

Death Benefits - For deaths occurring November 1, 2002 through October 31, 2005

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 \$528.

1. Spouse only:	Surviving spouse: 70% x \$528	\$369.60	\$369.60
2. Spouse and one (1) child:	Surviving spouse: 70% x \$528	\$369.60	
	Child 15% x \$528	\$79.20	<i>Total Benefits: \$448.80</i>
3. Spouse and two (2) or more children:	Surviving spouse: 70% x \$528	\$369.60	
	Child #1: 15% x \$528	\$79.20	
	Child #2: 15% x \$528	\$79.20	<i>Total Benefits: \$528.00</i>
4. Spouse and three (3) or more children:	Surviving spouse: 70% x \$528	\$369.60	
	Children: (30% x \$528) ÷ (# of children) = Benefits per child		<i>Total Benefits: \$528.00</i>
5. No spouse, one (1) child: (50% x \$528)			\$264.00
6. No spouse, two (2) children: (70% x \$528) ÷ (2) = \$184.80 per child			\$369.60
7. No spouse, three (3) children: (90% x \$528) ÷ (3) = \$158.40 per child			\$475.20
8. No spouse, four (4) or more children: (\$528) ÷ (# of children)			\$528.00
9. Mother or Father only dependent: 25% x \$528			\$132.00
10. Mother and Father dependent: 50% x \$528			\$264.00
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 \$528).			

Lump Sum Death Benefits are payable as follows:

1. **Spouse:** \$20,000
2. **Spouse and one (1) child:** Spouse: \$20,000
Child: \$5,000 to be placed in trust at the Court's discretion.
3. **Spouse and two (2) or more children:** Spouse: \$20,000
Children: Divide \$10,000 equally to be placed in trust for each child at the Court's discretion.
4. **No spouse, one or more children:** Children: Divide \$10,000 equally to be placed in trust for each child at the Court's discretion.
5. **Heirs-at-law suffering a pecuniary loss:** An aggregate maximum of \$5,000.
6. **No dependents or heirs-at-law:** A maximum of \$5,000 for funeral expenses.
7. **Spouse, upon remarriage:** Two (2) years' indemnity benefit.