

ESTATE DOCUMENTS

Below is a list of estate documents that will be discussed with you at your meeting.

1. Health Care Directive (HCD): A HCD is a written statement and directive given to an attending physician. It will only be used: (1) when you are no longer capable of making health care decisions for yourself; (2) where death is imminent; and (3) when you are being kept alive by artificial means. If this were to occur, and instead of forcing family members to deal with this difficult situation, you are instructing the attending physician to take you off of the life support systems and to you allow you to pass.

2. Durable Power of Attorney (DPA): A DPA allows a third party to act on your behalf. With very few exceptions that person can do everything that you can do, including signing legal documents, taking care of your finances, and making health care decisions for you. You can make the DPA become effective only in the event you are declared incompetent. In the alternative, and for your personal convenience, you can make the DPA effective immediately. The person you appoint to act on your behalf should be someone you have the utmost confidence and trust in – someone you know that will make any and all decisions in your best interests.

3. Will: A Will is a document utilized after you pass to transfer your property to third parties. If you own real property it's important to distinguish between Native trust and non-trust property, as restrictions are placed on who you can give Native trust property to. It is not important that you list each and every item that you own in the Will. The Will is designed so that you can attach a list to it, setting out the important items of personal property, such as collections and heirlooms, and who is to receive such property. You will need to name and appoint a "Personal Representative (PR)" in the Will. The PR is responsible for carrying out, or executing, the terms of the Will after you pass.

4. Community Property Agreement (CPA): A CPA can only be used as between two spouses in a marriage. It allows a spouse to transfer all of the community assets of the marriage over to the surviving spouse, including real property, vehicles, etc. This is accomplished by the mere filing of the CPA at the local Courthouse. It is a quick and inexpensive way of transferring everything over to the surviving spouse, and is something of a Will substitute for married couples.

5. Things You Need to Check: Check and make sure all bank, brokerage, and retirement (401k) accounts, and insurance policies, have appropriately named beneficiaries.

Scheduling, Contact:

Lindsey Harrell
Paralegal,
Squaxin Island Legal Department
(360)432-1771 x. 6
lharell@squaxin.us

Contact info:

Mark E. Allen
cramnella@comcast.net
(360) 259-6688