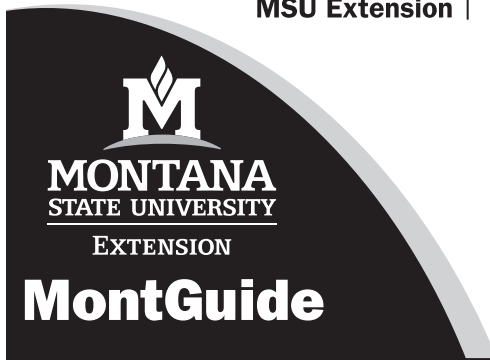


# Letter of Last Instructions



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**This publication explains information that should be included in a letter of last instructions to assist survivors after your death.**

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**WHILE THINKING ABOUT DYING ISN'T SOMETHING** any of us really want to dwell on...it's a fact...all of us are going to die someday. Knowing that it is a question of "when" rather than "if" means we can plan ahead and make "things" easier for our survivors. By writing a *letter of last instructions* we can provide essential information needed to relieve our survivors (spouse, children or other family members) of needless hours of frustration and anguish as they search for needed important documents during a time of sadness and grief over our passing. This MontGuide provides information to include in your *letter of last instructions*.

## Location of important documents

When you are listing the location of your important documents, including your letter of last instructions, be specific. Describe whether they are "in the safe deposit box at XYZ bank," "in the bottom left-hand drawer of the desk," or "in the cardboard box on the top right-hand-side of the bedroom closet." This kind of detail is helpful for family or friends who are faced with the task of sorting through all your papers to find information needed for the death certificate and to determine which assets in your estate must go through the probate process. For further information, read the MSU Extension Montguide *Probate* (MT199006HR), or request a copy from your local Extension office.

## Copies of letter

Once you have signed and dated your completed letter, you can decide what parts if any, you want to copy and share with family members or friends. Then make several additional copies and place in an easily accessible place. Give one copy to your attorney and another to your personal representative. A personal representative is the person you name in your will to carry out your plan

for the settlement of your estate. If you do not name a personal representative in your will or if you die without writing a will, the district judge will appoint one based on the priority list provided in Montana statutes. For further information, read the MontGuide *Personal Representative Responsibilities* (MT199008HR), or request a copy from your local Extension office.

Review your letter annually or when there has been a change in your family situation. Marriage, divorce, birth of a child, or the death of a family member are a few examples. The updating task will be much easier and less time consuming if you save your *letter of last instructions* electronically. Your letter can also be handwritten.

## Sample Fill-In Worksheet

A sample worksheet to fill-in the necessary information for your circumstance is available: [www.montana.edu/estateplanning/eppublications.html](http://www.montana.edu/estateplanning/eppublications.html). Scroll down to Letter of Last Instruction MontGuide, underneath is the sample worksheet.

### *Automobiles*

Provide the location of the registration, title and other insurance policies for your vehicles.

### *Computer*

Compile a list of usernames and passwords for all of your computers. Describe the location of your list of usernames and pin numbers/passwords for your financial accounts that you access on the web. Also include your phone or tablet passwords.

### *Credit Cards/Loans*

List your credit cards by issuer and the credit card number. Where are they located (file drawer, wallet, purse, etc.)? On loans, give full name and terms. Also list where the contracts are located.

## ***Death Certificates***

Usually six to twelve certified death certificates are needed to document a deceased Montanan's passing so assets can be transferred to survivors. The funeral director or cremation service director will usually order as many death certificates as needed. If not, additional copies may be obtained from the Montana Office of Vital Statistics by going to [www.dphhs.mt.gov](http://www.dphhs.mt.gov), and then click Get a Birth/Death Record or write to:

Office of Vital Statistics  
Department of Public Health and Human Services  
111 N. Sanders, Rm. 206  
P.O. Box 4210  
Helena, MT 59604

Institutions that may require a certified copy of the death certificate include: Insurance companies (each company that insured the individual or his/her property will want a copy), financial institutions (banks, credit unions, mortgage companies, brokerage firms, and credit card companies), retirement plans [401(k), 457, 403(b)], Pension Plans, Internal Revenue Service, Social Security Administration, and the district court in each county where the deceased owned real property.

Provide information that will be needed for your death certificate:

- Full name
- Address
- Marital status
- Spouse's name
- Date of birth and birthplace (city, state)
- Father's name (first, middle, last)
- Mother's name (first, middle, last name before marriage)
- Military records/history
- Social Security number
- Education (highest diploma or degree received)

## ***Death Notification***

Prepare a list of people to be notified about your death and include their contact information.

1. Family members
2. Friends, neighbors and close acquaintances
3. Personal Representative

4. Professional and business relationships, including:

- Employer/Employees
- Accountant
- Attorney
- Investment advisor
- Financial institutions where you have accounts (including banking, brokerage firm, and mutual fund company)
- Insurance agents (including automobile, life, mortgage, property, and health)
- Cooperatives that pay dividends (rural electric or phone, etc.)

5. Government Agencies

- Social Security Office (include Social Security number, location of Social Security card)
- U.S. Department of Veterans Affairs (if appropriate). Include location of discharge papers.

## ***Debt Owed to You***

Make a list of all the debts owed to you; include full name, address, and telephone number of the debtor, payment terms, collateral and so on.

## ***Debts You Owe***

Make a list of all the debts you owe; include company, address and telephone number, account number, and payment terms. If you have student loan debt check here to find out if your type of loan can be discharged: <https://studentaid.ed.gov/sa/repay-loans/forgiveness-cancellation/death>

## ***Financial Accounts***

Make a list of personal property you own, including:

- Checking and savings accounts, IRAs, certificates of deposits. Be sure to include the location of monthly, quarterly, or yearly statements for all accounts that are listed. List by name and institution, address where the account is located, the type of account, and the account number if such information is not provided on the statements.
- U.S. Savings Bonds (type, is there a beneficiary designation)
- Stocks, bonds, mutual funds, or other securities
- Business property such as livestock and equipment, and location of titles, or other records such as business arrangements (partnerships, corporations, limited liability companies, and so on.)

### ***Funeral Arrangements***

Describe any funeral arrangements that you have already made. If pre-arrangements have been made with a mortuary or crematorium and paid for through a prepaid trust or funeral insurance policy, provide the location of the contract. Specify your preferences for the following:

1. Whether to donate organs (if so, what institution or organization)
2. Autopsy (if requested)
3. Embalming or not
4. Public viewing, or not, prior to and during funeral
5. Body disposal (detail any arrangements already made). See the MontGuide *What Are Your Rights Over Your Remains* ([MT200918HR](#)) that explains the Montana Right of Disposition Act that was enacted by the 2009 legislature.
  - Cremation (if so, method of disposition of ashes). See the MontGuide *Cremation* ([MT200201HR](#)).
  - Burial and location
6. Type of service and location (funeral, memorial service, celebration of life)
7. Funeral (open casket, closed); music, speakers and location
8. Flowers and/or donations, memorials (to whom, and address)
9. Choice of coffin (so your family isn't vulnerable to potential pressure to buy the most expensive, unless that is your wish)
10. Newspapers to receive obituary information. If an obituary was written in advance, specify its location. Even if you don't want to write your obituary, some basic information with dates, names, and places will be very helpful for the person who writes it.

### ***Homeowners Records***

Give the location of the deed (if you have one), beneficiary deed, title insurance, and mortgage papers on all real property that you own.

### ***Household Contents***

Provide the location of the list of your household inventory or the location of photographs of your household contents. If you took the photos with a digital camera, copy the files to a CD or memory stick and place in a safe deposit box. Accomplishing this task is also helpful for insurance purposes.

### ***Insurance***

List all of your insurance policies by type (life, auto, home, health, credit life, funeral, and burial,) company name and address, policy number and insurance agent, and contact information. Include a notation of any loans that you have taken out against a policy that has not been repaid. Also, include the location of each policy.

### ***Leases***

Provide a location of all lease agreements, written or oral, whether you are the lessee or the lessor.

### ***Magazine Subscriptions***

Organize a list of magazine and newspapers subscriptions that will need to be cancelled.

### ***Personal Effects***

Provide a separate list of your personal effects as allowed under Montana law when you write your will. You can list who is to receive each item on a "separate listing of tangible personal property." Include complete name, address, and relationship of the person who will receive your golf clubs, gold watch, rings, rocking chair, and so on. Sign and date your separate listing and update as needed.

For further information about a Separate Listing of your Tangible Personal Property (personal effects), read the MontGuide *Who Gets Grandma's Yellow Pie Plate: Transferring Non-titled Property* ([MT199701HR](#)), or request a copy from your local Extension office.

### ***Personal Papers***

Describe the location of your essential personal papers, including:

- Birth or baptismal certificates
- Marriage certificate, dissolution of marriage records
- Papers for adopted children
- Minor children's birth certificates and/or social security cards
- Naturalization or citizenship papers
- Social Security card and records (for possible benefits)
- Military service records (for possible benefits)
- Will

### ***Pets***

Pets play an extremely significant role in the lives of many Montanans. By planning ahead and obtaining the appropriate legal documents, owners can ensure their pets (dogs, cats, horses, birds, etc.) will continue to receive proper care if the owner becomes incapacitated or dies. If you have information in your will to provide for the care of your pet you may wish to provide detailed

instructions for food and diet, vaccination and health checkup schedule and so on. For additional information see the MontGuide *Estate Planning Tools for Owners of Pets & Companion or Service Animals* (MT201405HR).

### **Post Office Box**

Provide the location and number of the *post office box* if you have one. Also, list where the key may be found or provide the combination of the box.

### **Safe Deposit Box**

Provide the location of your safe deposit box, a list of the contents, and where the key is located. Is the box titled in your name only (sole ownership) or joint tenancy with right of survivorship with others? List names of authorized signers for the box.

### **Social Media Accounts**

Provide directions for your social media accounts to be deleted (Facebook, Twitter, Instagram and Snapchat). There have been instances where the deceased person had accounts that were hacked sometimes years after his/her passing.

### **Survivors Benefits**

Make a list of unions, lodges, fraternal organizations that may provide death or cemetery benefits such as Social Security, veterans, employee, fraternal association, credit life insurance, pension or retirement plans and individual annuities.

### **Taxes**

Describe the location of your income tax returns and supporting documentation for the past five years.

### **Trusts**

Describe the location of any trust funds that you have set up or in which you are named. Provide the names of trustees and location of the trust agreement.

### **Will**

Provide the location of your signed original will and copy of separate writing (allowed by Montana law) of how you want your tangible personal property distributed after your death.

### **Summary**

The purpose of a *letter of last instructions* is to provide your personal representative and/or specific family members the information they need to notify the appropriate individuals about your death, to honor your funeral arrangements and to locate your important financial records for probate (if necessary) so your estate can be settled. Give a copy of the letter to your personal representative and keep the original and copies in a safe place. Be sure to sign and date it. Your family will be forever grateful to you for compiling a *letter of last instructions*.

### **Acknowledgements**

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