



Steps to drafting a will

Many people feel they don't need a will because they're not rich or don't own a house, but everyone should have a will. It's the only way to make sure that whatever assets you have will be given to the family members or other people you choose. Without this, the court will distribute your property according to local laws.

A will does more than spell out where your money and property is to go. It specifies who will settle your financial affairs and who is to take care of your children. Without a will, the state will make these decisions. And there is no guarantee that the judge will appoint the guardian you would have chosen.

The best thing about drafting a will is that it gives you peace of mind. You know your wishes are legally documented and will be followed after your death. It takes one more task off your ongoing "to do" list and lets you breathe easier.

Writing a will doesn't have to be complicated. The following steps will get you started.

Take inventory. Put together a list of your assets and decide who gets what. You should mention all assets in your will, but you can use a "residuary clause" (a statement like, "I give the remainder of my estate to ...") to address minor items without specifically listing them.

List your liabilities. Your estate usually pays outstanding debts before anyone gets a dime. Try to clear up any debts that may cause a problem, or at least make provisions for paying such debts in your will.

Name your beneficiaries. These are the people and/or charities you choose to receive your money and possessions. State each beneficiary's full name as well as their relationship to you (spouse, child, friend) to prevent confusion and possible challenges to your will.

Pick an executor. An executor makes sure your will is carried out as you've specified. This person is responsible for more than just distributing your belongings. They will also manage your estate to pay remaining debts and taxes, deal with legal issues or disputes, notify other parties of your death, even cancel your credit cards. Choose a reliable person that you trust — a friend, relative, or attorney or trust company.

Choose a guardian. Nominate someone to care and provide for your children (under 18) in case the other parent is unavailable. This decision takes a lot of thought, and you should discuss possibilities with your family so both you and your children are comfortable with the person you choose. Be sure the candidate is willing and able to assume the responsibility.

You also need to select a property guardian to manage your children's inheritance until they become legal adults. It's best to choose the same person for both, but you can appoint someone else.

Draft your will. If you have few assets that you want to bequeath to your spouse, children or parents, you can easily create a will with a software program or workbook. Even if you complete the will yourself, it's good to have a lawyer review it to be sure you've covered everything.

Sign your will. You must date and sign the will in front of two or three witnesses. The witnesses you select should not be beneficiaries named in your will. The witnesses need to sign the document as well.

It's also a good idea to have your will notarized. It can help prove the validity of the will if there is any dispute.

Keep it safe. Place your will in an envelope with your name and the word "Will" typed on it. Store the envelope in a fireproof metal box, file cabinet or home safe. You can also use a safe deposit box, but first check the bank's policy concerning accessing the box after your death. Make sure your executor knows where to find your will.

Preventing identity theft

Identity (ID) theft occurs when your personal information is stolen in an attempt to commit fraud. Some examples of fraud include using your information to:

- File taxes
- Apply for a credit card
- Receive medical services
- Receive unemployment benefits

These acts can harm your credit score, which takes time and money to restore.

Prevent identity theft

Here are some tips to help you protect yourself from ID theft:

- Keep your personal identification secured in a safe place, such as your Social Security number.
- Avoid sharing personal information, such as date of birth and bank account information.
- Get your mail daily, and place a hold on mail services while away from home for multiple days.
- Stay up to date on bills and billing cycles if you receive printed copies. Contact the sender if statements or bills are late.
- Set up security features on all of your mobile devices.
- Ensure sharing and firewall settings are turned on, and download a virus-detection software. If accessing public Wi-Fi, use a virtual private network (VPN).
- Keep track of all bank account and credit card statements. If something appears off, contact your bank or credit card company to discuss potential fraud.
- Safely dispose of receipts, credit offers, statements and expired cards.
- Store personal information in a safe place.
- Create different passwords for your accounts that are harder to hack. If a company you have an account with has a database breach, change your password.
- Check your credit report annually to ensure no one has opened an account under your information.

If you fall victim to fraud, take the following steps to ensure the best possible outcome:

- Call the companies where fraud occurred and either close or freeze your accounts. If you keep the account, make sure to change your password and PIN.
- Create a fraud alert to make it harder for someone to open future accounts with your information.
- Report the fraud to your local government agency, such as Federal Trade Commission (in the U.S.).
- File a report with your local police department, if necessary.

Legal and financial planning for a serious illness

Many people are unprepared to deal with the legal and financial consequences of a serious illness. Legal and medical experts encourage people recently diagnosed with a serious illness to examine and update their financial and health care arrangements as soon as possible.

When possible, advance planning should take place soon after a diagnosis while the person is able to participate in discussions. People with early-stage disease are often capable of understanding many aspects and consequences of legal decision-making. However, legal and medical experts say that many forms of planning can help the person and his or her family even if the person is diagnosed with a later-stage disease.

There are good reasons to retain the services of a lawyer when preparing advance planning documents. For example, a lawyer can help interpret different local laws and suggest ways to ensure that the patient's and family's wishes are carried out. It's important to understand that laws vary by location, and changes in situation — for instance, a divorce, relocation or death in the family — can influence how documents are prepared and subsequently maintained.

Legal, financial and health care planning documents

When families begin the legal planning process, there are a number of strategies and legal documents they need to discuss. Depending on the family situation and the applicable local laws, some or all of the following terms and documents may be introduced by the lawyer hired to assist in this process. Broadly speaking, these documents can be divided into two groups:

- Documents that communicate the health care wishes of someone who may no longer be able to make health care decisions
- Documents that communicate the financial management and estate plan wishes of someone who may no longer be able to make financial decisions

Advance directives for health care

Advance directives for health care are documents that communicate the health care wishes of a person with a disease. These decisions are then carried out after the person no longer can make decisions. In most cases, these documents must be prepared while the person is legally able to execute them.

A living will records a person's wishes for medical treatment near the end of life. It may do the following:

- Specify the extent of life-sustaining treatment and major health care the person wants.
- Help a terminal patient die with dignity.
- Protect the physician or hospital from liability for carrying out the patient's instructions.
- Specify how much discretion the person gives to their proxy (discussed below) about end-of-life decisions.

A durable power of attorney for health care designates a person, sometimes called an agent or proxy, to make health care decisions when person can no longer do so. Depending on local laws and the person's preferences, the

proxy might be authorized to:

- Refuse or agree to treatments
- Change health care providers
- Remove the patient from an institution
- Decide about making organ donations
- Decide about starting or continuing life support (if not specified in a living will)
- Decide whether the person will end life at home or in a facility
- Have access to medical records

A Do Not Resuscitate (DNR) order instructs health care professionals not to perform cardiopulmonary resuscitation if a person's heart stops or if they stop breathing. A DNR order is signed by a doctor and put in a person's medical chart.

Advance directives for financial and estate management

Advance directives for financial and estate management must be created while the person can still make these decisions (sometimes referred to as "having legal capacity" to make decisions). These directives may include some or all of the following:

- A Will indicates how a person's assets and estate will be distributed upon death. It also can specify:
 - Arrangements for care of minors
 - Gifts
 - Trusts to manage the estate
 - Funeral and/or burial arrangements
- A Durable Power of Attorney for Finances names someone to make financial decisions when the person with the disease no longer can. It can help them and their family avoid court actions that may take away control of financial affairs.
- A Living Trust provides instructions about the person's estate and appoints someone, often referred to as the trustee, to hold title to property and funds for the beneficiaries. The trustee follows these instructions after the person no longer can manage his or her affairs.

Steps for getting your affairs in order

- Gather everything you can about your income, property, investments, insurance and savings.
- Put copies of legal documents and other important papers in one place. If your papers are in a bank safe deposit box, keep copies in a file at home. Check regularly to see if there's anything new to add.
- Tell a trusted family member, friend or lawyer where you put your important papers in case of emergency.