me" form? Where do we keep the records covering our investments? Where are our income tax returns?
12. Is the deed to the house in both our names--joint tenancy--right of survivorship? Where is it?

13. Do we have mortgage insurance on the house?
14. Is any of your VA loan eligibility encumbered now by any loans?
15. Where do you want to be buried?
16. Do you want to be cremated, donated to science, or buried?
17. If you want to be cremated, how do you want the ashes disposed of?
18. Do you want military honors at your funeral?
19. Do you want a government headstone for your grave?
20. Who is best-equipped and most willing on base to help me through all this?

Actually Coping With the Death of a Loved One

The sudden death of a person close to you is always painful and it is always a difficult experience. Mourning for your loved one is a normal and important part of recovering. You need to allow yourself to grieve. You may experience many feelings after the death of a loved one.

- Shock – You may be unable to cry. You may feel fatigued. Make sure you rest. The physical symptoms will likely pass fairly quickly and the feeling of numbness will be replaced by other feelings.
- Denial – At first, your mind may refuse to acknowledge that your loved one has died. You will gradually adjust to the idea that this person is no longer with you.
- Anger – People are often surprised to learn that they feel anger at their loved one for deserting them. This is a normal feeling and will pass. If you feel anger, do not be afraid to tell someone. Talking to someone can help provide a safe outlet for your anger.
- Guilt – Many people feel guilt because of unfinished business at the time of death. You may not have said all the things that you wanted to say to your loved one or you may have said some things in anger before the unexpected death. You may even feel guilty for just being the one that survived. These feelings are normal and will pass in time.
- Sadness – An individual that has lost a loved one will often have moments of intense sadness during the months after a loved one's death. It may feel as though the pain and sorrow is unbearable. You will get through this situation. It is ok to feel this way and it is ok to cry. Crying gives you the opportunity to just get it out.
- Loneliness – You may feel like you are all alone, even in a crowded room. You miss your loved one and you don't want to be around other people or you feel isolated even when you are with other people. It is ok to be alone while you grieve. However, there comes a time when you need to reach out to your family and friends.
- Panic and Fear – You may fear that you cannot cope with all the feelings you are having. You may be afraid to live life alone or fearful of your own death. Feelings of fear are normal. However, do not be afraid to reach out to some for help if you are fearful or panicked.

- Stress – You may not be able to sleep or you may want to sleep all the time. You may not be able to eat or you may not want to stop eating. You may become depressed or get sick. There are many ways to deal with a stressful situation. And this is ok for a short time. However, if these symptoms remain, you should talk to your doctor about what you are feeling and what is going on in your life.
- Confusion – You might find yourself laughing one minute and crying the next. That is ok and that is normal. You may find it hard to take care of the day to day tasks that you are use to performing. You may also find it confusing to handle all the tasks that the death of a loved one brings. Don't be ashamed to call on the help of family members or family friends that you know and trust. They will give you the help and support that you need to get through this tough time in your life.

Dealing with your Children's Feelings

Children hurt and grieve just like we do. They encounter the same emotions and feelings over the death of a loved one that you and I experience. It is important to include children in the grieving process. Tell your children the truth about what happened and tell them what you are feeling. Be honest with them and answer any questions that they may have honestly. Do not exclude them in order to protect them from the pain of their loss. Excluding them from the process will only increase their confusion and fear about their own feelings and the feelings they see around them.

Young children may not understand what death actually is. They may have a hard time expressing their feelings and thoughts in words. Their fear, anger and sense of loss may be expressed in changes in their behavior. They may have nightmares or trouble eating or sleeping. Some children might become more aggressive while other children become quiet and withdrawn. Children should be allowed to express the feelings that they are having. It may be difficult for you to cope with the grief of your children while you are dealing with your own thoughts and emotions. Help is available for children and for families. Contact your doctor or spiritual advisor to get help for you and your family.

What can you do?

You are not always going to feel as bad as you do right now. The hurt, the pain and the shock will go away. It just takes time. During this difficult time you must take care of yourself. If you need help, don't be afraid to ask for it. Sharing your feelings with family and friends can help you find comfort during the grieving process. Talking about your feelings is a way to not feel so overwhelmed. For some people keeping a journal of their thoughts and feelings is a helpful way to grieve. The grieving process takes time, so don't be afraid to ask for the help of your family and friends for as long as you need it. People may not offer help because of fear of intruding or fear of not knowing what to say. Go to these people and ask for the help you need. Make sure you eat, exercise and get enough rest. Staying healthy will help to reduce the stress of dealing with a sudden death.

Things you may want to consider doing:

- Consider practical needs of the home – buying groceries, cooking, cleaning, etc.
- Make sure you have arranged childcare for any children that you have
- Make a list of immediate family, close friends, employers and business colleagues and then notify them of the death
- Arrange for someone to answer your door and telephone. Ask them to keep a list of all calls that need to be returned
- Keep a list of people who send flowers, food, etc., so that when you are able, you can thank them