

Protect your family with these five estate planning documents

Give your family the gift of peace mind by including these documents in your Estate Plan

The world of estate planning provides a vast number of tools at your disposal. Each legal instrument serves to help you obtain specific goals that are unique to you, your family, and the legacy you're looking to create. Here, we introduce the five non-negotiable estate planning documents that everyone should use as their foundation.

① Will

What it is: Your Last Will & Testament is used to testify what should happen to your property and assets after you pass away. You can also nominate a Guardian who will look after your dependent children and/or pets, as well as an Executor who you trust to handle your affairs.

Why it's important: Specifying your wishes in a legally-binding document can give you peace of mind knowing that you have a say over what happens after you pass away. Without a Will, the Probate Court will use state intestacy laws to determine what should happen to your assets and dependents by default. Further, the court will be forced to appoint a Guardian for your children or pets without knowing who you would have entrusted for the role.

② Trust

What it is: A Trust is a fiduciary relationship that allows you, the Trustor, to give another party, the Trustee, to hold and manage assets solely for the benefit of your beneficiary or beneficiaries.

Why it's important: Trusts are a powerful tool that allow you to move assets out of your estate and thus out of probate. Further, you gain more control over the manner and timing in which your assets are distributed after your passing.

③ Power of Attorney

What it is: A Power of Attorney (POA) is a legal document that allows you to appoint another individual who will have the legal authority to manage your affairs and make legal decisions on your behalf. POAs go into effect when you are incapacitated or otherwise unable to make decisions.

Why it's important: If something unexpected were to happen, you can have peace of mind that someone you trust can step in and handle your affairs. This might include practical tasks such as paying your rent and bills, to complex tasks such as running your business and handling your medical decisions. Different types of POAs can operate in different capacities.

④ Living Will

What it is: A Living Will is used to express your wishes regarding your future medical care and decision making.

Why it's important: If you were to become incapacitated due to an illness or injury, your Living Will serves as an important reference such that your loved ones and doctors can make decisions that are in line with your wishes. You get to use your voice and accept or refuse certain treatments or life-prolonging interventions.

⑤ HIPAA Authorization

What it is: It's a consent form that permits another party to use or disclose your health information that is usually protected by the HIPAA Privacy Rule.

Why it's important: Your HIPAA consent will give key persons such as your Power of Attorney access to your private medical records such that they can make decisions from an informed and educated place. It works in conjunction with your Living Will.

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