

ESTATE PLANNING IN CHALLENGING TIMES

We have heard from many of our clients that the current COVID-19 crisis has spurred them to reflect and rethink their priorities. These are some simple steps that you can take make sure your estate plan is up to date.

Put estate planning on your to-do list. If you have been putting off getting your Will and Durable Powers of Attorney completed, now is a good time to get started. Most estate planning attorneys are able to help despite the COVID-19 restrictions. In our office, the initial work is done remotely. When it is time to for documents to be signed, we work out a plan that is safe and appropriate for each client's circumstances and comfort level.

If you have already completed estate planning documents, review where you put the originals. We all know it is important to keep original estate planning documents in a safe place, but we sometimes forget where we put them. Review where you put your original documents and let those who are named as your Personal Representative or Agent under your Durable Powers of Attorney know where the originals are located. If you need to make notes, mark up a copy instead of the original document. If your documents are in a safe deposit box, make sure that someone besides you can access the box.

Review your existing plan. Take a moment to review your documents to make sure that they reflect your current wishes. Have any life-changing events, such as births, deaths, marriage, or divorce taken place since you signed your documents? Have you named the persons or professionals that you would like to serve as your Personal Representative or Agent in the right order? Will you or your spouse need to apply for Medicaid in the next five years? It is a good idea to review your documents every three to five years to make sure they still meet your needs, and update them if necessary.

Review your Advance Health Care Directive and POLST. Your Advance Health Care Directive indicates what types of treatment you would like to receive or decline if you are terminally ill or in a permanent vegetative state. Your POLST (Physicians' Orders for Life Sustaining Treatment) indicates what treatments you would like to receive or decline now. An elder law attorney can help you understand these documents and how they may apply to treatment for the novel coronavirus.

These are uncertain and challenging times. Making sure that you have a Will and Durable Powers of Attorney that are complete, properly executed, and which reflect your current wishes can provide peace of mind to you and your loved one.

Northwest Elder Law Group PLLC provides services in elder law and mediation. We are happy to assist you with your estate planning needs.

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