Estate Planning *Guide*

Most people put this off because they think it's complicated. It isn't.

A quiet conversation, before the loud one.

LEGALSHIELD.COM · AUGUST 2026

WHY WE CREATED THIS GUIDE

26%

of people caring for an aging parent say the biggest reason they haven't finished their estate documents is that the conversation is too emotional to start.

19%

say it's too complicated. They don't know where to begin.

45% Nearly half.

Not because they don't want to do this. Because the paperwork feels impossible and the conversation hurts.

56%

say the emotional toll is the hardest part of caring for an aging parent.

24%

have seriously considered leaving the workforce because of caregiving.

51%

are extremely or very worried their parent's care will get significantly worse in the next year or two.

Source: LegalShield Sandwich Generation Survey April 2026 (n=1,106, adults 40-60yo)

We can't make the conversations with your parents, your spouse, or your kids any easier. Those belong to your family. But we can make the paperwork and planning easier. That's why we created this guide.

So when your family opens it, the answers are right where you left them. The wishes are clear. The work is not done.

You're not alone in this. That's why we did this. That's why we're here.

WHO THIS GUIDE IS FOR

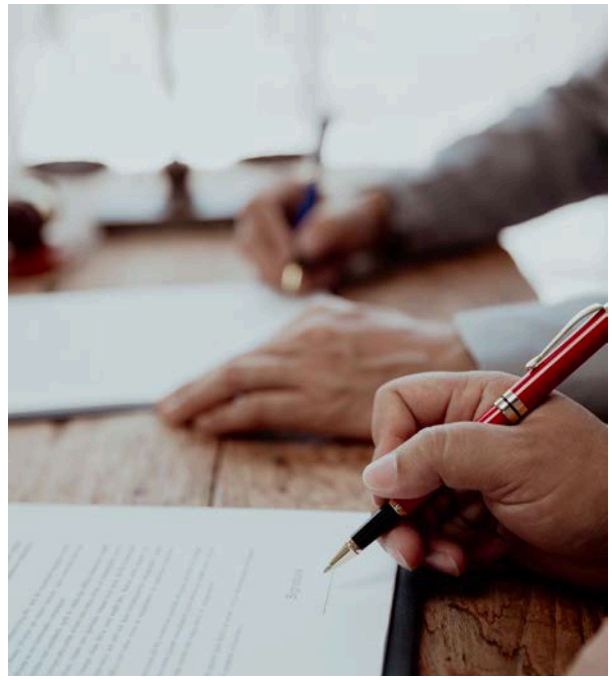
This guide is for the person doing the caring. For the one helping out. For the one who shows up because nobody else can.

It's for the day you start this work. It's also for the day you realize you started doing this work years ago without even knowing.

We won't pretend to know how you got here. We know this. The work in front of you is finite.

There is a beginning, a middle, and an end to this process.

We can help you navigate each one.



HOW THIS GUIDE WORKS

Fill in the blanks. Skip what doesn't apply. Keep one printed copy somewhere safe. Tell at least one person you trust, preferably two, where it is. If you keep a digital copy, password-protect the file and store that password separately.

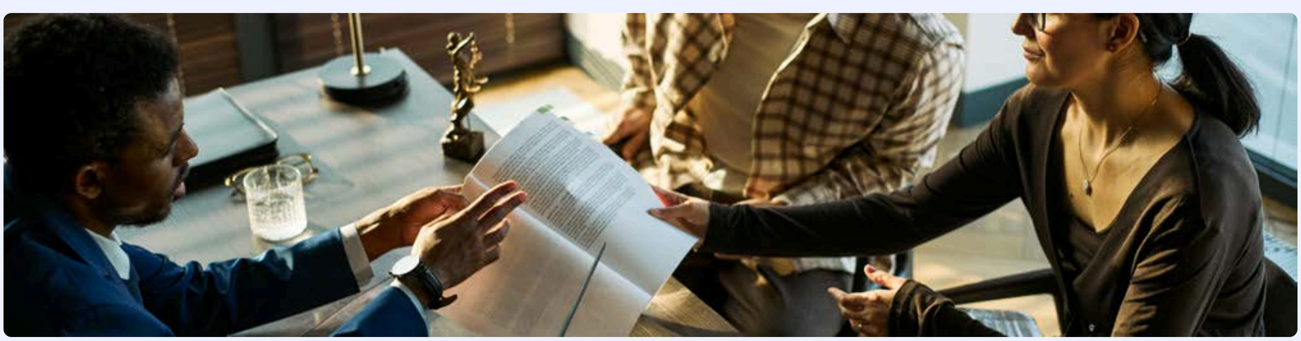
Update the date on the cover every time you change something. Review the whole thing every two years. Update sooner after a major life event. Marriage. Divorce. A birth. A death in the family. A move to a new state. The sale of a home or business.

HOW TO READ THIS GUIDE

Watch for these two flags as you go.

Rules marked **Varies by State** change depending on where you live. State requirements vary. Speak to an attorney licensed in your state to ensure accuracy.

When **Attorney Consultation Recommended** sits next to a document on a checklist, that document typically needs a licensed attorney in your state. When it closes out a section, the whole subject needs one.



If you're reading this because of *a parent.*

A lot of people pick up this guide because a doctor used a word nobody in the family had said out loud before. Or because a neighbor called about the mail piling up on the porch. The guide is built around "your" estate plan. Some of you are here for someone else's. Either way, the path is the same. Just compressed.

Most caregivers find out their parent's documents aren't ready exactly at the moment those documents are needed. Then ten days of arguing with hospital social workers, or three weeks of waiting for a court-appointed guardian, because the paperwork that would have prevented the wait was never signed.

An ambulance at four in the morning. A hospital calling from two states away.

Carelessness has nothing to do with it. Most families just hadn't gotten to it yet. Most families don't. Most of the people reading this are here for the same reason you are. That's why this section exists.

Start the conversation

The single hardest part of this work is asking. Our survey said 26% of caregivers haven't completed their own documents because the conversation is too emotional to start. Your parent feels the same.

> *"Mom, I need to know where things are so I'm not guessing at the worst moment."*
> That moves the conversation to the practical.

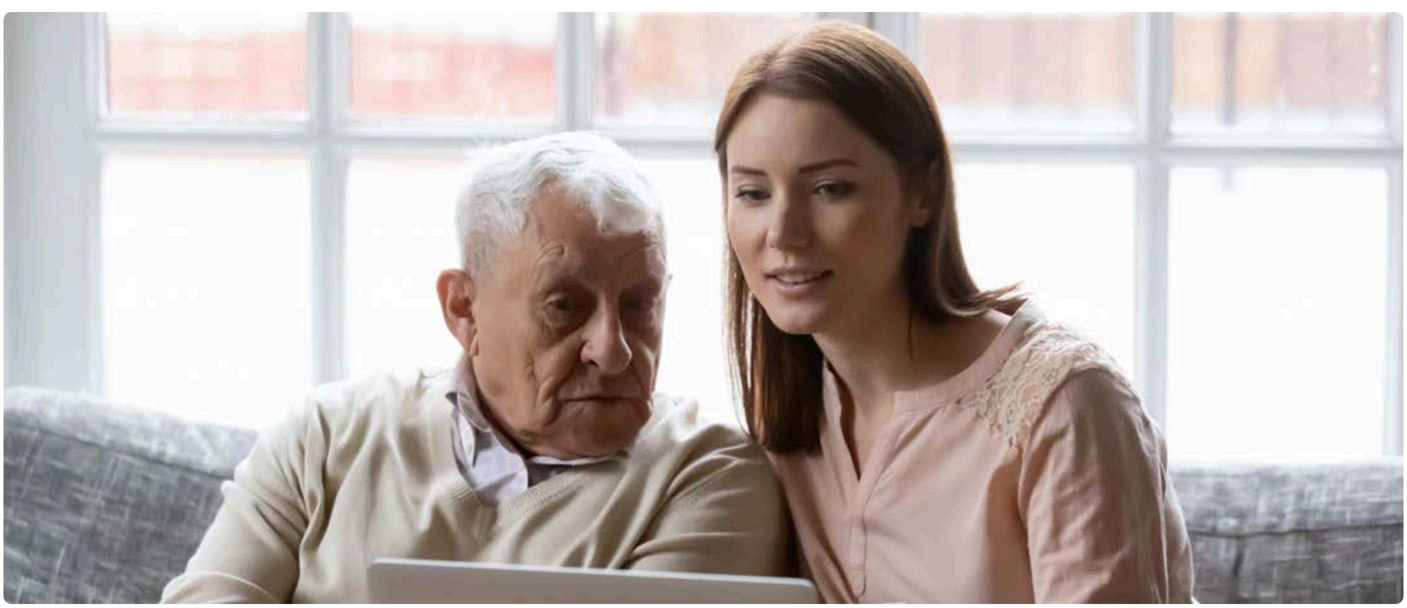
> *"Dad, when something happens, I want to make sure your wishes get followed, not mine."*
> That centers them.

> *"I'm going to need a copy of the Will. Where is it?"*
> That asks for a specific thing instead of a vague feelings conversation.

Help your parent find these items first

- [ ] Will.
- [ ] Durable Power of Attorney.
- [ ] A Healthcare Directive and a Healthcare Power of Attorney.
- [ ] Their advance funeral wishes, if they have any.
- [ ] The deed to the house and the titles to any vehicles.
- [ ] Account statements for the bank, the brokerage, and any retirement plan.
- [ ] Their Medicare and Medicaid paperwork.
- [ ] Their long-term care insurance policy, if they have one.

If they don't have one or more of those documents, that's the place to start. **Attorney Consultation Recommended**



FOR A PARENT

If dementia is already in the picture

A diagnosis of dementia doesn't always mean a parent can no longer legally sign new documents. It depends on capacity at the moment of signing, which is determined by the attorney drafting the document, sometimes with a doctor's letter. If your parent is in early-stage Alzheimer's or mild cognitive impairment, talk to an attorney soon. The window closes faster than most families expect. What counts as capacity, and who gets to judge it, depends on where you live. **Varies by State**

If your parent is already past the point of being able to sign, you may be looking at a court-appointed guardianship or conservatorship. That's a longer, more expensive process. An attorney in your parent's state is the only path forward. What the process is called, and how long it takes, depends on where you live. **Varies by State** **Attorney Consultation Recommended**

Long-term care and aging in place

If your parent is moving toward needing more help, at home or in a facility, the financial side gets heavy fast. Federal analysts put the odds at **56%** that an American turning 65 today will develop a disability serious enough to need long-term services and supports. About **1 in 5** will live with one for more than **5 years**. Families cover **37%** of the cost out of pocket. Long-term care insurance, Medicaid planning, and veterans' aid-and-attendance benefits can offset some of it. None of those are DIY. Your parent's attorney and a Medicaid planner are the calls.

Attorney Consultation Recommended

Source: HHS ASPE research brief Long-Term Services and Supports for Older Americans Risks and Financing 2022 (Johnson and Dey, adults turning 65)

One detail worth knowing now. If long-term-care Medicaid ends up in the picture, the 5-year look-back rule matters. Gifts and asset transfers made within 5 years of applying can disqualify your parent from coverage. Talk to a Medicaid planner before moving any money or property. **Varies by State**

Sandwiched in two directions

If you're paying college tuition for your kids and care costs for an aging parent, you know the math. Your own retirement runway often comes third on the priority list. None of the tools in this kit fix that arithmetic. They smooth the edges.

The Taxes section has three moves worth coordinating with your CPA. Annual gifts up to $19,000 per recipient. Direct tuition payments to the school. Direct medical payments to the hospital. Together they can offset some of the squeeze. The actual savings depend on your income, your state, and your gift history. They won't close the gap.

Most families in this position eventually have to decide whether to keep paying everything in parallel or prioritize one. There's no right answer. Your CPA, your financial planner, and your parent's care team are the right people to have that conversation with.

THE WHOLE THING

The whole thing, *in five steps.*

Estate planning is a small set of decisions you write down so the people you love don't have to guess. Most people put it off because they think it's complicated or costly. There are five steps. You can do most of them yourself. Some will require consultation with an attorney.

1 List what you own.

Your house. Your bank accounts. Your 401(k). Your life insurance. The car. The boat. The shares in the business. The crypto on the hardware wallet. Fill in the worksheets. Don't guess. Pull statements.

2 Decide who gets what, and who's in charge.

Your spouse. Your kids, however old they are now. Your favorite charity. The cousin you trust to handle the paperwork. If you still have kids at home, the friend or family member you'd want raising them. Most of these decisions go into your Will. Some go into a Trust. Some get named directly on the account (retirement accounts and life insurance pay out by beneficiary form, not by the Will). Make sure they all say the same thing. In most cases, a beneficiary form overrides your Will. If you have siblings, this is the conversation worth having out loud before the documents are drafted. Equal isn't always equitable. Picking the right person as executor matters more than who gets which dish. Pets count too. A line in your Will naming who takes the dog, or a small Pet Trust for vet care, prevents the awkward "we will figure it out" moment. If you own a business, your succession plan is its own beast. Buy-sell agreements, key-person insurance, valuation done before you need one. Talk to your attorney and your CPA together.

Attorney Consultation Recommended

3 Plan for the years you can't speak for yourself.

Stroke. Accident. Dementia. A long hospital stay. You need someone who can pay your bills while you can't. You need someone who can make medical decisions while you can't. Those are two different documents. They take maybe an hour with an attorney. The section a few pages from now walks through them.

4 Think about taxes.

Most people will never pay federal estate tax. Twelve states and Washington, D.C. charge an estate tax. Five states charge an inheritance tax. Maryland charges both. Where you live changes the math. Where your property lives changes the math too. Which taxes apply, and at what threshold. **Varies by State**

Attorney Consultation Recommended

5 Write it down.

Everything above is in your head. None of it helps the people you love until it's on paper, in a place they can find. That's this guide.

The other sections (funeral, crypto, cybersecurity, people to call) are all things the law doesn't require you to put in writing. They're the things your family will need anyway. Do them while you can.

POWERS OF ATTORNEY

When you can't *speak for yourself.*

Stroke. Accident. Dementia. A long hospital stay. Any one of these can put you on the wrong side of being able to make decisions for weeks, months, or longer. If you have nothing in place, a court picks someone to make decisions for you. Usually a family member. Sometimes not the one you would have picked. Sometimes nobody is willing or fit, and the court appoints a stranger.

Two documents handle most of this.

With these two documents, your family follows the plan you wrote down.
Without them, the decision defaults to state law, and any disagreement can end up in front of a judge.

Durable Financial Power of Attorney

Names one person you trust to handle your money while you can't. Pay your bills. Manage your investments. Sign for your tax returns. Talk to your bank. "Durable" means it stays in effect even after you're incapacitated. A regular Power of Attorney expires the moment you lose capacity. Which is exactly when you need it. Most attorneys recommend making it durable. This requires an attorney. Out-of-state forms often don't work, because of what the document has to say.

Varies by State

Attorney Consultation Recommended

Healthcare Power of Attorney and Living Will

Two pieces. Often combined into one document called an Advance Directive.

The Healthcare Power of Attorney names the person who speaks for you if you're incapacitated. The Living Will spells out what you want done in specific situations. Feeding tube. Ventilator. Do not resuscitate. Pain management. Hospice. Like the financial Power of Attorney, an attorney consultation is recommended. **Varies by State**

Attorney Consultation Recommended

Three practical notes

Pick the right people, not necessarily the same person. The person handling your money doesn't have to be the person handling your medical care. They often shouldn't be. Pick the level-headed one for medical. Pick the spreadsheet one for financial.

Tell them. Don't surprise the person you named as healthcare proxy at the hospital. Tell them now. Give them a copy of the document. Tell them where the original lives.

Get a copy on file with your doctor. Many states require it on file before they'll honor it. Some have an online registry. Ask your primary care office where they want the copy. Whether filing is required, and where it goes, differs by location. **Varies by State**

TAXES

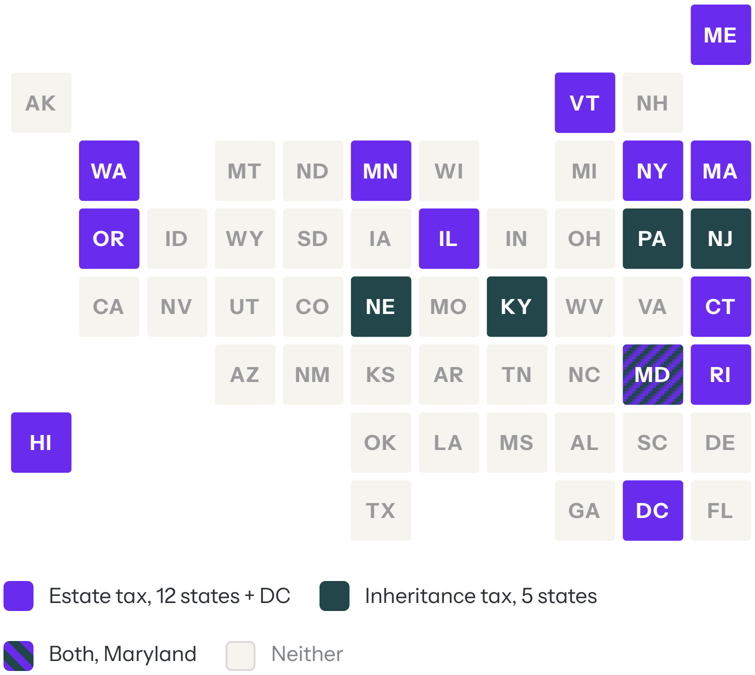
Federal, state, and inheritance.

Current as of August 2026. Federal exemption amounts and state tax lists shift. Verify with your CPA or attorney before acting on any of the numbers below.

Federal estate tax

As of 2026, the federal estate tax exemption is $15 million per person. Married couples shield $30 million combined. Above the exemption, the top federal rate is 40%. Congress made the exemption permanent in July 2025 with the One Big Beautiful Bill Act.

It's indexed to inflation, so the dollar figure ticks up each year. The December 31, 2025 sunset that used to be on the horizon is gone. If your net worth is well under $15 million, federal estate tax probably won't touch you. Move on to the state pieces.



State estate tax

Twelve states and the District of Columbia charge their own estate tax on top of the federal. How much is exempt, and at what rate, varies by state. Some kick in at $1 million. Varies by State

The twelve: Connecticut, Hawaii, Illinois, Maine, Maryland, Massachusetts, Minnesota, New York, Oregon, Rhode Island, Vermont, Washington. Plus the District of Columbia.

If you live in one of those, or you own real estate in one of those, your plan is more complicated. Get an attorney in that state.

Inheritance tax

Five states charge an inheritance tax: **Kentucky, Maryland, Nebraska, New Jersey, Pennsylvania.** This is paid by the people who receive the inheritance, not by the estate. Which relationships are exempt, and what the rate is for the rest, varies by state. **Maryland is the only state that charges both estate tax and inheritance tax.** Varies by State

Attorney Consultation Recommended

Three ways to move money out of the taxable estate

$19,000

The annual gift exclusion

As of 2026, you can give up to $19,000 per recipient per year without using any of your lifetime exemption. Married couples can give $38,000 per recipient between them. Money out of your estate now is money your beneficiaries don't pay tax on later.

Direct payments for tuition and medical care

Pay a grandchild's tuition straight to the school. Pay a parent's medical bill straight to the hospital. These payments don't count against the annual gift limit. They aren't subject to gift tax. One of the few moves available to a sandwiched family.

Charitable giving

Money you give to a qualified charity reduces your taxable estate. Donor-advised funds, Charitable Remainder Trusts, and similar tools let you give over time. They can also generate income tax deductions in the year you fund them.

If your estate is larger than the federal exemption, ask your attorney about two more tools. Check your state's line too. Several states and Washington, D.C. set theirs far lower.

Roth conversions. You pay the income tax now, which shrinks your taxable estate. Your heirs draw from the account income-tax-free, though they generally have to empty it within ten years. The account itself still counts toward your estate.

Irrevocable Trusts. Structured properly, they move assets out of your taxable estate. You give up control and can't get the asset back. Those assets also lose the step-up in basis, so your heirs may owe capital gains they'd otherwise have avoided. Both need a CPA and an attorney in the room.

Bottom line. If you live in a state with estate or inheritance tax, or if your net worth is anywhere near the federal exemption, get professional help. The fees are real. The tax savings are usually a lot bigger. Attorney Consultation Recommended

SECTION 1

Key documents checklist.

Check each box when you've done it. The Attorney Consultation Recommended flag tells you which documents typically need a licensed attorney in your state. The unflagged items you can do yourself.

Foundational legal documents

☐ Last Will and Testament	**Attorney Consultation Recommended**
☐ Revocable Living Trust	**Attorney Consultation Recommended**
☐ Irrevocable Trust (if applicable)	**Attorney Consultation Recommended**
☐ Durable Financial Power of Attorney	**Attorney Consultation Recommended**
☐ Healthcare Power of Attorney or healthcare proxy	**Attorney Consultation Recommended**
☐ Living Will or Advance Medical Directive	**Attorney Consultation Recommended**
☐ HIPAA release authorization	**Attorney Consultation Recommended**
☐ Guardianship designation for minor children (typically in Will)	**Attorney Consultation Recommended**
☐ Premarital or postmarital agreement	**Attorney Consultation Recommended**
☐ Partnership, corporate, or business agreements	**Attorney Consultation Recommended**
☐ Beneficiary designations on retirement accounts and insurance	
☐ Pet care provisions in your Will, or a funded Pet Trust	**Attorney Consultation Recommended**
☐ Letter of intent (non-legal personal guidance)	

Personal records

- ☐ Birth certificate
- ☐ Marriage certificate
- ☐ Divorce decree
- ☐ Adoption papers
- ☐ Military discharge papers (DD-214)
- ☐ Social Security card
- ☐ Passport
- ☐ Naturalization papers (if applicable)

Asset documentation

- ☐ Real estate deeds and titles
- ☐ Vehicle titles
- ☐ Investment and brokerage account statements
- ☐ Retirement account statements (IRA, 401(k), 403(b), pension)
- ☐ Life insurance policies
- ☐ Annuity contracts
- ☐ Health insurance policy
- ☐ Long-term care insurance policy
- ☐ Bank statements (current)
- ☐ Business ownership documents
- ☐ Stock or bond certificates (paper)
- ☐ Safe deposit box location and key

Debt and liability documentation

- ☐ Mortgage statements
- ☐ Home equity line of credit
- ☐ Auto loans
- ☐ Student loans
- ☐ Credit card account list
- ☐ Personal loans or promissory notes
- ☐ Tax liens or judgments (if any)

Tax records

- ☐ Last three years of federal and state tax returns
- ☐ Property tax records
- ☐ Gift tax filings (Form 709), if any

Legacy file

- ☐ Letters to loved ones
- ☐ Recorded video or audio messages
- ☐ Photographs and stories you want preserved
- ☐ Heirloom inventory and intended recipients

Digital and miscellaneous

- ☐ Password manager access instructions (see Section 4)
- ☐ Two-factor authentication backup codes
- ☐ Device PINs and recovery codes
- ☐ Cryptocurrency memorandum (see Section 3)
- ☐ Social media account list and instructions
- ☐ Domain names and websites owned
- ☐ Loyalty rewards programs to transfer or cash out
- ☐ Subscriptions to cancel

Funeral, burial, and memorial

- ☐ Funeral, burial, or cremation preferences (see Section 6)
- ☐ Prepaid funeral arrangements (if any)
- ☐ Cemetery plot or niche documentation
- ☐ Obituary draft or biographical notes

DO THIS NOW

Check your beneficiaries *this week.*

This is the ten-minute action that solves more problems than a new Will would. Retirement accounts and life insurance pay out by beneficiary designation, not by the Will. If your 401(k) still lists your ex-spouse from 1998, your ex-spouse gets the money.

Check the primary beneficiary. Check the contingent beneficiary. Fix anything wrong.

Somewhere in your accounts probably lives a name you'd never choose today. A dead relative. An ex. Someone you stopped speaking to in 2009. This finds it.

In most cases, a beneficiary form overrides your Will.

This week, log in and check the named beneficiaries on each.

- [ ] Your 401(k) or 403(b)
- [ ] Your IRAs (traditional, Roth, SEP, SIMPLE)
- [ ] Your pension or government retirement plan
- [ ] Your life insurance policies
- [ ] Your annuities
- [ ] Your bank accounts (POD beneficiary)
- [ ] Your brokerage accounts (TOD beneficiary)
- [ ] Your HSA
- [ ] Mineral rights division orders or assignments
- [ ] Individual stock holdings (privately held equity, not publicly traded, such as employer shares and other investments)

A SMALL SECTION, OFTEN OVERLOOKED

You can't leave money directly to your dog.

You can leave your pet to a person and give that person money to care for your pet. For larger amounts or more complicated situations, an attorney can draft a Pet Trust, or a sub-trust inside a larger Trust, that names a caretaker, a trustee, terms for how the money is spent, and a backup if the first caretaker can't or won't take the pet. Most attorneys will add either kind of provision to a Will when you ask. Whether a Pet Trust is recognized, and how long it can run, varies by state. **Varies by State**

Talk to the people you've named. Most owners assume a sibling or a best friend will step in. Many of those people, when asked directly, say they can't. Better to find out now.

Attorney Consultation Recommended

Spell out the care

- [ ] Who takes the pet in the first week
- [ ] Who takes the pet long-term
- [ ] Backup caretaker if the first can't
- [ ] Vet name, address, and phone
- [ ] Food, feeding schedule, medications
- [ ] Behavioral notes
- [ ] End-of-life wishes
- [ ] A rescue organization if no person is willing

SECTION 2

Net worth and asset inventory.

Fill in what applies. Use the last four digits of account numbers, not the full numbers. Keep the full numbers in your password manager or a sealed envelope referenced in Section 4.

LAST UPDATED

Real estate

PROPERTY ADDRESS	HOW TITLED	ESTIMATED VALUE	MORTGAGE BALANCE	TOD OR BENEFICIARY

A note about the house

The house is the asset that creates the most questions. How it's titled at the moment of death often matters more than what the Will says. Joint tenancy with right of survivorship passes the house outside of probate. A transfer-on-death deed names a beneficiary directly, and whether one is available varies by state. **Varies by State** A Revocable Living Trust can hold the house and avoid probate entirely. Ask your attorney which fits your situation before you change a deed. **Attorney Consultation Recommended**

Bank accounts

INSTITUTION	ACCOUNT TYPE	LAST 4	HOW TITLED	BALANCE	POD BENEFICIARY

Brokerage and investment accounts

INSTITUTION	ACCOUNT TYPE	LAST 4	HOW TITLED	BALANCE	TOD BENEFICIARY

Use the last four digits of account numbers, not the full numbers.

Retirement accounts (IRA, 401(k), Roth, pension)

INSTITUTION	TYPE	BALANCE	PRIMARY BENEFICIARY	CONTINGENT BENEFICIARY

Life insurance and annuities

INSURER	POLICY OR CONTRACT (LAST 4)	TYPE	DEATH BENEFIT OR VALUE	BENEFICIARY

Vehicles

MAKE / MODEL / YEAR	VIN	TITLE HELD BY	LOAN BALANCE

Business interests

ENTITY NAME	TYPE	OWNERSHIP %	SUCCESSOR PROVISION

Personal property of significant value

DESCRIPTION	ESTIMATED VALUE	WHERE IT IS	INTENDED RECIPIENT

Jewelry, art, collectibles, heirlooms, firearms, anything else you want to direct to a specific person.

Debts and liabilities

CREDITOR	ACCOUNT TYPE	LAST 4	BALANCE	MONTHLY PAYMENT	CO-SIGNER

Cryptocurrency, NFTs, monetized social media accounts, domain names, and websites have their own treatment. See Section 3 (Cryptocurrency and digital assets) and Section 4 (Cybersecurity, passwords, and digital access).

Summary

TOTAL ESTIMATED ASSETS	TOTAL ESTIMATED DEBTS	ESTIMATED NET WORTH

Attorney Consultation Recommended

SECTION 3

Cryptocurrency *and digital assets.*

SECTION 3 · READ FIRST

Read this before you touch anything.

These assets aren't held by a bank. There's no customer service line that can recover lost funds. Mistakes can't be reversed. Transfers have to be done right or the assets can be lost forever. Only a court-approved executor usually has the legal authority to move or liquidate digital assets after my death. How far that authority reaches varies by state. Acting on this letter alone, even in good faith, can create legal problems for the person acting. Coordinate with my attorney listed in Section 5 before moving anything. Be careful with wallet backups, seed phrases, and recovery codes. Anyone who sees them can drain the wallet. Treat them like cash. Varies by State Attorney Consultation Recommended

Exchanges I use

For each exchange, list the platform, the username (passwords live in the password manager, see Section 4), the two-factor app, and the bank account it's connected to.

EXCHANGE	USERNAME	2FA METHOD	CONNECTED BANK ACCOUNT

Hardware wallets

MANUFACTURER / MODEL	WHERE DEVICE IS STORED	WHERE SEED PHRASE IS STORED	COINS HELD

Software wallets

APP NAME	DEVICE	WHERE APP PIN IS STORED	WHERE SEED PHRASE IS STORED

Multi-signature setups

If any of my holdings use multi-signature (more than one key required to move funds), describe the setup here. List the number of keys, where each key is held, and how each recovery seed phrase is stored.

DESCRIPTION OF SETUP

People who can help

TRUSTED TECHNICAL CONTACT

PHONE AND EMAIL

ATTORNEY (ALSO IN SECTION 5)

BACKUP TECHNICAL CONTACT (IF FIRST IS UNAVAILABLE)

Liquidation instructions

To convert digital assets to cash, the executor will typically need to transfer the assets to an exchange where I already have an identity-verified account, sell them, and withdraw the proceeds to my bank account. Each step has tax consequences. Coordinate with my CPA before executing.

To transfer the assets in kind, without selling, each recipient must set up their own exchange or wallet account first. An executor can't transfer to recipients in aggregate. Each transfer is separate. **Attorney Consultation Recommended**

SECTION 4

Cybersecurity, passwords, and digital access.

This section tells the people taking over how to get into accounts, not what the passwords are. The actual passwords live in a password manager or a sealed physical document referenced below.

Safety rule

Never write passwords, PINs, or crypto seed phrases directly in this guide. If you keep a digital copy of the kit, password-protect the file and store that password separately. If you keep a printed copy, store the master access information in a separate sealed envelope in a fireproof safe.

Master list of accounts

List every account that matters. Banking. Investments. Retirement. Utilities. Cloud storage. Email. Social media. Paid subscriptions. Loyalty programs.

ACCOUNT TYPE	PROVIDER	USERNAME OR EMAIL	NOTES

Password manager

PASSWORD MANAGER I USE (1PASSWORD, BITWARDEN, IDSHIELD)

MASTER PASSWORD LOCATION

Examples: "In my safe at home, top shelf, white envelope marked PASSWORDS." "With my attorney, sealed envelope." "In safe deposit box at [bank]."

Two-factor authentication

2FA APP I USE (AUTHY, GOOGLE AUTHENTICATOR, DUO)

BACKUP CODES LOCATION

PHONE PIN LOCATION

COMPUTER LOGIN PASSWORD LOCATION

TABLET PIN LOCATION

Device encryption

If any of my devices use full-disk encryption (FileVault, BitLocker, or similar), the recovery key location is:

RECOVERY KEY LOCATION

Identity theft monitoring (set this up now)

Identity theft is an everyday problem the kit can't fix retroactively. If you don't already have monitoring, set it up this month. A monitoring service watches your credit reports, your logins, your email addresses, your Social Security number, and the dark web. Having one matters more than which one.

PROVIDER AND ACCOUNT LOGIN

Annual review

This section is the most likely to go stale. Set a calendar reminder to update this worksheet once a year, on the same date you update the cover page.

Social media and cloud accounts

Most major platforms let you decide what happens to your account when you die. Set the choices now.

- [ ] Facebook and Instagram: set a legacy contact, or request memorialization or deletion.
- [ ] Google Photos, Drive, and Gmail: designate an Inactive Account Manager.
- [ ] Apple iCloud: name a Digital Legacy Contact in your settings.
- [ ] LinkedIn and professional accounts: file an after-death closure request.

After a death: credit bureau flagging

After my death, please request a copy of my credit report from each of the three credit bureaus Experian, Equifax, TransUnion and ask that each file be flagged: “Deceased, do not issue credit.” This helps prevent identity theft, which is common in the months after a death.

SECTION 5

People and professionals.

Family and close friends

The people closest to me. The first calls.

NAME	RELATIONSHIP	PHONE	EMAIL	WHAT THEY CAN HELP WITH

Professionals

Roles to fill: attorney, financial advisor, CPA or tax preparer, banker, insurance agent, real estate agent, funeral home director, employer or HR contact, clergy or officiant, primary care doctor.

ROLE	NAME	FIRM	PHONE	EMAIL

Fiduciaries named in my legal documents

Roles to fill: Executor, Trustee, Guardian for minor children (and backup), Healthcare Proxy, durable financial POA Agent.

ROLE	NAME	PHONE	EMAIL

SECTION 6

Funeral, burial, and cremation preferences.

This is a memorandum to my executor, my family, and whoever's making decisions on the day. The wishes here are binding to the extent the law allows. How binding that is, and who has the legal right to decide, varies by state. Where this conflicts with my legal documents, the legal documents win. **Varies by State** **Attorney Consultation Recommended**

Personal information for the obituary

The most personal write-in in the book. Take your time.

DATE OF BIRTH

PLACE OF BIRTH

IMMEDIATE FAMILY (SPOUSE, KIDS, GRANDKIDS)

PARENTS AND SIBLINGS

SCHOOLS, MILITARY, RELIGIOUS, CIVIC AFFILIATIONS

AWARDS, ACCOMPLISHMENTS, CAUSES I CARED ABOUT

Handling of my remains

Mark the option you prefer.

- ☐ Burial
- ☐ Cremation
- ☐ Entombment
- ☐ Donation of my body for medical or scientific purposes (per my anatomical gift instructions)

Burial, entombment, or interment details

- ☐ I have already purchased a burial plot, mausoleum crypt, or cremation niche

CEMETERY OR MAUSOLEUM NAME

ADDRESS AND PLOT OR CRYPT NUMBER

I WOULD LIKE MY REMAINS KEPT NEAR OR NEXT TO

Funeral home/crematory

If I have already made advance preparations, use:

FUNERAL HOME/CREMATORY

ADDRESS AND PHONE

If I haven't, please use:

FUNERAL HOME/CREMATORY

ADDRESS AND PHONE

Marker or headstone

☐ I have made advance preparations for my marker or headstone

DESIGN, COLOR, EMBLEM, OR SYMBOL I WOULD LIKE

ENGRAVING

Officiant

NAME OF PERSON TO OFFICIATE

CONTACT

Casket or urn selection

☐ Metal casket ☐ Wood casket ☐ Cloth or other

SPECIFIC CASKET OR URN INSTRUCTIONS

Service preferences

WHERE I WOULD LIKE THE SERVICE HELD

Type of remembrance:

- ☐ Funeral, open casket
- ☐ Funeral, closed casket
- ☐ Memorial, no remains present
- ☐ Burial site service
- ☐ Direct cremation, no service
- ☐ Direct burial, no service

The service should be:

- ☐ Open to the public
- ☐ Family and close friends only
- ☐ Include military honors
- ☐ Include a wake or reception

Music, readings, scripture

MUSIC SELECTIONS

READINGS

Flowers · Cost

- ☐ Flowers welcome
- ☐ No flowers
- ☐ Donations in lieu
- ☐ Modest
- ☐ Reasonable
- ☐ Spare no expense

Anything else I want my family or executor to know

To my family

If you're reading this, I'm gone.

Take a breath. There's no hurry.

I put this together because I want you to have a map. Not a perfect one. Not a complete one. Just a map. Where the bank statements live. What the funeral home already has. Who already said they'd help. The first hours and the first weeks will feel impossible. Most of what you'll need to do is in here.

Open to Section 5. Those are the people I trusted. Call them. Let them help. They already said they would.

Section 6 has my funeral wishes. Read them. Follow what you can. If a piece of it doesn't fit the day, change it. The wishes were mine. The day is yours.

Where this kit and my legal documents say different things, the legal documents win.

I love you.

To my executor, attorney, or anyone taking this on

Thank you for taking this on.

This kit is a companion to my legal estate planning documents. Where they conflict, the legal documents take precedence. Where this kit fills in the gaps the legal documents don't cover (funeral preferences, account locations, digital access, passwords), follow what's written here.

The net worth inventory in Section 2 was current as of the date on the cover. Balances move. Use it as a map, not a final balance sheet. The funeral preferences in Section 6 are binding to the extent the law allows. The cryptocurrency instructions in Section 3 should be followed exactly. The cybersecurity worksheet in Section 4 tells you where the passwords live, not what they are.

The people in Section 5 know me. Most of them already know they're on the list. Call them.

Don't forget *death certificates.*

The death certificate is the most important piece of paper in the weeks ahead. It's also the one most people forget about until a bank refuses to close an account without one.

Get extras. Now.

How many to order

Order **ten certified copies** up front. Each one is a stamped original. Each one is what most institutions require. Photocopies usually aren't accepted. It takes weeks to get more later.

Why this protects the family

The death certificate is also what tells the world the person has died. Without it on file with the three credit bureaus (Experian, Equifax, TransUnion), identity theft of the deceased is common in the months after. Get the certificate. File it.

Who is going to ask for one

- [ ] Family members handling personal and legal matters. Keep one in your own file.
- [ ] The executor of the estate, to transfer property titles, pay debts and taxes, and distribute assets.
- [ ] Banks and credit unions, to close or transfer accounts and release funds.
- [ ] Life insurance companies, to process claims and release the death benefit.
- [ ] Government agencies. Social Security, Veterans Affairs, Medicare and Medicaid, the DMV, and the State Department.
- [ ] Pension and retirement plan administrators, to distribute remaining funds or survivor benefits.
- [ ] Utility and service providers, to cancel or transfer accounts in the deceased's name.
- [ ] Attorneys handling probate or legal disputes.
- [ ] Real estate agents and title companies, to transfer ownership or list a property.
- [ ] Creditors. Credit cards and other lenders settling outstanding debts and closing accounts.

OPERATIONAL

The first *30 days.*

After the funeral home helps order the death certificates, here is the operational checklist of what comes next. Roughly in order of deadline.

- ☐ Notify Social Security (800-772-1213). Required to stop benefits and apply for survivor benefits.
- ☐ Notify Veterans Affairs if the deceased was a veteran.
- ☐ Notify the IRS and the state tax department. The estate may need to file a final return.
- ☐ Cancel utility accounts in the deceased's name, or transfer to a surviving spouse.
- ☐ Cancel health insurance and Medicare.
- ☐ Cancel subscriptions and streaming services.
- ☐ Notify the employer or HR department. Required for final pay, accrued vacation, group life insurance, and 401(k) beneficiary process.
- ☐ Notify the U.S. Postal Service to forward mail.
- ☐ Cancel or transfer credit cards. Each issuer has its own process.
- ☐ Cancel auto insurance on the deceased's vehicles, or transfer to a surviving driver.
- ☐ File the death certificate with the three credit bureaus with a "Deceased, do not issue credit" flag.
- ☐ Notify professional associations or membership organizations.
- ☐ Open the safe deposit box. Most banks require a court order or probate paperwork first, even for a co-signer. Ask the attorney for the estate how, because the requirement varies by state. **Varies by State**
- ☐ Begin probate filing if required. Talk to the attorney for the estate. Whether probate is required, and what the small-estate shortcut is, varies by state. **Varies by State**

A word on Social Security survivor benefits

When you call Social Security, ask about survivor benefits. A surviving spouse, surviving children under eighteen (or older if disabled), and sometimes surviving dependent parents may qualify. There's also a one-time **$255** lump-sum death payment available to a qualifying surviving spouse or child. Apply within two years of the death to avoid losing back payments. **Attorney Consultation Recommended**

When to call *an attorney.*

Before anything else: if you're working through this kit and a piece of it feels uncertain, talk to a licensed attorney in your state. It doesn't have to be one of ours. The cost of an hour with someone who has done this before is smaller than the cost of getting it wrong.

Get legal help before you need it.

Not when something has already broken. Not when the paperwork has already been signed. Not when a parent has already declined past the point of being able to sign. **Before.**

What this kit can do, and what it can't

You can handle most of this kit yourself. A few things, you can't. Talk to a licensed attorney in your state for any of the following:

- ☐ Drafting or updating your Will.
- ☐ Creating a Revocable Living Trust, or any kind of Irrevocable Trust.
- ☐ Drafting a Durable Financial Power of Attorney that meets your state's requirements.
- ☐ Drafting a Healthcare Power of Attorney and a Living Will or Advance Directive.
- ☐ Setting up business succession or buy-sell arrangements.
- ☐ Anything that touches estate or inheritance tax planning.
- ☐ Setting up a Special-Needs Trust or guardianship for a minor or dependent adult.
- ☐ Premarital or postmarital agreements. **Varies by State**
- ☐ Any plan that involves moving residency to a new state or owning property in more than one state. **Varies by State**