

Estate Planning Checklist

A step-by-step guide to protecting what matters most — for New York individuals and families.

Thinking about the future isn't easy — but having the right documents in place gives you and the people you love clarity, protection, and peace of mind. Use this checklist to see where your estate plan stands today, and what may still need attention. Check off each item as you complete it, and bring this list with you to your consultation so we can help close any gaps together.



CORE ESTATE PLANNING DOCUMENTS

- ☐ **Last Will and Testament** — names your executor, nominates guardians for minor children, and directs how your assets are distributed.
- ☐ **Durable Power of Attorney** — authorizes someone you trust to manage your financial affairs if you become unable to.
- ☐ **Health Care Proxy** — designates who can make medical decisions on your behalf if you cannot.
- ☐ **Living Will** — puts your wishes for end-of-life and life-sustaining care in writing.
- ☐ **HIPAA Authorization** — allows the people you name to receive your medical information from providers.



TRUSTS & ADVANCED PLANNING

- ☐ **Revocable Living Trust** — can help assets avoid probate and stay private, particularly useful if you own real estate.
- ☐ **Trust for Minor Children** — an alternative to court-supervised guardianship of a child's inheritance.
- ☐ **Special Needs Trust** — protects a dependent's eligibility for government benefits.
- ☐ **Irrevocable Trust** — used for long-term Medicaid planning or tax strategies (note New York's 5-year look-back period).



BENEFICIARIES & ASSETS

- ☐ **Beneficiary designations** reviewed on retirement accounts, life insurance, and payable-on-death accounts — these override your will.
- ☐ **Digital asset inventory** created, with fiduciary access authorized in your documents (New York law requires this be explicit).
- ☐ **Titling confirmed** on real estate, bank accounts, and business interests so ownership matches your plan.

FAMILY & GUARDIANSHIP

- ☐ **Guardian named** for minor children within your will.
- ☐ **Back-up guardians and executors** named in case your first choice is unable to serve.
- ☐ **Family conversations had** so the people you've named know their roles and where to find your documents.

NEW YORK-SPECIFIC CONSIDERATIONS

- ☐ Your will meets **New York's execution requirements** — signed by you and two witnesses within 30 days of each other, ideally with a self-proving affidavit signed before a notary.
- ☐ You understand **New York's estate tax "cliff"** — if an estate exceeds 105% of the state exemption, the entire estate (not just the excess) can become taxable.
- ☐ You've accounted for the fact that **New York does not allow portability** of a deceased spouse's exemption — married couples often need a credit shelter trust to preserve both exemptions.
- ☐ You've reviewed **Medicaid planning timelines** if long-term care is a concern, given the 5-year look-back on asset transfers.

These items involve tax and Medicaid rules that change often — always confirm current thresholds with your attorney.

KEEP IT CURRENT

- ☐ Original documents **stored safely**, with your executor or agent knowing where to find them.
- ☐ Plan **reviewed every 3–5 years**, or sooner after a marriage, divorce, birth, death, move, or major financial change.

Ready to Put These Pieces in Place?

An estate plan is only as strong as the guidance behind it. Schedule a consultation with the Law Offices of Jason G. Krantz, PC, and let's make sure every box on this list is checked — correctly, and with your family's needs in mind.

[Schedule Your Consultation](#)

STRENGTH. TRUST. RESULTS.

This checklist is provided for general informational purposes only and does not constitute legal advice, nor does it create an attorney-client relationship. Estate planning laws are fact-specific and change over time; please consult a licensed New York attorney before making decisions about your estate plan.