

Important Legal Documents

It is important to have access to certain legal documents and family records. Use this handout to help identify your important papers by putting a mark next to the ones that apply to you. When you get home, make sure these documents are stored in a place where they cannot be lost or destroyed, such as a fire-proof safe or safety deposit box, so you and the individual(s) handling your personal affairs know where to find them.

Documents

- Adoption papers
- Automobile
 - Registration
 - Title
- Bank accounts
 - Checking
 - Savings
- Birth certificates for all family members
- Citizenship papers
- Court orders (child custody/support)
- Credit card account numbers
- Death certificate
- Divorce decree
- Emergency contacts
- Employment records
- Family members address, email, and telephone number
- Financial statements
- Funeral/burial arrangements
- ID cards or signed DD Form 1172
- Immunization/shot records for all family members and pets
- Insurance policies (government and civilian)
- List companies, policy numbers, address, and telephone number of agents for:
 - Automobiles
 - Health
 - Home
 - Life
 - Long-term care
- Leave and Earnings Statement (LES) for past three months
- Loans
- Include all installment contracts (e.g., car, furnishings)
- Marriage certificate
- Medical and dental records
- Military service documents
- Orders to Active Duty, PCS, or TDY
- Organ donor instructions
- Passports with any required visas
- Personal property inventory
- Recent photographs for all family members
- Powers of Attorney (general or special [e.g., medical])
- Real estate documents (deeds, leases, rental agreements, and mortgages)
- Retirement plans
- School registrations
- Social Security numbers
- Tax records for past six years
 - Federal and state
- Wills
 - Advanced directive
 - Living will

Power of Attorney Worksheet

This worksheet will help prepare you to discuss your needs and desires with an attorney and provide a convenient form on which to record important information. This worksheet starts the Power of Attorney preparation process. After you complete it, you will discuss your need for a Power of Attorney with an attorney. If you have any questions, which are not answered by this worksheet, please discuss them with an attorney.

A Power of Attorney (POA) gives full legal power to the person named in the document to make decisions on your behalf. That means he or she can manage and conduct affairs and act in matters in your name and in your behalf. You will be held legally responsible for those things that you have authorized your agent to do for you. We strongly recommend that you only give such a document to someone you trust completely and that you have a good reason for doing so. There are two types of POAs: 1) General, which authorizes your agent to do all things in your name and behalf and 2) Special, which authorizes your agent to do only those things that you specify.

Please print legibly

Today's date _____

Grantor (your name) _____
(first, mi, last)

Unit _____ Rank _____ Retired military? _____

Phone: cell # _____ home # _____ work # _____

SSN _____

Legal residence address (street, city, state, zip code)

Present address (street, city, state, zip code)

State listed on LES for taxes _____

Appointee Name (first, mi, last) _____

Address (street, city, state, zip code) _____

1. Are you placing a vehicle in the control of someone whose name is not on the title? If so, please list vehicle year, make, model, VIN #, and indicate what you want him or her to be able to do with the vehicle (e.g., drive, repair, register, sell).
2. Does this person need access to your checking and savings accounts but is not listed on the account with you? If yes, please name the bank, location of the bank, and account number.
3. Will this person be taking care of a home that you own while you are gone? If so, please give the address of the home and indicate whether you would like him or her to be able to transfer, initiate, or terminate utilities in your name.
4. Are you selling or buying a house? (List the legal description of the house/property.)
5. Do you want this person to be able to inquire into your finances or pay records?
6. Will this person take care of custodial issues (e.g., medical or dental care, school issues for dependent children)?
7. List the other things that you want your agent to do:

If you desire a POA, please indicate what type and complete A and B (if applicable).

General _____

Special _____

- A. Whom do you wish to name as the agent for the power of attorney? (Please provide full name, residing address, and telephone number):
- B. (Complete only if you desire to name an Alternate Agent) What is the name and residing city and state of your Alternate Agent?

A Healthcare POA gives full legal power to the person named in the document to make healthcare decisions for you when you are no longer capable of making them for yourself.

If you desire a Healthcare POA, please complete A and (if applicable) B below.

- A. Whom do you wish to name as the agent for the Healthcare POA? (Please provide full name, residing address, and telephone number):

- B. (Complete only if you desire to name an Alternate Agent) What is the name and residing city and state of your Alternate Agent?

Please list below any additional information or desires as to your will and/or POAs that was not previously covered.

Will Worksheet

This worksheet will help prepare you to discuss your needs and desires with an attorney and provide a convenient form on which to record important information. This worksheet starts the will preparation process. After you complete it, discuss your will with an attorney. If you have any questions, which are not answered by this worksheet, please discuss them with an attorney.

What is a will? A will is a legal document which states your desires concerning what will happen to your property after your death. A will also contains specific directions from you concerning who is to implement your instructions and perhaps who will care for any minor children you may leave behind.

Why should I have a will? If you should die without a valid will, the distribution of your property will be governed by the laws of your state of legal residence and perhaps by the laws of the state in which you die. Your wishes usually are not considered.

Does my will control all of my property when I die? No. For example, proceeds of insurance policies are distributed as you have designated in the insurance policy, and property you own jointly with another person will normally go to the other joint owner.

Part A: Personal Data

Print Your Full Name (First, Middle, Last): (Please include any suffixes, e.g., Jr., Sr., III, etc.)

Address Where You Physically Reside (No P.O. Box):

Social Security Number: _____

Do you currently have a will? () No () Yes – (Bring it with you)

Duty Phone: _____ Home Phone: _____

Your State of Legal Residence (your home for tax purposes): _____

In what state are you now living? _____

Marital Status: () Never Married () Previously Married () Married

Spouse's Name: _____

Please list the Names **and** Ages of all your natural born children, adopted children, or step-children; state if they are a son or daughter; and say if they are natural born, adopted, or a step-child:

Military Status: () Active Duty () Retired () Prior Military Service () Family Member of Active Duty () Family Member of Retiree

Pay Grade (If Applicable): _____

Unit & Unit Mailing Address:

Part B: Distributing your Belongings

How do I give my belongings away? Generally speaking, you may state in your will that you are leaving your property to anyone you wish; although, some states have laws that may give your spouse and/or your children a right to a portion of your property despite what you write in your will. Most married couples leave all the property to the spouse, and, if the spouse does not outlive him or her, then they leave it to the children.

Can I give specific gifts to people? Yes, these are called Specific Bequests, and you may make them by fully describing what you want to give and the person who is to receive the gift. You should be careful about Specific Bequests. If you dispose of property that you describe prior to your death, or, if there is any doubt about the exact property that you described in your will, you may be creating difficulties for your Personal Representative/Executor.

1. How do you want to leave your property when you die?
() all to spouse
() other: (full name(s) and relationship to you)

2. If the person(s) named in #1 does not outlive you, then whom do you want to have your property?
() your children
() other: (full name(s) and relationship to you)

3. If the person(s) named in #2 does not outlive you, then whom do you want to have your property?
() your grandchildren
() other: (full name(s) and relationship to you)
-

4. Do you want to place specific bequests in your will?
-

5. Do you wish to disinherit anyone? (full name(s) and relationship to you)
-

Part C: Personal Representative

What is a Personal Representative/Executor? A Personal Representative is a person whom you name in your will who will distribute your belongings in accordance with what you say in your will. His or her job is to settle your estate. This includes paying any taxes or debts, which you still owe when you die.

Who should I pick as my Personal Representative? You should pick someone who has good business judgment. Someone whom you trust to make good decisions about your estate and who will not be overwhelmed by the process. Some people name their spouse as Personal Representative. Others name relatives or close friends.

Who is the person you wish to make as Personal Representative of your will?

- () Spouse
() Other (Print Name and Relationship to you):
-

If you wish to name an Alternate Personal Representative, please print the name and relationship to you:

Part D: Caring for your Children after you are Gone (if you have Minor Children, Complete Part D. If not, continue to Part E)

What is a Guardian? A Legal Guardian is the person who will act as a parent for any of your children who are minors at the time of your death. Normally, if you are survived by your spouse, he or she becomes the children's Guardian if he or she is the biological or adoptive parent of the children. However, it is recommended that you name a Guardian and an Alternate Guardian in the event that both you and your spouse die. If you or your spouse have children not born of your current marriage, you should discuss the situation in detail with an attorney to determine the most appropriate way to provide for the children.

Please print the name and relationship to you of your first choice to be Legal Guardian:

If you wish to name an Alternate Guardian, please print the name and relationship to you:

What is a Trustee? A Trustee is the person who manages the property that you pass to your children upon your death. Often, the Trustee and alternate Trustee (if you wish to name an alternate) are the same individual(s) that you appointed as the Guardian and alternate Guardian, but a Trustee can be someone different if you choose.

Please print the name and relationship to you of your first choice to be Trustee(s).

If you wish to name an Alternate Trustee, please print the name and relationship to you.

Choosing an age of Final Distribution: At a certain age, your children/beneficiaries will be entitled to manage their inheritance on their own. You can determine at what age you consider the child/beneficiary to be ready for such a responsibility. Frequently chosen ages include eighteen (18), twenty-one (21), and twenty-two (22) years of age (note: age twenty-two is computed based upon a rough determination of age eighteen plus four years of college).

What age of majority would you like to set for your child/beneficiary's trust to vest or end? _____

Part E: Another Document to Consider

Living Will: A living will is a document which expresses your desire that extraordinary measures not be taken to save your life. It is a document used only when a person is determined to be in a state from which he or she is unlikely to recover, such as a vegetative state.

If you desire a living will, please complete A thru D.

A. In which state would you like your living will to take effect:

State of legal residence _____ Current duty station _____

Other _____

B. Do you wish to authorize the donation of organs and tissues for transplant?

Yes No

C. Do you also wish to authorize the donation of organs and tissues for medical, scientific, and other similar purposes?

Yes No

D. Do you wish to express a desire to die in your home instead of a hospital?

Yes No