

# Understand What Your Legal Documents Mean

Before a client walks out of our office with an estate plan in hand, we make sure the client has a fundamental understanding of what those documents mean and what protections they provide. This is a critical part of our job as “counselors at law.” You wouldn’t leave your doctor’s office with a stack of prescriptions without knowing what malady they cure and what to expect, right? You shouldn’t leave your lawyer’s office in the dark, either.

Clients should also expect to be instructed on where the documents should be kept. For example, many people’s first instinct is to put their executed, original will in a safe deposit box and call it a day. That’s fine, but you must also let your personal representative and other trusted individuals know where it’s located, and give someone access to the box. If you fail to do this, your family will have

to jump through many hoops and spend time and money to retrieve your will.

Some documents should definitely be shared. For example, the person you name as your health care decision-maker should have a copy of your health care surrogate. It’s a good idea to review it with your agent so he/she understands your preferences if you are unable to make your own medical decisions. Also,



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we’ve created a durable power of attorney (DPOA) to submit that document to their financial institutions, in advance, to be sure it will be honored when the client’s agent uses it. Note that there is no one statutory DPOA form in Florida, only general guidelines, and financial institutions are always cautious about giving the wrong person access to an account. Your bank or brokerage’s legal department

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anyone you have authorized to receive your medical information pursuant to HIPAA should have a copy and be advised accordingly.

We urge every client for whom

should review your DPOA to make sure it conforms to their requirements. They may ask for additional forms particular to that institution.

Last, we remind clients that their plans must be reviewed every few years, or sooner if important life changes occur. By way of example, we’ve seen wills that name a personal representative and backup who are both long-deceased or incapacitated. Remember, your estate plan may feel like the “final” word, but like everything else in life, it is a work in progress.

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