

1. Healthcare power of attorney

The term *health care power of attorney* is used interchangeably with health care proxy, durable medical power of attorney, and surrogate decision-maker. This critical document is for anyone over the age of 18. The healthcare power of attorney allows you to name a trusted person to make healthcare decisions on your behalf when you are mentally incapacitated.

Some state documents also allow the named person to obtain medical information on your behalf, even if you can make decisions for yourself. For example, if you are about to have serious surgery, you want someone to be able to communicate with doctors and help guide your care.

2. Living will

A living will is a legal document that tells others what your choices are about end-of-life medical treatment. A living will is sometimes included in the healthcare power of attorney documents, but if it is not, you can make sure to add it.

It specifies procedures or medications you want—or don't want—to prolong your life if you can't speak for yourself. An example would be because you're under anesthesia or are unconscious from an accident or other medical event. Or, you have a cognitive impairment like Alzheimer's or dementia.

3. POLST or MOLST

A POLST is a *Physician's Order for Life Sustaining Treatment*. POLST and MOLST forms serve the same purpose but have different names depending on the state you live in.

You don't necessarily need to include this document in your end-of-life planning as it is confined to specific medical events and requires a doctor's signature. The POLST is appropriate for patients at risk for a life-threatening event due to a severe medical condition, including advanced frailty. Simply put, an advance directive is for future use, and the POLST is for immediate use.

4. Designation of guardian

Some advance directives include a place to designate a guardian should you become incapacitated. Most people will appoint their healthcare power of attorney as the same person they want as their legal guardian. However, you may decide that you wish for your guardian to be someone other than your healthcare power of attorney. Every part of the end-of-life planning process requires careful consideration. It might be helpful to discuss guardianship designation with an elder law attorney.

5. Organ and tissue donation

Organ and tissue donation are different. There is no waiting list for most tissue transplants, and the tissues are available when someone needs them. Donated organs have to be transplanted within hours of death. Tissue donations can be preserved and transplanted for up to five years. You can decide to do just one or both.

6. Medical information

Medical information is sometimes forgotten in end-of-life planning. But having this information available to your designated power of attorney not only makes their job easier but also facilitates your wishes. Include current medications, insurance, healthcare provider's names, and contact information, and all diagnoses. Remember to update this information or request proxy access for your power of attorney for your online medical record.

Financial and legal items

It is important to consider medical and healthcare issues as you plan for your end-of-life medical needs. It is equally important to think about the many financial and legal aspects of end-of-life planning that affect not only your medical care for the remainder of your life but your ability to pay for any healthcare you may need. In addition, any sound financial and legal planning can help you provide for your family and loved ones after your death.

7. Financial resources for long-term health care needs

The cost of just your routine health care can be significant. Doctor visits, prescription medication, and simple preventative care can add up. But for most people, the average health insurance plan via employers covers most of these ongoing expenses.

However, consider what would happen if you suddenly became injured or disabled and needed *long-term care* for your daily health care needs. According to the Department of Health and Human Services, if you are 65 years old, there is a 70 percent chance that you will require some form of long-term care for more than five years during the remainder of your life. Long-term care can include the following:

- A long-term residential or nursing facility
- Long-term hospitalization
- In-home care
- Nursing assistance
- Daily rehabilitation, treatment, or monitoring
- Ongoing prescription medication

Medicare does not pay for the costs of long-term care. And although Medicaid may be applicable for some long-term care costs, you must deplete your income and assets before you can qualify for coverage. You may have to use most or all of your retirement savings to pay for your care before you become eligible for government benefits to pay for long-term care costs. Without proper financial

planning in place, paying for unexpected long-term care expenses can be devastating to you and your family.

8. Durable financial power of attorney

When planning for end-of-life issues, most people want to make their own medical, legal, and financial decisions. As mentioned above, for medical issues, you can use a living will. For financial matters, however, a durable financial power of attorney is the most important resource to have in your estate planning documents. It is a legal document that provides you current decision-making authority while ensuring the management of your financial affairs if you become incapacitated.

With a financial power of attorney, you (the principal) authorize someone else (an agent or attorney-in-fact) to make your financial decisions or to handle specific financial matters for you.

A durable power of attorney is one that may become effective immediately and that lasts for as long as you are incapacitated. However, a power of attorney terminates when you die. So, if you want your agent of your power of attorney to continue to exercise financial authority over your estate after you die, then you should appoint your agent as the executor of your estate in your will.

9. A will or trust

Planning for all of your end-of-life needs can seem overwhelming. There is a legal document for almost every issue. However, there are two legal documents that every person should consider, regardless of their circumstances. These are a last will and testament (a will) and a living trust (a trust.)

A will is a legal document used to dispose of your property upon your death according to your wishes. In your will, you simply identify specific pieces of property that you wish to leave to other people (called beneficiaries) when you die. You also can name someone in your will to handle the administration of your estate after your death, known as an executor.

When you die, your executor makes sure that all of your property is administered according to your wishes. Your executor files your will with the probate court after your death, and the court authorizes the payment of all of your debts from your estate and the legal transfer of title to

your property. Having a will is an effective way to ensure that your estate is administered according to your wishes.

A trust is similar to a will in that it can dispose of property after you die. However, a trust can operate while you are alive and continue to operate after your death. It is also a private document where you name beneficiaries to receive assets that you own according to your terms. In your trust, you appoint a trustee to carry out your wishes. By disposing of property in a trust, you can remove property from your probate estate, thus avoiding some otherwise applicable taxes and the probate process.

10. Location of documents

When you die or are incapacitated, your legal and financial issues become your family's issues. If you prepare ahead of time, you can rely on your loved ones to handle your affairs, make your financial decisions, and settle your estate when it becomes necessary. To do this, your loved ones will need to know all the information available in the documents that have been discussed, such as:

- Insurance policies
- Power of attorney
- Living will
- Last will and testament
- Living trust

With all of these documents in place, your loved ones can easily carry out your wishes and settle your affairs in the way that fulfills your end-of-life plan. You can leave copies of these end-of-life legal documents with loved ones whom you trust to carry out your.

11. Contact information

Similar to your end-of-life legal documents, you may want your loved ones to have the contact information for any external experts or professionals responsible for providing care and advice. Providing the contact information for these people can make it easy for your executor and other loved ones to help settle any debts on behalf of your estate. You may want them to have contact information for the following:

- Primary care doctor
- Attorney
- Estate planner
- Accountant
- Trustee of any trust
- Veterinarian of any pets

Sometimes, your loved ones will need additional information that is not readily available on paper or may need someone to help fill in the blanks. Make sure to keep this information handy for your loved ones in the event of your death or sudden incapacitation.

12. Assets and debts

More and more assets are distributed through other avenues or resources called “will substitutes” or “non-probate devices.” For example, it is not unusual for the value of your pension or retirement account to exceed the value of your home. As a result, you may want your loved ones handling your estate to have all relevant information about your pension plan, retirement account, bank accounts, trusts, any life insurance policies, or payable-on-death accounts.

In addition to distributing any assets you may own at your death, your loved ones also will need to satisfy any outstanding debts of your estate. This will include any credit card debts that you may have accumulated during your life. You should be sure your loved ones know what debts you have and how to contact your creditors to settle your debts.

13. Dependents

Planning for your own incapacity or death also means planning for your minor children or those who are legally dependent on you for care. If you should die or become unable to care for your children, chances are their other parent will gain custody. However, if another parent is not available to care for them, your children may not automatically go to the care of another relative. The court would decide who would serve the best interest of your children, which can include foster parents chosen by the state.

To avoid having your children placed in the care of the state, you should designate a legal guardian whom you want to care for your children under such circumstances. You can make this designation in your will.

Along with this designation, you should provide resources for the long-term care of your children. This can be accomplished in your will or through a trust, listing resources for their long-term care, as well as your overall estate planning goals for your children after your death.

14. Pets

Just like minor children, your pets also are dependent on you. There are several steps you can take to make sure your pets are properly cared for in the case of an emergency. Consider carrying an animal card in your wallet or purse, and also keep it displayed in your home. This is a small card notifying first responders that you have a pet that requires immediate care. The card should contain information about your pet, such as:

- The type of animal you own

- Your pet's name
- The location of your pet
- Contact information for someone who can gain access to your pet
- Special care instructions

You may also want to prepare a more extensive document that describes your long-term care plans for your pet, including a potential caretaker in your absence. Keep this document with your other estate planning and end-of-life documents.

In addition to choosing a caretaker for your pet, you may want to provide appropriate financial resources for the caretaker to provide the degree of care that you prefer for your pet. Every state has laws that allow a court to enforce a pet trust, a document that describes the responsibilities of your pet's caretaker to provide for the pet and financial payment for their services on providing the level of care that you describe in the document.

Digital legacy items

In our modern age, much of our lives are online. How do you want your accounts memorialized (if at all), and what happens to your digital files? Your digital legacy can be difficult for your family to manage, so consider how you'd like them to handle it.

15. Email accounts

Your email account can be a personal thing, and you might wish for a trusted loved one to manage your account once you're no longer here. Whether you choose to have it deleted or left alone, make sure your family knows how to access this information.

16. Digital account access

Sharing access to your accounts without your passwords will make it difficult for your loved ones to protect your digital legacy. Most accounts can't be accessed by loved ones after a death without a court order. Some people save their account information with a *password manager*, and have the ability to share them in the event of their death.

17. Photos and files

Your photos and files are an important part of your story. How you want to share these files (if at all) is entirely up to you. Some people upload key photos and files to a service like Google Drive, Dropbox, or Flickr to share them with loved ones. These photos and files are a part of your story and family history and may be worth saving.

18. Social media accounts

Your social media accounts can share a glimpse into your life, legacy, and what's important to you. You might wish for them to be memorialized, or for a loved one to post a final message. On the other hand, you could want them to be deleted outright. Leave instructions for your loved ones to handle your social media appropriately.

19. Digital assets

If you have any digital assets worth money (such as gaming accounts or cryptocurrency), share access with someone you trust. It's also good to include information on how to access your accounts, what's worth money, and how to proceed.

20. Make a digital inventory

Because we have more accounts than ever before, get in the habit of creating a digital inventory regularly. This is a comprehensive list of accounts, profiles, and digital assets. Not only is this helpful for friends and family, but it's also a great way to check whether there are unused accounts you need to close

Legacy items

Many of us tend to think about what kind of message or values we want to leave others when we die. Contrary to what you may think, you can choose how you want to be remembered. Similar to an *ethical will*, your legacy items can be ways to share messages, stories, life lessons, and so on.

21. Physical marker

A *physical marker* is any real-life object that honors your memory. This can be a headstone, a memorial scrapbook, a memorial diamond, a tree planted in your honor, or a bench in your favorite park. Consider what's important to you and your family, and what would be useful or comforting over time.

22. Valuable messages or stories

Leaving your loved ones letters or messages to pass on can be a meaningful exercise in figuring out what has meant to you the most throughout life. The experiences and values you wish to leave can be helpful for your family to honor you after you die. This could be as simple as writing letters to your loved ones, making a memorial scrapbook, or sharing a list of favorite quotes.

23. Defining characteristic

Everyone has a different impression of themselves and what makes each individual unique. What would you like your family to remember you for the most? This could be your sense of

humor, your cookie recipe, or a certain career milestone. Think of your characteristics, roles, achievements, and the stories that make you special.

24. Death anniversary wishes

As it has been said, funerals are for the living, and the same can be applied to a *death anniversary*. If you would like your loved ones to honor your death anniversary, it is worth listing a few ways in which you'd like them to do so. You can include things like a visit to your favorite city, enjoy a special meal, light a candle, or cheers to your honor. Conversely, you can also leave it open to interpretation, and let them decide for themselves.

25. Obituary or death notice

Writing your own obituary can be helpful for both you and your loved ones, as your obituary or death notice doesn't need to be written after death. This can have your basic information, accomplishments, and what you value the most. If you could tell your story, what would you say?

Funeral items

Deciding on your end-of-life plans related to your final wishes is sometimes the most difficult. This can be intimidating if you've never thought about these questions before, but it's essential to consider what's important to you. Let these items below guide your process to discover the final resting place that's right for you.

26. Funeral details

Not all funerals have to be sad, dreary affairs where everyone is dressed in black. If you wish for your family to celebrate you in a different way, make sure to have it written down. This can be related to religious or cultural elements, readings, food or drink, and the dress code. You can also list the type of funeral you would prefer, whether one that's traditional and somber or a celebration of life. This is a chance to leave a final impression on your family.

27. Burial, cremation, or donation

This is one of the most important questions to answer for your loved ones. Would you like a traditional burial, cremation, green burial, or to donate your body to science? There are many burial alternatives out there, so give some thought as to how you'd like to be laid to rest.

28. Casket or urn

When choosing a burial or cremation, you may also want to consider what kind of casket or urn you'd like to be placed in. This is your final resting place, so it should have some meaning to

you. While you might not choose a specific product, consider different options so your family knows what you prefer.

29. Funeral gifts

Traditionally, people give flowers as funeral gifts. These are widely known as symbols of life and sympathy, but they might not be what you wish to have at your funeral or memorial service. Instead, you could request gifts to your family, donations to a special cause, or anything else that you find meaningful. Consider the role of your family in the planning and go from there.

30. Location

There are many places to hold a funeral, such as a church, funeral home, or somewhere more personal. Depending on how you wish your loved ones to honor you, they can have a funeral at a family home, place of worship, a favorite restaurant, outdoors, or anywhere else that fits their needs and your desires. Your venue of choice also affects the budget.

31. Funeral mood

As mentioned before, most people associate funerals with grief and somber occasions. Regardless, you can request that the memorial or funeral be anything other than somber. You can ask for an exciting celebration of life, or a time for quiet reflection. Talk to your family and reflect on how you'd like to be remembered on this important day.

32. Choosing funeral planners or speakers

Is there anyone you'd like to plan your funeral, say final remarks, or be a big part of this day? This could be a trusted relative, friend, partner, or religious leader. Having an idea for who you would like to be involved streamlines the planning process for your family and friends when the time does come.

33. Payment arrangements

Funerals are surprisingly costly. While it's possible to hold a low-cost, affordable funeral, the burden usually falls on the family to afford these events. You might consider pre-paying for funeral arrangements with a local funeral home, or you could create a budget in advance with money put aside. Thinking about the finances behind your funeral in advance saves your family from this financial strain.