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**QUESTIONS TO CONSIDER WHEN  
CREATING AND UPDATING AN ESTATE PLAN**

- Who would you want to make medical and/or health care decisions for you if you could not do so yourself?
- Who would you want to care for your minor children?
- Will your estate go through probate?
- Who would be in charge of gathering your assets, notifying your creditors, hiring an attorney and distributing your assets upon death?
- Who would receive your assets upon your death and would he/she/they/it receive all assets immediately or over time?
- If you have a will, trust, power of attorney for health care, power of attorney for property, and a living will are these documents up-to-date?
- Have there been changes in your personal situation since you had your estate plan drafted? (Personal situations where an estate plan should be updated include, but are not limited to having another child, when your children are no longer minors, the death of a child, beneficiary or spouse, moving to a new state, divorce, etc.)
- Has the law changed since your estate plan was created?

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**DEFINITIONS**

**Probate:** The court procedure for distributing a deceased person's estate.

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**Guardianship for Disabled Adults:** The court procedure for appointing someone (a guardian) to make health care decisions, financial decisions, or both for an adult who cannot make these decisions.

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**Living Will:** A document where someone refuses medical treatment in the event of a terminal illness.

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**Power of Attorney for Health Care:** A document where an individual appoints someone (an agent) to make medical decisions on his or her behalf.

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**Power of Attorney for Property:** A document where an individual appoints someone (an agent) to make financial decisions on his or her behalf.

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**Simple Will:** A document where a person directs his or her property to be distributed upon death.

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**Pour Over Will:** A will that gives money or property to an existing trust.

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**Living Revocable Trust:** A trust created and funded during a person's lifetime. This type of trust may be changed or terminated.

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