

Estate Planning Checklist

A Plain-English Guide to Protecting Yourself and Your Family | SeniorFactsGuide.com

Use this checklist to ensure your estate plan is complete. Check off each item as it is done. Share this with your attorney, family members, and anyone named in your documents.

1. Core Legal Documents

- Last Will and Testament**
A signed, witnessed will that names your beneficiaries, executor, and guardian for minor children. Review every 3-5 years or after any major life change.
- Durable Power of Attorney for Finances**
Names a trusted person to manage your financial and legal affairs if you become incapacitated. Should be durable — meaning it remains in effect during incapacity.
- Healthcare Power of Attorney**
Names a trusted person to make medical decisions on your behalf if you are unable to communicate. Also called a medical power of attorney or healthcare proxy.
- Living Will / Advance Directive**
Documents your wishes regarding specific medical treatments such as CPR, mechanical ventilation, and artificial nutrition. Takes effect when you cannot speak for yourself.
- HIPAA Authorization Form**
Allows your named representatives to access your medical records. Without this, even your healthcare agent may face delays accessing your health information.

2. Trusts (If Applicable)

- Revocable Living Trust**
If you have a living trust, confirm it is properly drafted, signed, notarized, and — most importantly — funded with your assets.
- Trust Funding Complete**
Real estate, bank accounts, and investments should be titled in the name of the trust. An unfunded trust provides no benefit.
- Pour-Over Will**
A simple will that works alongside your trust to capture any assets not transferred into the trust during your lifetime.
- Special Needs Trust (if applicable)**
If you have a family member with a disability, a special needs trust protects their inheritance without disqualifying them from government benefits.

3. Beneficiary Designations

- Life Insurance Policies**
Confirm primary and contingent beneficiaries are named and up to date. Life insurance passes directly to named beneficiaries — not through your will.

Retirement Accounts (IRA, 401k, 403b)

Review and update beneficiary designations. These accounts pass directly to named beneficiaries regardless of what your will says.

Bank Accounts — Payable on Death (POD)

Add POD designations to checking and savings accounts so they transfer directly to beneficiaries without probate.

Investment Accounts — Transfer on Death (TOD)

Add TOD designations to brokerage and investment accounts. Check with your financial institution to confirm the designation is on file.

Annuities and Pension Plans

Confirm beneficiary designations are current and reflect your current wishes. Outdated designations can result in assets going to unintended recipients.

4. Property and Assets

Real Estate Ownership

Confirm how your home and other real estate are titled. Consider whether a living trust, transfer on death deed, or joint ownership with right of survivorship is appropriate.

Vehicle Titles

Check how vehicles are titled and whether they need to be updated to reflect your estate plan.

Safe Deposit Box

Make sure a trusted person knows the location of your safe deposit box and has access. Store a key in an accessible location. Do not store your only original will here.

Digital Assets Inventory

Create a list of online accounts, email, social media, financial accounts, and passwords. Store securely and tell your executor or trusted person where to find it.

Complete Asset Inventory

Prepare a comprehensive list of all assets including real estate, vehicles, bank accounts, investments, retirement accounts, life insurance, and personal property.

5. Key People — Confirm Roles and Willingness

Executor of Your Will

The person responsible for managing your estate after death. Confirm they are willing to serve and know where your will is located.

Trustee

The person or institution responsible for managing your trust. Confirm they understand their responsibilities and have access to the trust document.

Financial Power of Attorney Agent

The person authorized to manage your finances if you become incapacitated. Confirm they are willing, able, and know where the document is kept.

Healthcare Agent / Proxy

The person authorized to make medical decisions on your behalf. Confirm they understand your wishes and have a copy of your healthcare power of attorney.

Guardian for Minor Children

If you have minor children, confirm that your chosen guardian is willing and able to serve and is named in your will.

6. Document Storage and Access

Original Documents Stored Safely

Store original wills, trusts, and powers of attorney in a fireproof safe or with your attorney. Do not store original documents in a safe deposit box.

Copies Given to Key People

Give copies of your healthcare directive and power of attorney to your agents, doctors, and any hospital or care facility where you receive treatment.

Advance Directive Registry

Register your advance directive with your state's registry if one is available. This allows healthcare providers to access your documents in an emergency.

Family Communication

Have a conversation with your family about your wishes, the location of your documents, and who to contact in an emergency. Documents alone cannot replace this conversation.

7. Review and Update Triggers

Marriage or Divorce

Update beneficiary designations, powers of attorney, and will immediately after a marriage or divorce.

Birth or Adoption of a Child

Add the child as a beneficiary where appropriate and confirm guardian designation in your will.

Death of a Named Person

If an executor, trustee, agent, or beneficiary dies, update your documents promptly.

Significant Change in Assets

Review your plan after receiving an inheritance, selling a business, or other major financial change.

Moving to a Different State

Estate planning laws vary by state. Have your documents reviewed by an attorney in your new state.

Change in Health Status

A serious health diagnosis makes reviewing your advance directive and powers of attorney especially urgent.

Every 3 to 5 Years

Review your entire estate plan periodically even without a triggering event to confirm it still reflects your wishes.

This checklist is for general informational purposes only and does not constitute legal advice. Consult a licensed estate planning attorney for guidance specific to your situation.