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Article: When a loved one dies

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'Losing a loved one is a terrible experience but at Christmas time it seems all the more poignant' says Sheila Glyn-Owen, partner at Phillips specialising in Wills and Probate.

When someone close to you dies, it's absolutely normal and natural to feel a whole range of overwhelming and confusing emotions, but over the festive period when everyone seems to be celebrating, it's harder than ever. The shock may make you feel disbelief that they've gone, or numb, or you may feel so much pain that you can't stop crying. Or maybe you've always been strong and feel uncomfortable showing your grief in front of others. Whatever you feel, your moods may swing all the time, feeling guilt, anger, depression and anxiety, adding to the pain.

The point is that all grief is different and there's no right or wrong way to react to the death of a loved one, no single 'one size fits all' approach. We each have different ways of coping and recognising this may help. Even physical symptoms vary between people and you may or may not experience sleeplessness, exhaustion, loss of appetite and lack of concentration. And of course your life may change enormously in practical terms.

Whatever you're feeling, it's important not to hide those feelings because it's much healthier to grieve than to hold it in, and each time you cry it's one more step in the grieving process which can take months for some, years for others – there's no time limit on grief.

Sheila comments: 'Remember that there's nothing wrong with grief, so if you feel like crying, shouting, or even being quiet for a few hours, then allow yourself. Your feelings can change by the day and even by the hour, so allow yourself to grieve and let others know when you're feeling 'up' or 'down' – it'll help you come to terms with your loss. If you feel that you need more help than friends can give, talk to your doctor or a minister who understands and will be able to refer you to local organisations whose counsellors are experienced in helping the bereaved. And most importantly, remember that your loved one would have wanted you to go on living, not hide away from the world'

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Coping with practical concerns

Grief and personal distress may make it hard to deal with urgent practical matters and formalities so here is a check list of what to do. All the organisations are used to dealing with distressed people and will be helpful and reassuring.

- Make sure the doctor gives you the Medical Certificate confirming the cause of death
- Friends may be able to recommend a funeral director who will help you with the necessary arrangements, or look in the phone book
- Register the death at the Register Office within five days – the Registrar will need to see the Medical Certificate, Birth and Marriage Certificates (if applicable)
- Find the Will – this states what your loved one wants to happen after his/her death and you should find it as soon as possible because it may contain instructions about money, property and possessions as well as funeral wishes.
- If there isn't a Will, there are rules regarding the estate
- Engage a trusted solicitor who will help you with all the formalities and administration of the estate – again a friend or relative may be able to recommend one

Dealing with the estate

Not surprisingly there are a number of administrative matters to deal with regarding the estate of your loved one. The estate has to be passed on to those entitled to receive it after the payment of any debts, liabilities and other expenses. This is either in accordance with the Will or the Intestacy Rules. There is likely to be plenty of correspondence and documentation to be sorted out with a potential need for valuations and perhaps calculations of tax.

Your solicitor will have detailed knowledge of winding up estates and will know how to deal with any problems that may arise. If your loved one didn't leave a Will, but had money or property, an application still has to be made to the Probate Registry for legal authority to administer the estate. On occasions there may be disputes between beneficiaries, executors or those who want to make a claim against an estate.

Sheila adds: 'When a loved one dies, you need all the professional help you can get. Sorting out the affairs is rarely straightforward, but you don't need to go it alone. A sympathetic Probate solicitor will be expert as sorting out these complex issues, giving you time for your grief and your family.'

For further details and advice, call Sheila Glyn-Owen on 01256 854637 or visit our website at www.phillips-law.co.uk