

SEVEN ESSENTIAL DOCUMENTS EVERYONE SHOULD HAVE

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Whether you are married, single, or in a relationship; whether or not you have children or are expecting a child, you need to protect yourself and your family. Estate Planning is not only about what happens when death occurs. Estate Planning can also offer protection in times of disability or incapacity. Considering situations in which these documents might be necessary is neither easy nor comfortable for many people, but Estate Planning is more important than you may know, and more affordable than you may think.

1. Will. Most people know that a Will is a document that directs how your possessions will be distributed upon death. The problem is if you don't have a Will, the State of Texas has one for you—and you may not like what it says! It is important to make sure that your family and friends are remembered and provided for properly.

2. Statutory Durable Power of Attorney. If you are ever unable to make financial decisions on your own due to reduced mental capacity or inability to communicate your wishes, this document allows you to appoint another person to make financial decisions for you, such as pay your bills, collect money owed to you, or even monitor your investments.

3. Medical Power of Attorney. This document allows you to designate a person to make medical decisions for you if you are unable to communicate your wishes. If the person you designate is an unmarried partner or unrecognized married spouse, then you may want your attorney to insert a visitation authorization provision as well.

4. Directive to Physicians, Family, or Surrogates. If you are suffering from an illness or serious injury from which you will not likely survive, and you are unable to communicate your wishes, this document directs that you will either: (a) be given life sustaining treatment; or (b) be allowed to die naturally while being kept comfortable. This directive allows you to make this choice rather than placing the burden of such a serious decision on a loved one.

5. HIPAA Release Authorization. When you are unable to speak for yourself, this document allows your physician to speak freely about your medical condition, to those people you have designated in this document and in your Medical Power of Attorney. This is especially important if you designate an unrelated person or unrecognized spouse to be your medical power of attorney.

6. Declaration of Guardian in Case of Later Need. If you are ever challenged by continuing diminished mental capacity due to a serious injury or illness such as Alzheimer's, you can give strong authority to a loved one so he or she can step into your shoes and act on your behalf as your legal guardian in financial matters and with regard to your medical care.

7. Appointment of Agent to Control the Disposition of Remains. This document gives authority to the person you appoint to take care of your funeral arrangements.