

**COURT APPOINTED DISBURSING AGENT
IN RE: CHEMICAL RELEASE AT BOGALUSA**

22nd Judicial District Court, Washington Parish, Louisiana
No. 73,341-C “All Cases”
Post Office Box 60600
New Orleans, LA 70160
(504) 840-3850

**INSTRUCTIONS FOR CLAIMING FUNDS FOR A DECEASED
CLAIMANT**

Dear Claimant’s Representative:

The Court has ordered that the settlement funds for a deceased claimant be paid under the Survivors Act. We suggest you take this letter to your attorney or a notary public in your area. This will allow the notary to see what is needed in order to disburse the settlement funds due the decedent, at the appropriate time. If you have any questions, you will need to speak to your attorney.

We need one survivor to act as the contact person for the deceased claimant. When you have gathered all the required documents they must be mailed to us at the address above. Please include a letter that contains the name of the deceased claimant, your name, your mailing address and a phone number where you may be reached. Include a photo copy of the decedent’s death certificate, copy of the decedent’s obituary notice or funeral program and the original Affidavit of Survivorship. If any survivor died AFTER the deceased claimant, also include a photo copy of the deceased survivor’s death certificate and the required CERTIFIED succession documents for them.

You must bring this letter and the following to your attorney or notary to assist you in preparing the affidavit:

A. CERTIFIED copy of the claimant’s death certificate;

AND

B. Decedent’s obituary notice or funeral program

AND

C. Any documents the attorney or notary requires;

AND

D. 2 people who knew the decedent well and are NOT survivors of the decedent.

INSTRUCTIONS FOR LOUISIANA CIVIL CODE ARTICLE 2315.1
SURVIVORS OF DECEASED CLAIMANTS

The attorney or notary is to draft an Affidavit of Survivorship Under Louisiana Civil Code Article 2315.1. The affidavit must be signed by two adults, who are **NOT** survivors of the deceased claimant, who were “well and personally acquainted” with the decedent and contain at least the following information:

- 1) A statement that the affiants were “well and personally acquainted” with the decedent.
- 2) The name, date of death, and domicile of the decedent at the time of death.
- 3) A complete marital history of the decedent setting forth all marriages and the manner of termination of every marriage and the name of the surviving spouse of

the decedent, if any.

- 4) The name of all of decedent's children, if any, whether by blood or adoption, WHO WERE ALIVE on the date of the decedent's death and state whether the child is a minor or major.
- 5) The name and date of death of the spouse or child, if any, WHO HAS DIED AFTER the decedent died.

If the decedent left no surviving spouse nor surviving child, then the affidavit should set forth that information as well as the following:

- 1) The name of all parents, whether by blood or adoption, WHO WERE ALIVE on the date of death of the decedent.

If the decedent left no spouse, child, nor parent surviving, then the affidavit should set forth that information as well as the following information:

- 1) The name of all brothers and sisters of the decedent WHO WERE ALIVE on the date of death of the decedent.

If the decedent left no spouse, child, parent, brothers or sisters surviving, then the affidavit should set forth that information as well as the following information:

- 1) The name of all grandfathers and grandmothers of the decedent WHO WERE ALIVE on the date of death of the decedent.

If the decedent left no survivors in any class of beneficiary set out above, or if one of the survivors of the decedent has since died, the Estate of the decedent or the Estate of the deceased survivor, as the case may be, is the proper claimant and the "INSTRUCTIONS for IN THE EVENT EITHER THERE ARE NO LOUISIANA CIVIL CODE ARTICLE 2315.1 SURVIVOR OF THE DECEASED CLAIMANT OR A SURVIVOR OF A DECEASED CLAIMANT IS NOW DECEASED" must be provided to the attorney or notary.*

**INSTRUCTIONS FOR USE IN THE EVENT
EITHER
THERE IS NO LOUISIANA CIVIL
CODE ARTICLE 2315.1
SURVIVOR OF A DECEASED CLAIMANT
OR
A SURVIVOR OF A DECEASED CLAIMANT
IS NOW DECEASED**

If there is no Civil Code Article 2315.1 Survivor or if one of the Survivors is now deceased, you must bring the attorney or notary the following documents below for each to attach to the Affidavit of Survivorship

- A. CERTIFIED copy of the death certificate for the Survivor who died AFTER the deceased claimant.

AND

- B. CERTIFIED copy of the Affidavit of Death, Domicile and Heirship filed in the succession proceeding of the Survivor who died AFTER the deceased claimant; or if there are no 2315.1 Survivors, the Affidavit of Death, Domicile and Heirship filed in the succession of the deceased claimant

AND

C. Any one of the following, whichever is applicable

1. CERTIFIED copy of a Judgment of Possession issued by a state court of competent jurisdiction for the Survivor who died AFTER the deceased claimant. If no 2315.1 Survivors then a CERTIFIED copy of a Judgment of Possession issued by a state court of competent jurisdiction for the claimant who died.

OR

2. CERTIFIED copy of Letters of Administration or Letters Testamentary issued by a state court of proper jurisdiction from the Estate of the Survivor who died AFTER the deceased claimant. If no 2315.1 Survivors then a CERTIFIED copy of Letters of Administration or Letters Testamentary issued by a state court of proper jurisdiction from the Estate of the deceased claimant.

OR

3. CERTIFIED copy of an Affidavit of Small Succession recognizing and setting forth the identity of the individuals and/or entity entitled to receive the deceased survivor's funds. If no 2315.1 Survivors then a CERTIFIED copy of an Affidavit of Small Succession recognizing and setting forth the identity of the individuals and/or entity entitled to receive the deceased claimant's funds.

*These requirements are not exclusive. Other circumstances may require additional documentation.

If you have questions about any of these instructions, consult your personal attorney.

We appreciate you waiting until you have all the required documents before mailing them to us. Upon receipt we will validate the documents and let you know if we need anything further. Unfortunately, we only have space for one contact person in our data base. Also the check will be payable to all survivors or heirs. We regret we are not able to issue individual checks to each survivor or heir. If this is an issue, we suggest you speak to the deceased claimant's attorney for assistance.