

Post-Retirement Survivor Benefits: Community Property Payee Death Benefits | PUB 63

We Are Here for You

CalPERS is here to help you during this difficult time. Visit us at www.calpers.ca.gov/deathbenefits or call us at **888 CalPERS** (or **888-225-7377**) during business hours so we can help you apply for and receive any benefits you may qualify for. You can also make a phone, virtual, or in-person appointment so we can help you step-by-step — just call us to book a time and location.

To receive survivor benefits, you must apply. Benefit payments do not happen automatically upon a death. To avoid processing delays, the person entitled to the benefits should be the one to complete the application and forms.

Benefits are typically processed within 45 days of receiving your complete application and supporting documents. Specific benefits can't be determined until we review the member's file and all required materials.

To ensure timely processing, it is important to complete the entire *Application for Survivor Benefits*. Providing information about all family members is required for legal and administrative reasons. CalPERS uses this information to verify eligibility, determine benefit amounts, and account for all potential beneficiaries under the California Public Employees' Retirement Law. Even if you are the only beneficiary, leaving sections incomplete can delay your claim. We understand this may seem overwhelming during a difficult time, but providing complete and accurate information helps process your benefits quickly. If you need help, CalPERS representatives are available to assist you.

For application status, or for any other questions or needs, please call us at **888 CalPERS** (or **888-225-7377**).

Contents

Step-by-Step Checklist	2
What You Need to Apply	3
Beneficiary Designation and Benefits Payable.	6
Application Information	8
Taxes	10
How to Contact Us	12
Visit Your Nearest CalPERS Regional Office	13
Privacy Notice	14

Step-by-Step Checklist

Application Process

Notify CalPERS

(Health benefits stop for the deceased payee and any dependents covered by payee's CalPERS health benefits)

Obtain Death Certificate

Complete Application and Gather Required Documents

Submit Application With Required Documents

CalPERS Reviews Application Package and Eligibility

Payment of Benefits

(Including health benefits if applicable)

Step 1 — Notify CalPERS of Payee's Death

- Report the death online at www.calpers.ca.gov/deathbenefits or call us at **888 CalPERS** (or **888-225-7377**).

Step 2 — Obtain Payee's Death Certificate

- Obtain the payee's death certificate and ensure it lists the cause and manner of death.

Step 3 — Complete and Submit These Items to CalPERS

- Application for Survivor Benefits* form
- Tax Withholding Election* (Federal Tax Withholding Election W-4P) form
- Photocopy of payee's death certificate showing the cause and manner of death

Step 4 — Submit Additional Required Documents, as Needed

- Letters of Administration/Testamentary, or other documentation from the probate court (if a claim is being made by the estate; needed to show that the estate is subject to probate and that a personal representative, executor, or administrator has been appointed)
- Photocopy of last will and testament (if the estate is a designated beneficiary but is not subject to probate)
- Certification of Trust* form (if the trust may be entitled to benefits)

Processing time for payment is approximately 45 days once all required documents are received and eligibility is determined. Missing details and required information may cause delays in your application.

What You Need to Apply

1 Information About the CalPERS Payee and Yourself

For the deceased payee:

- Full name
- Date of birth
- CalPERS ID or Social Security number (SSN)
- Date of death

For you:

- Contact information

For spouses and registered domestic partners:

- Social Security number (SSN) or Individual Tax Identification Number (ITIN)
- Marriage date

2 Photocopies of Personal Documents

Gather and photocopy important documents. **CalPERS cannot return original documents, and any submitted originals will be destroyed.** Please only send photocopies of needed or requested documents.

Important Personal Documents

Types of Documents	When Documents Are Needed
Death certificate of the deceased payee	Always required, and must include both the cause and manner of death.
Marriage certificate	If you are the spouse of the payee.
Certificate of registered domestic partnership	If you are the registered domestic partner of the payee.
Divorce decree or judgment of dissolution	If the payee was divorced.
Child's birth certificate or adoption papers	If a claim is being made by or for a child of the payee. These documents must contain the parents' names. If payment is being made to a minor child who is not in the custody of a natural parent, proof of guardianship of the child's estate or another court order may be needed. Additional correspondence may be necessary to establish the proper documentation needed for payment to the minor. If the payee has ever been married, we will also need a copy of a divorce decree or death certificate to show that there is no surviving spouse. If the payee had children who passed away, their death certificates will also be required.
Payee's birth certificate	If a claim is being made by the payee's parents. If only one parent is claiming benefits, a copy of the other parent's death certificate will also be needed. If the payee has ever been married, we will also need a copy of a divorce decree or death certificate to show that there is no surviving spouse. If the payee had children who passed away, their death certificates will also be required.

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What You Need to Apply (continued)

Types of Documents	When Documents Are Needed
Each claimant's birth certificate	If a claim is being made by the payee's siblings. We will also need proof that no "higher" beneficiaries (spouse, children, or parents) exist.
Letters of Administration/ Testamentary, or other documentation from the probate court	If the payee's estate is subject to probate and a personal executor or administrator has been appointed. If the estate is a designated beneficiary but not subject to probate, a copy of the payee's last will and testament is required.
CalPERS <i>Certification of Trust</i> form	If the trust may be entitled to benefits.
Court order	If the estate requires probate.
Last will and testament	If the estate is a designated beneficiary but is not subject to probate.

If you are unable to obtain a birth certificate, CalPERS may accept a passport, driver's license, baptismal record, or school record indicating a child's age and the parents' names. If you are unable to obtain a birth certificate, divorce decree, or death certificate for anyone but the

payee, explain in writing why the documents cannot be obtained. Include a sworn statement describing under penalty of perjury what you are trying to prove. Supporting statements from other family members are helpful.

3 Application and Forms

If you are applying for survivor benefits online, refer to the instructions within the online application process. This can be accessed through the CalPERS-emailed link that is provided by either calling CalPERS or when reporting the death online.

If applying for survivor benefits via mail or fax, you must complete the following forms (step-by-step instructions for each form are included in this publication):

- **Application for Survivor Benefits** (required)
- **Tax Withholding Election** (Federal Tax Withholding Election W-4P) form

- Be sure to include a photocopy of the death certificate that indicates both cause and manner of death along with the applicable forms.
- Label all documents with the payee's name and CalPERS ID (a 10-digit identification number printed on the enclosed letter) or Social Security number on the top-right corner of each document. If you do not know the CalPERS ID, use their Social Security number.
- Read all application and form instructions and questions carefully before completing.

Beneficiary Designation and Benefits Payable

Definitions

Term	Definition
Active Member	An active member is someone who was working for a CalPERS-covered employer at the time of death.
Inactive Member	An inactive member is someone who separated from CalPERS-covered employment and left their retirement contributions on deposit with CalPERS, but had not retired.
Beneficiary	A beneficiary is a person designated to receive a benefit after the death of a member or other benefit recipient. A beneficiary may be the same person as a survivor .
Nonmember	A nonmember is a former spouse of a CalPERS member to whom a court awarded a separate CalPERS account for the community property portion of the CalPERS member's contributions. If you determine that you are a survivor of a nonmember, the only benefit payable is a one-time, lump-sum return of the CalPERS member's retirement contributions and interest. The nonmember benefit is paid to those designated on a CalPERS Pre-Retirement Lump Sum Beneficiary Designation form. If no designation was made by the CalPERS nonmember, benefits will be paid to the next-of-kin based on the order set by law. If you believe you are the nonmember's beneficiary or survivor, you may go directly to the forms. You should complete the Application for Survivor Benefits form. Once CalPERS receives this form, we will be able to determine the beneficiary.
Non-spouse Beneficiary	A non-spouse beneficiary is designated by the member or designated by the plan under Government Code.
Payee	A payee is a person receiving a payment/check from CalPERS.
Retiree	A retiree is an employee of a CalPERS employer who terminates active employment and receives a monthly CalPERS retirement allowance.
Survivor	A survivor is a family member defined in the law as eligible to receive specific benefits upon a member's death.
Domestic Partner	A legally recognized registered domestic partner has the same legal rights and duties as a spouse under California law. That means a registered domestic partner of a CalPERS member has the same right to a CalPERS benefit as a spouse of a member.

Beneficiary Designation and Benefits Payable (continued)

Beneficiary Information

The person entitled to the benefits should complete the ***Application for Survivor Benefits*** form.

In accordance with Government Code 20128, CalPERS may periodically require verification of continued eligibility for benefits. Upon CalPERS' request, you will be required to provide information verifying continued eligibility.

The one-time benefit is payable to the **probated** estate of the deceased. If the estate will **not** require probate, but there is a trust, the benefit may be paid to the trust. If there is no probated estate and no trust, under the Retirement Law the prorated allowance is payable as follows:

1. Spouse or registered domestic partner legally recognized in California, or if none,
2. Children (including adopted children), or if none,
3. Parents, or if none,
4. Brothers and sisters, or if none,
5. Probated estate, or if the estate is not probated,
6. Trust, or if none,
7. Stepchildren, or if none,
8. Grandchildren (including step-grandchildren), or if none,
9. Nieces and nephews, or if none,
10. Great-grandchildren, or if none,
11. Cousins.

If no beneficiary can be located, reimbursement may be claimed by the person who paid the funeral expenses.

Prorated Allowance

A CalPERS payee's monthly benefit payment stops on the date of their death. A final payment will be made, which is prorated for the number of days the payee lived during the month of death.

For example, if the date of death is May 25, the prorated allowance will be 25/31 of the **monthly benefit** payable on June 1.

You can refer to the payee's last benefit warrant to determine the amount of their monthly benefit.

Returning Warrants Issued After Death

Do not return warrants to the State Controller's Office or write "void" on them. The warrants must be returned to CalPERS. If the warrants were cashed, submit a personal check or money order made payable to CalPERS. If the benefit warrants were deposited directly into a bank account, you should contact the bank first to ensure that they have not already returned the payments to CalPERS at our request. (You will receive a copy of this request letter if we notify the bank to return funds.)

The reimbursement payment should be identified as "Death Overpayment" and include the payee's name and CalPERS ID or Social Security number. Payment should be returned with the completed application and other applicable forms described in this publication.

Application Information

Read the instructions and questions carefully before completing the application. Any information you provide should be based on personal knowledge. The information provided will help us determine who is entitled to the benefits. If there is not enough space to enter all the names and addresses for the identified next of kin in a section, attach a separate sheet of paper. Be sure to clearly write the retired payee's CalPERS ID or Social Security number and name on any attachments.

Filling Out the Application for Survivor Benefits

Step 1: Gather Necessary Information

Before starting the application, collect:

- **Deceased's Information** — Full name, CalPERS ID or Social Security number, date of death, and marital status.
- **Your Information** — Full name, Social Security number, date of birth, email, phone number, and address.
- **Family Information** — Details about the deceased's spouse, children, parents, and siblings (living and deceased).
- **Supporting Documents** — Certified death certificate, proof of relationship (such as marriage or birth certificate), and any other documents requested in the form.

Step 2: Complete Page 1 (Required Information)

1. **Your Name** — Write your name exactly as it appears on your Social Security card.
2. **Social Security Number** — Enter your Social Security number or Taxpayer Identification Number.
3. **Date of Birth** — Write your date of birth in MM/DD/YYYY format.
4. **Contact Information** — Provide your email address, daytime phone number, and mailing address (including city, state, and ZIP code).
5. **Relationship to Deceased** — Note your relationship to the deceased (such as spouse, child, parent).
6. **Signature and Date** — Sign the form and write today's date.

Step 3: Complete Pages 2-10 (Family Information)

Section 1: Spouse/Registered Domestic Partner (Page 2)

- Was the deceased married or in a registered domestic partnership on the date of death?
 - Select Yes or No.
- If Yes, provide the spouse/partner's:
 - Full name, Social Security number, date of birth, date of marriage/partnership, email, phone number, and address.
- If No, provide details about prior marriages or partnerships:
 - Name of deceased spouse/partner, date of death, or date of divorce/termination.

Section 2: Children (Pages 3-6)

- Did the deceased have children?
 - Select Yes or No.
- If Yes, for each child, provide:
 - Relationship type, full name, Social Security number, date of birth, date of death (if applicable), email, phone number, and address.
- Indicate if the child is disabled or was a stepchild under age 22 living with the deceased.
- If the child is under 18 or disabled, provide the name and contact information of their custodian, guardian, or conservator.
- If there are more than four children, attach an additional sheet with their information.

Application Information (continued)

Section 3: Estate/Trust Information (Page 7)

- Does the estate require probate?
 - Select Yes or No.
- Did the deceased leave a will?
 - Select Yes or No.
- Provide details about the executor/administrator of the estate:
 - Full name, Employer Identification Number (if applicable), email, phone number, and address.
 - Name of attorney handling probate (if applicable), email, phone number, and address.
- If there is a trust, provide details about the trustee:
 - Full name, Employer Identification Number (if applicable), email, phone number, and address.

Section 4: Parents (Page 8)

- Were the deceased's parents financially dependent on the deceased?
 - For each parent, select Yes or No.
- If Yes, provide for each parent:
 - Full name, Social Security number, date of birth, date of death (if applicable), email, phone number, and address.
- If both parents passed away after the deceased or you already provided information for a spouse/children, skip Section 5.

Section 5: Siblings (Pages 9-10)

- Did the deceased have siblings?
 - Select Yes or No.
- If Yes, for each sibling, provide:
 - Full name, Social Security number, date of birth, date of death (if applicable), email, phone number, and address.
- If there are more than four siblings, attach an additional sheet with their information.

Step 4: Submit the Application

- 1. Review Your Answers** — Carefully check each section to ensure all information is complete and accurate.
- 2. Attach Supporting Documents** — Include copies of the death certificate, proof of relationship, and any other required documents.
- 3. Submit the Form:**
 - **Mail** — Send the completed form and documents to:
CalPERS Disability and Survivor Benefits Division
P.O. Box 942715, Sacramento, CA 94229-2715
 - **Fax** — (800) 959-6545.

Need Help?

- Call **888 CalPERS** (or **888-225-7377**) or visit **www.calpers.ca.gov** for assistance.
- Keep a copy of the completed application and all supporting documents for your records.

Payee's Spouse or Children

Be sure to provide as much information as possible about the payee's spouse or children.

Funeral Expenses

If you answered "No" to all next-of-kin questions, complete the funeral expenses information.

Taxes

Read this information carefully before completing tax forms.

Tax Information

Terms	Key Information
Statement of Benefits Paid and Withholding	Every January, CalPERS sends each beneficiary a statement showing the gross amount of benefits paid during the previous calendar year and the amount of income tax withheld, if any. Most payments are reported to the Internal Revenue Service (IRS) and the California Franchise Tax Board (FTB). If you have questions about the taxability of benefits, call these agencies (IRS at 800-829-1040; FTB at 800-852-5711) or contact your tax advisor.
Taxpayer Identification Number	The IRS requires recipients of reportable payments to furnish a Taxpayer Identification Number (TIN). You must provide your Social Security number (or Employer Identification Number, if a trust or organization), even if you are not required to file a tax return. We will not be able to make payment to a trust or probated estate without a trust or estate tax ID number.
Notice of Possible Penalties	If you do not have federal tax and/or California state tax withheld, or if you do not have enough withheld, you may have to pay estimated tax. You may also incur penalties. See IRS publication 505, <i>Tax Withholding and Estimated Tax</i> , for additional information.
Foreign Residency	If you are a resident or citizen of a country other than the United States, complete sections 1 and 4 only of the <i>Tax Withholding Election</i> (Federal Tax Withholding Election W-4P) form. You must complete this form before CalPERS can pay benefits. You must have a U.S. Social Security number (SSN) or IRS-assigned Individual Taxpayer Identification Number (ITIN) before we can make payment to you. If you are a U.S. citizen living in another country, you must complete all sections of the tax election form that may be applicable to you.

Employer Identification Number Required for Estates and Trusts

If the probated estate or trust does not have an Employer Identification Number (EIN), you can obtain one at www.irs.gov. Complete Form SS-4 online and the number will be provided instantly. Or call the IRS at (800) 829-4933.

Obtaining an Individual Taxpayer Identification Number

You can obtain Form W-7 at www.irs.gov. Complete the form and submit it to the IRS.

**Tax Withholding Election (Federal Tax Withholding Election W-4P)
(Form myCalPERS-1289)**

How to Complete the Form

Section	Key Information
<p>Section 1 Your Information</p>	<p>Complete Section 1 with your personal information and provide your Social Security number or Taxpayer Identification Number. You must have a U.S. Social Security number (SSN) or IRS-assigned Individual Taxpayer Identification Number (ITIN) before we can make payment to you. Add before this sentence: If claiming as a custodian or guardian of a minor child, enter the child’s SSN or ITIN. For an estate or trust, enter the estate’s or trust’s Employer Identification Number. A Social Security number is not acceptable to pay an estate or trust.</p> <p>If you are a resident or citizen of a country other than the United States, or if you are a United States citizen living in another country, complete the Citizenship and Residency fields.</p> <p>For the Retirement Program and Account field, select the CalPERS and Death Benefits options.</p>
<p>Section 2 Federal Tax Withholding Election</p>	<p>Complete Section 2 to indicate your federal tax withholding election for the one-time prorated benefit payment. This section has 4 steps to complete. Only step 1 is required. Complete steps 2-4 only if they apply to you.</p> <p>These benefit payments are treated as payroll wages. Federal tax will be withheld based on the tax rate of a single person unless you elect no withholding or select a different marital status. If no election is submitted and the rate of single is used, the highest amount of federal tax will be withheld if the gross monthly payment is at or greater than the IRS minimum level to withhold.</p>
<p>Section 3 California State Withholding Election</p>	<p>Complete Section 3 to indicate your California state tax withholding election for the one-time prorated benefit payment.</p> <p>If you are a California resident, CalPERS will automatically withhold state tax based on the tax rate of a single person claiming zero exemptions unless you elect no withholding, have a flat amount withheld, or select a different marital status or number of exemptions. If no election for state withholding is submitted and the rate of single with zero exemptions is used, the highest amount of state tax will be withheld if the gross monthly payment is at or greater than the California Franchise Tax Board minimum level to withhold.</p> <p>If you do not live in California, CalPERS will not withhold state tax unless you make an election for state withholding. If you are unsure whether you will be subject to California state taxes, contact the California Franchise Tax Board or seek the advice of a qualified tax consultant.</p>
<p>Section 4 Signature and Date</p>	<p>Be sure to sign and date the form or your elections will not be considered valid.</p>

How to Contact Us

Find Us Online

www.calpers.ca.gov

Learn about your benefits and subscribe to email alerts. You'll also find all our publications and forms.

my.calpers.ca.gov

Log in to access your account information or send us a secure message.

news.calpers.ca.gov

Stay up to date on CalPERS news that matters to you.

Call Us

Our offices are open Monday through Friday, 8:00 a.m. to 5:00 p.m. We're closed on state holidays.

Toll free: **888 CalPERS** (or **888-225-7377**)

TTY: (877) 249-7442

Fax: (800) 959-6545

International Calls: +1 916-795-3000

¿Hablas Español?

Para servicio en español marque:

888 CalPERS (o **888-225-7377**)

Write to Us

California Public Employees' Retirement System

Disability & Survivor Benefits Division

P.O. Box 1652

Sacramento, CA 95812-1652

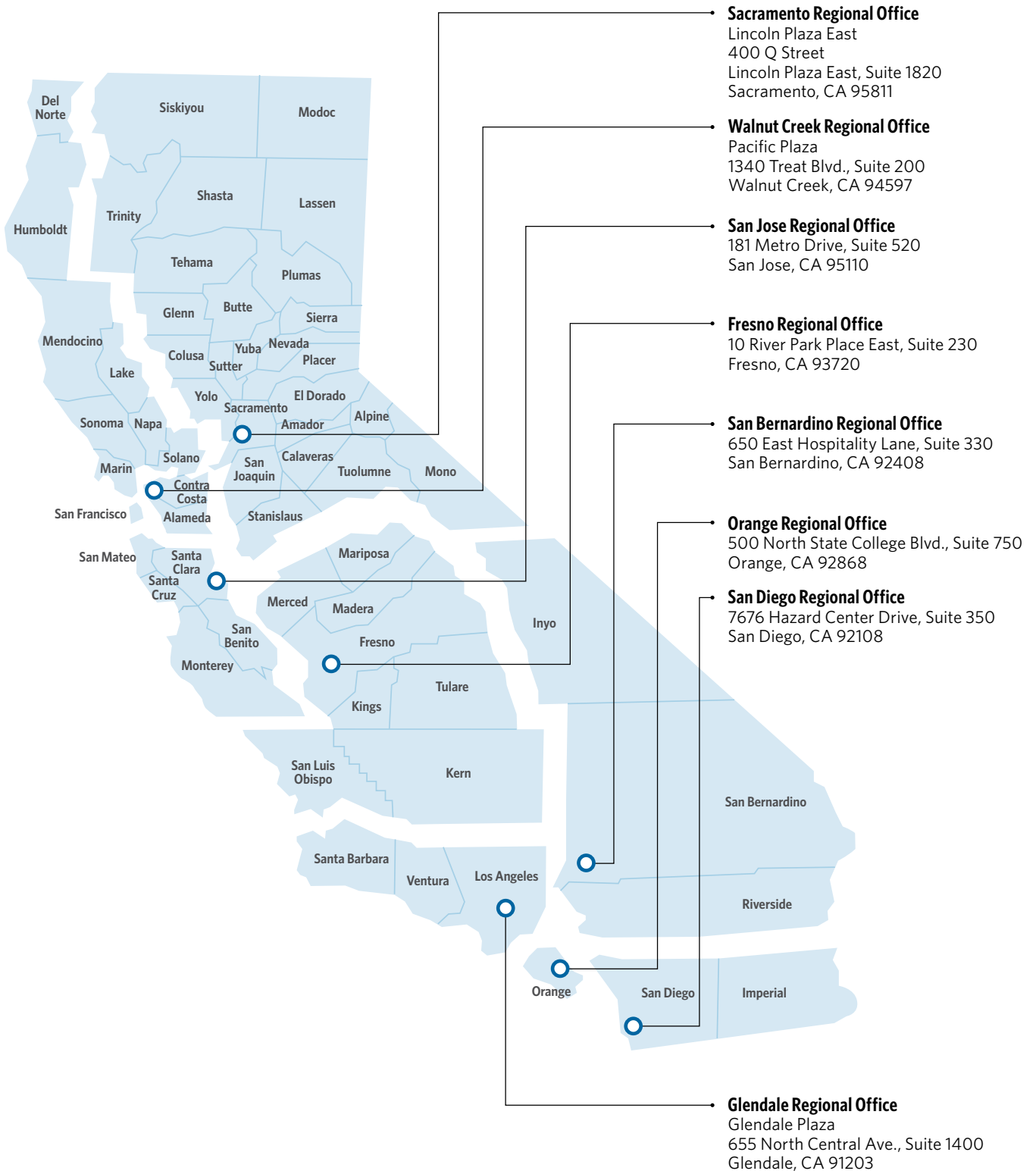
Experience CalPERS Through Social Media

Connect with us to get the latest CalPERS news.



Visit Your Nearest CalPERS Regional Office

Go to www.calpers.ca.gov/regionaloffices to learn how to make an appointment and prepare for your visit.



Privacy Notice

The privacy of personal information is of the utmost importance to CalPERS. The following information is provided to you in compliance with the Information Practices Act of 1977 and the Federal Privacy Act of 1974.

Information Purpose

The information requested is collected pursuant to the Government Code (sections 20000 et seq.) and will be used to conduct CalPERS Board of Administration duties under the Public Employees' Retirement Law, the Social Security Act, and/or the Public Employees' Medical and Hospital Care Act, as the case may be. Submission of the requested information is mandatory. Failure to submit the required information may result in CalPERS being unable to perform its functions regarding your status.

Please do not include information that is not requested.

Social Security Numbers

Social Security numbers are collected either on a mandatory or voluntary basis. If this is CalPERS' first request for disclosure of your Social Security number, then disclosure is mandatory. If your Social Security number has already been provided, disclosure is voluntary. Due to the use of Social Security numbers by other agencies for identification purposes, we may be unable to verify eligibility for benefits without the number.

Social Security numbers are used for the following purposes:

1. Enrollee identification
2. Payroll deduction/state contributions
3. Billing of contracting agencies for employee/ employer contributions
4. Reports to CalPERS and other state agencies
5. Coordination of benefits among carriers
6. Resolving member appeals, complaints, or grievances with health plan carriers

Information Disclosure

Portions of this information may be transferred to other state agencies (such as your employer), physicians, and insurance carriers, but only in strict accordance with current statutes regarding confidentiality.

Your Rights

You have the right to review your membership files maintained by CalPERS. For questions about this notice, our Privacy Policy, or your rights, please write to:

CalPERS
CalPERS Privacy Officer
400 Q Street
Sacramento, CA 95811

You may also call us at **888 CalPERS** (or **888-225-7377**).

CalPERS is governed by the Public Employees' Retirement Law and the Alternate Retirement Program provisions in the Government Code, together referred to as the Retirement Law. The statements in this publication are general. The Retirement Law is complex and subject to change. If there is a conflict between the law and this publication, any decisions will be based on the law and not this publication. If you have a question that is not answered by this general description, you may make a written request for advice regarding your specific situation directly to the CalPERS Privacy Officer at 400 Q Street, Sacramento, CA 95811.

**California Public Employees'
Retirement System**

400 Q Street

P.O. Box 942701

Sacramento, California 94229-2701

888 CalPERS (or **888-225-7377**)

www.calpers.ca.gov

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