ESTATE PLANNING DOCUMENTS GUIDE

A practical reference for the wills, trusts, powers of attorney, healthcare directives, and other estate planning documents you may want to locate and keep organized.

Estate planning documents are often completed during a major life event, placed in a folder or safe, and not reviewed again for years.

In the meantime, people move. Relationships change. Children become adults. Trustees, executors, and agents may no longer be the people you would choose today. Documents may be amended, replaced, or stored in different places.

This guide is designed to help you identify the estate planning documents you may already have, locate the current versions, and organize the information for a more meaningful review.

A SIMPLE QUESTION TO CONSIDER

“Could the people who may need to act on your behalf quickly find the documents and information they need?”

01 Start With the Core Documents

What estate planning documents do you already have?

The first step is not to decide what your estate plan should say. It is to identify the documents that exist today and determine whether you can locate the current, signed versions.

Document names and legal requirements can vary by state. Review the exact title, date, and parties named in each document.

CORE DOCUMENTS MAY INCLUDE

Last Will and Testament	Directs how certain property is handled at death and commonly names an executor and, when applicable, guardians.
Revocable Living Trust	A trust created during life that may hold assets and provide instructions for management and distribution.
Other Trust Documents	May include irrevocable, testamentary, special purpose, or other trusts created for specific planning goals.
Financial Power of Attorney	Authorizes an agent to act on your behalf regarding property or financial matters as permitted by the document and applicable law.
Health Care Power of Attorney	Names a person to make health care decisions when you are unable to make those decisions yourself.

QUESTIONS WORTH ASKING

- ☐ Can I locate the current, signed copy of my will?
- ☐ If I have a trust, can I locate the trust agreement and any amendments or restatements?
- ☐ Do I know when each of my core estate planning documents was signed?
- ☐ Do I know who is currently named as executor, trustee, financial agent, and health care agent?
- ☐ Are successor or backup decision-makers named?
- ☐ Have any named individuals died, moved, or become unable or unwilling to serve?
- ☐ Do I know which attorney prepared or last updated my estate planning documents?

02 Review Health Care & Personal Direction Documents

What instructions or authorizations are currently in place?

Estate planning is not limited to what happens after death. Some documents are designed to provide direction or authorize others to act during illness or incapacity. Depending on your state and circumstances, you may see documents such as:

Living Will / Advance Directive	States certain health care wishes or treatment preferences for circumstances addressed by the document.
HIPAA Authorization	May authorize specified people to receive certain protected health information.
Disposition or Funeral Instructions	May document preferences regarding funeral, burial, cremation, or other final arrangements.
Personal Property Memorandum / Letter of Instruction	May provide practical guidance about belongings, family information, or other wishes; legal effect can vary by document and state.

HEALTH CARE & DIRECTION INFORMATION WORTH REVIEWING

- ☐ Can I locate my current, signed health care power of attorney?
- ☐ Can I locate my current living will or advance directive?
- ☐ Are the health care agent and backup agents still the people I would choose?
- ☐ Do the people named in these documents know they have been selected?
- ☐ Have I discussed my health care wishes with the people who may need to act for me?
- ☐ Is any HIPAA authorization current and does it name the people I intend?
- ☐ Have appropriate copies been provided to my physician or health care system, when appropriate?
- ☐ Are there old or potentially conflicting versions that may need attorney review?
- ☐ Have I documented funeral, burial, cremation, or other final arrangement preferences?
- ☐ Are personal instructions or letters stored with my estate planning records?
- ☐ Do any documents contain outdated addresses or contact information?
- ☐ Do I know where the original documents and important copies are stored?

> **SIGNED IS NOT THE SAME AS ACCESSIBLE**
>
> **A document may be difficult to use if the people who need it do not know it exists or cannot locate it when needed.**

PAY PARTICULAR ATTENTION TO ACCESS

Consider who may need to know where your estate planning documents are stored, including an executor, trustee, financial agent, health care agent, spouse or partner, and estate planning attorney.

You do not need to distribute every sensitive document broadly. The goal is to make sure appropriate people know the documents exist and how they may be accessed when needed.

03 Documents Worth Locating

Use this list to identify estate planning and supporting documents that may need to be gathered in one place.

Core Estate Planning Documents

Identify the current, signed legal documents in your estate plan.

- ☐ Last will and testament
- ☐ Revocable living trust
- ☐ Trust amendments or restatements
- ☐ Financial power of attorney

Health Care & Direction Documents

Locate documents relating to medical decision-making and personal direction.

- ☐ Health care power of attorney
- ☐ Living will / advance directive
- ☐ HIPAA authorization
- ☐ Disposition or funeral instructions

Trust & Fiduciary Information

Understand who is named to act and what supporting information exists.

- ☐ Trustee and successor trustee information
- ☐ Executor and successor information
- ☐ Agent and successor agent information
- ☐ Trust certification or abstract, if applicable

Property & Ownership Records

Some estate plan reviews require understanding how property is currently owned.

- ☐ Deeds and real estate records
- ☐ Business ownership documents
- ☐ Vehicle or title records, when relevant
- ☐ Beneficiary and account ownership records

Family & Personal Planning

Locate documents reflecting important family or personal circumstances.

- ☐ Prenuptial or postnuptial agreements
- ☐ Divorce or settlement documents
- ☐ Guardianship nominations or instructions
- ☐ Personal property memorandum or letter

Digital & Administrative Information

Organize practical information that may be needed by the right people later.

- ☐ Digital asset inventory
- ☐ Password manager or emergency access instructions
- ☐ Key adviser and professional contacts
- ☐ Document storage or safe deposit box information

04 When Should These Documents Be Reviewed?

Estate planning documents should not be forgotten simply because they have been signed.

Consider reviewing your estate planning documents following:

- ☐ Marriage or divorce
- ☐ Birth of a grandchild
- ☐ A child reaching adulthood
- ☐ A significant change in assets or net worth
- ☐ A change in business ownership or succession goals
- ☐ A change in family, charitable, or legacy goals
- ☐ Birth or adoption of a child
- ☐ Death or incapacity of a named executor, trustee, or agent
- ☐ Moving to another state
- ☐ Purchase or sale of a business
- ☐ A major health event or diagnosis
- ☐ You are unsure when the documents were last reviewed

A life event does not automatically mean a document must be changed. It may simply be a reason to confirm that the current plan still reflects your intentions and remains appropriate under applicable law.

05 What to Gather for Your Review

You do not need to understand every legal provision before you organize the documents.

You may find it helpful to gather:

- ☐ Current signed will
- ☐ Current trust agreement
- ☐ Trust amendments or restatements
- ☐ Financial power of attorney
- ☐ Health care power of attorney
- ☐ Living will / advance directive
- ☐ HIPAA authorization
- ☐ Personal property memorandum or letter of instruction
- ☐ Prenuptial, postnuptial, or divorce documents, when applicable
- ☐ Business succession or ownership agreements, when applicable
- ☐ Estate planning attorney contact information

PROTECT SENSITIVE INFORMATION

Estate planning documents often contain personal, financial, and family information. Share them only through secure methods and with the professionals or individuals who appropriately need access.

06 Locate First. Then Review.

The first step is to understand what exists, what is current, and what cannot be found.

This guide is not intended to interpret legal documents or determine whether your estate plan is legally sufficient.

Those decisions require legal advice from a qualified estate planning attorney and may also involve financial planning and tax considerations.

THE FIRST STEP IS SIMPLER

Locate the current, signed documents.

At Ruiz Financial Group, we help clients organize estate planning information and connect it to the broader financial plan. We can help identify questions, review how financial accounts and beneficiary information align with the planning discussion, and coordinate with the client’s estate planning attorney and tax professional when appropriate.

YOUR ESTATE PLAN SHOULD BE CONNECTED TO YOUR FINANCIAL LIFE.

Estate documents • Account ownership • Beneficiary designations • Tax considerations • Family & legacy goals

Each may be reviewed separately - but the planning should be considered together.

Important note: This guide is for educational and financial planning purposes and is intended to help identify documents and information for review. Ruiz Financial Group does not provide legal advice or prepare legal documents. Estate planning and legal questions should be reviewed with a qualified attorney, and tax matters may require coordination with your tax professional.

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