

ALABAMA

DEATH BENEFITS AVAILABLE TO THE SURVIVING FAMILIES OF LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY



To obtain certified copies of registered personal documents, contact the Bureau of Vital Statistics: Submit written request to PO Box 303017, Montgomery, AL 36130-3017.
Office: (334) 206-5300. www.adph.org

STATE DEATH BENEFITS

The Alabama State Board of Adjustment determines the amount of this payment.

ALABAMA STATE BOARD OF ADJUSTMENT

Alabama law provides for a one-time death benefit payment of \$100,000 for the survivors of peace officers and firemen killed in the line of duty, adjusted on January 1 of each year to reflect any increase in the previous year in the consumer price index. The compensation shall be paid to the dependent spouse for the benefit of the spouse and any dependent children or, if none, to other dependents as designated by statute and in the exercise of the discretion of the awarding authority. All claims for compensation shall be presented to the awarding authority within one year from the date of death. Office: (334) 242-7175. www.bdadj.alabama.gov

EDUCATIONAL BENEFITS

Under Alabama Law Act 82-277, payment of tuition and textbooks costs in a state junior college, technical college or university is made for the dependent children under 21 (natural or adopted) **and spouses**, if not remarried, of a law enforcement officer killed in the line of duty. The spouse must utilize the benefit within 5 years of the death. A letter from the agency head, together with a certified copy of the marriage license, death certificate, and a birth certificate(s) of child/children are required. Office: (334) 242-1998. <http://www.ache.state.al.us/>

WORKERS' COMPENSATION

Workers' Compensation coverage is compulsory for Alabama employers. Workers' Compensation benefits are payable to the beneficiaries of an officer for a period of **five hundred (500) weeks** following the death of an officer in the line of duty.

Benefits include a **maximum \$6,500 burial expense** payment. For death claims, multiply the employee's average weekly earnings prior to the accident by 50% if the employee has one dependent, or by 66 2/3% if the employee has two or more dependents. Death benefits are subject to maximum (\$794/week) and minimum (\$218/week) in effect on date of injury. If the deceased employee, at the time of his or her death, has no

dependents, then within 60 days of his or her death, the employer shall pay a one-time lump sum payment of \$7,500 to the deceased worker's estate.

In order to file for Worker's Compensation benefits, the below listed forms/certificates are needed:

Marriage License

Certified copy of Death Certificate.

Certified copy of minor child(ren) Birth Certificates.

Physician's Statement.

Office: (334) 353-0515. www.dir.alabama.gov/wc/

STATE LIFE INSURANCE - INTESTATE

State life insurance benefits paid to the beneficiaries in this matter are based on double annual salary figures calculated at double indemnity rate.

Descent and Distribution - There are many and material variances from Uniform Probate Code. Distinction between real and personal property has been abolished (43-8-1). Estate of decedent not effectively disposed of by will in excess of share of surviving spouse, or all such property if no surviving spouse, passes as follows, each class of which member is living taking to exclusion of subsequent classes: **(1)** Issue of decedent in equal shares if all issue of same degree of kinship to decedent, but by representation (see infra) if of equal degree; **(2)** parent or parents equally; **(3)** issue of parents or either of them by representation; **(4)** in equal shares to more remote paternal and maternal kindred in following manner (a) grandparent or grandparents equally, (b) issue of grandparents in equal shares if all issue of same degree of kinship to decedent, but by representation if of unequal degree; **(5)** if no paternal or maternal kindred on one side, entire estate to relatives on other side; **(6)** to state.(43-8-42 to 44). Except where estate could pass to state, heir must survive decedent five days. (43-8-43).Issue of person means all lineal descendants of all generations. (43-8-1 (15)).

For representation, estate is divided into **as many shares as there are surviving heirs** in nearest degree of kinship and deceased persons in same degree who left issue surviving decedent, each surviving heir in nearest degree receiving one share and share of each deceased person in same degree being divided among issue of such deceased heir in same manner. (43-8-45).

Surviving Spouse takes intestate share as follows: All if no surviving issue or parent of decedent; first \$100,000 plus one-half of balance if decedent is survived by parent or parents and no surviving issue; first \$50,000 plus one-half of balance if decedent is survived by issue of all whom are also issue of surviving spouse. *If estate is located in two or more states, surviving spouse's share may not exceed in aggregate amounts*

allowable under Alabama law. (43-8-41). *Person who is divorced* from decedent or whose marriage has been annulled is not surviving spouse. (43-8- 252). Surviving spouse who feloniously and intentionally kills decedent is not entitled to any intestate share. (43-8-253).

ADDITIONAL BENEFITS

ALABAMA PEACE OFFICERS' ANNUITY AND BENEFIT FUND

Membership in the **Alabama Peace Officers' Annuity and Benefit Fund** entitles death benefits to officers' survivors in the form of a **one-time \$2,500 death benefit** payment for death from any cause plus, in the case of line-of-duty death, the return of all contributions during membership. Forms can be obtained from the **Alabama Peace Officers' Annuity and Benefit Fund, 514 South McDonough Street, PO Box 2186, Montgomery, AL 36102. Office: (334)242-4079.**

ALABAMA PEACE OFFICERS' ASSOCIATION

The **Alabama Peace Officers' Association** offers survivors of deceased active members a **\$500 death benefit** for death from any cause. Survivors of active members killed in the line of duty receive a \$10,000 benefit. **Contact the Alabama Peace Officers' Association, 940 Pelham Street, Montgomery, AL 36104. Office: (334)269-4328.**
<http://www.alabamapeaceofficers.org/>

FRATERNAL ORDER OF POLICE

or other labor/fraternal groups may provide a one-time death benefit to family members of a deceased member officer. Contact your **local lodge** for information.

ALABAMA CRIME VICTIMS COMPENSATION 15-23-1.

Victims of violent crime are often reduced to bereft and destitute circumstances as a result of the criminal acts perpetrated against them, that the financial or economic resources of such victims and their dependents are in many instances distressed or depleted as a result of injuries inflicted upon them by violent criminals.

The **ALABAMA CRIME VICTIMS COMPENSATION FUND** intends to provide a means whereby victims of violent crime and their dependents may be provided compensation in the amount of actual expenses incurred as a direct result of criminal acts of other persons.

Contact the Alabama Crime Victims Compensation Commission, PO Box 231267, Montgomery, AL 36123. Office: (334) 290-4420. www.acvcc.state.al.us/
SOUTHERN STATES POLICE BENEVOLENT ASSOCIATION, INC.

The PBA member's beneficiary will receive their base salary for one if year they are killed accidentally or intentionally while performing their law enforcement duties

CONCERNS OF POLICE SURVIVORS PO BOX 3199 CAMDENTON, MO 65020
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WWW.NATIONALCOPS.ORG COPS@NATIONALCOPS.ORG

(maximum payout: \$60,000). The beneficiary will receive \$5,000 if it is not an occupational death or if you are a retired or reserve member. Any active Southern States PBA member in good standing and dues current will receive this benefit.

Contact: Southern States Police Benevolent Association, Inc., 2155 Highway 42 S, McDonough, GA 30252. Office: (770) 389-5391. www.sspba.org.

FUNERAL AND CREMATION BENEFITS

Dignity Memorial funeral, cremation and cemetery providers created the Public Servants Program for emergency service personnel. This program provides dignified and honorable tributes, at no cost, for career and volunteer law enforcement officers who fall in the line of duty. Visit their website for complete information @ www.dignitymemorial.com and look under Public Servants for details. You may also call 800-344-6489 and speak with a representative.

Wilbert Funeral Services, Inc. provides complimentary burial vaults and related services for fallen law enforcement officers. For more information visit www.wilbert.com or call (888) WILBERT.

PEER SUPPORT ORGANIZATION

Established in 1984, Concerns of Police Survivors, Inc., (C.O.P.S.), is a national, non-profit organization that works with law enforcement agencies, police organizations, mental health professional, and local peer-support organizations to provide assistance to surviving families of law enforcement officers killed in the line of duty. C.O.P.S. has become a "lifeline" to police survivors nationwide. **Contact the C.O.P.S. National Office (800) 784-2611 or visit www.nationalcops.org/chap.htm for information on a chapter in your area.**



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