

# **DO'S AND DON'T'S OF ESTATE PLANNING**

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## **DO'S**

1. Choose fiduciaries wisely as guardians, trustees, executors, agents of power of attorney.
2. Update, update, update. No vintage estate plans.
3. Fund the trust; otherwise will lead to probate.
4. Designate beneficiaries clearly, both primary and contingent. Itemize specific bequests.
5. Plan for incapacity with Powers of Attorney for Healthcare and Finances.
6. Organize assets. Different assets may be treated differently. List all assets and liabilities, especially assets located out of state.
7. Charitable planning. Charities may sue estate to enforce pledges.
8. Communicate plan to family, and fiduciaries. Write letter of final instructions.
9. Store and make copies of financial and personal documents.
10. No surprises.
11. Plan now. Do a complete, not a piecemeal plan.
12. Use an estate planning lawyer.
13. Write a letter to loved ones or a letter of instructions that outlines your last wishes. For young families, state how you would like your children raised.

## **DON'T'S**

1. Procrastinate.
2. Fail to implement the plan by funding the trust, resulting in probate.
3. Direct gifts to minors. Should give to a minor's trust or a guardian.
4. Choose the wrong fiduciaries.
5. Fail to plan for contingencies to avoid probate.
6. Forget about family pets.
7. Inadequate life insurance for family, especially with young children.
8. Fail to communicate and store estate documents properly. The court will deem a missing will destroyed by the testator.
9. Disorganized financial records.
10. Inconsistent provisions in different documents - a cause for probate.
11. Do it yourself with short cuts.
12. Unreasonable and surprising terms, which may lead straight to court.
13. Name estate as beneficiary in retirement accounts.
14. Verbal promises.
15. Forget about the plan after it's been done.
16. Testamentary trust in will.