

Death Benefits - For deaths occurring November 1, 2009 through October 31, 2010

Weekly death benefits for beneficiaries are computed as percentages of the deceased's average weekly wage, which shall be taken as not more than the State's Average Weekly Wage (SAWW). The maximum weekly income benefits payable to all beneficiaries varies depending upon the deceased's average weekly wage. If the deceased's average weekly wage is less than the SAWW, the aggregate weekly income benefits payable to all beneficiaries shall not exceed 100% of the deceased's average weekly wage. If the deceased's average weekly wage is equal to or greater than the SAWW, the aggregate weekly income benefits payable to all beneficiaries shall not exceed the SAWW.

The following chart is an **EXAMPLE**. It represents the aggregate weekly income benefits payable to all beneficiaries of a deceased worker whose average weekly wage equals or exceeds the State's Average Weekly Wage of \$717.

1. Spouse only:	Surviving spouse: 70% x \$717	\$501.90		\$501.90
2. Spouse and one (1) child:	Surviving spouse: 70% x \$717	\$501.90	Child: 15% x \$717	\$107.55
			<i>Total Benefits:</i>	\$609.45
3. Spouse and two (2) or more children:	Surviving spouse: 70% x \$717	\$501.90	Child #1: 15% x \$717	\$107.55
			Child #2: 15% x \$717	\$107.55
			<i>Total Benefits:</i>	\$717.00
4. Spouse and three (3) or more children:	Surviving spouse: 70% x \$717	\$501.90	Children: (30% x \$717) ÷ (# of children) = Benefits per child	
			<i>Total Benefits:</i>	\$717.00
5. No spouse, one (1) child: (50% x \$717)				\$358.50
6. No spouse, two (2) children: (70% x \$717) ÷ (2) = \$250.95 per child				\$501.90
7. No spouse, three (3) children: (90% x \$717) ÷ (3) = \$215.10 per child				\$645.30
8. No spouse, four (4) or more children: (\$717 ÷ # of children) = Benefits per child				\$717.00
9. Mother or Father only dependent: 25% x \$717				\$179.25
10. Mother and Father dependent: 50% x \$717				\$358.50
11. Brothers, sisters, grandparents and grandchildren, if dependent: 25% of deceased worker's average weekly wage (if more than one dependent, divided equally, subject to the maximum of \$717).				

Lump Sum Death Benefits are payable as follows:

- Spouse:** \$100,000, plus up to \$10,000 for funeral expenses.
- Spouse and one (1) child:** Spouse: \$100,000; Child: \$25,000 to be placed in trust at the Court's discretion; Funeral Expenses: Maximum of \$10,000.
- Spouse and two (2) or more children:** Spouse: \$100,000; Children: Divide \$50,000 equally to be placed in trust for each child at the Court's discretion; Funeral Expenses: Maximum of \$10,000.
- No spouse, one or more children:** Children: \$25,000 per child, up to a maximum of \$150,000, divided equally, to be placed in trust for each child at the Court's discretion; Funeral Expenses: Maximum of \$10,000.
- Heirs-at-law suffering a pecuniary loss:** An aggregate maximum of \$5,000.
- No dependents or heirs-at-law:** A maximum of \$8,000 for funeral expenses.
- Spouse, upon remarriage:** Two (2) years' indemnity benefit.