

## WILL AND ESTATE ISSUES TO CONSIDER

1. Organize important papers.
2. *Wills – estate* assets and debts.
  - A. Texas has a *Will* for you – state intestacy laws.
  - B. Cost of *Probate* – with and without a *Will*.
  - C. Internet *Wills* – not specific, *Consumer Reports*, lawsuits, etc.
  - D. Low income families – family home, cars, financial accounts, etc.
  - E. *Holographic Wills* - handwritten.
  - F. *Executor* and alternates – limit duties, bonds, compensation.
  - G. *Guardian(s)* and alternates of persons of minor children and estates of minor children.
    - (1) *Trustee(s)* and alternates of estates of minor children.
  - H. Distribution of *estate* property.
    - (1) Digital assets.
    - (2) Beneficiaries.
      - (a) Specific and general bequests & *Memorandum* to Executor.
      - (b) Spouse, children, & grandchildren.
      - (c) After-born, adopted, & step-children.
      - (d) Other relatives, friends, charities.
  - I. Payment of expenses, taxes, etc.
  - J. Funeral and burial arrangements.
3. Distribution of *non-estate* property (joint, joint & survivor, pay on death, etc.) - bank accounts, retirement, life insurance.
4. *Medical Power of Attorney & HIPAA Authorization*.
5. *Directive to Physicians and Family or Surrogates* (“Living Wills”).
6. *Power of Attorney* – Durable, General, Springing, or Special.
7. *Trusts* – Living, Special Needs, Insurance, & Pour-over (*Will*).
8. *DNR* – Do Not Resuscitate.

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