

estate planning guide for the lgbtq+ community



Estate planning isn't just about money and paperwork—it's about making sure your wishes are honored and your loved ones are protected. For LGBTQ+ individuals and couples, a solid estate plan is especially important to avoid legal complications and ensure that your chosen family is recognized. Here's what you need to know to get started in Ohio.

If you don't have a plan in place, default laws will determine everything, which might not align with your wishes. Creating a plan gives you control over what happens to you and your assets.

01.

wills and trusts: putting it in writing

- **Why It Matters:** you don't have a will, Ohio law decides who gets your assets - and it may not be the people you'd choose. Spouses have automatic rights in many areas, but estate planning helps ensure everything is airtight if anything happens to your marriage rights.
- **Will:** This is your chance to say exactly where your money, property, and belongings should go.
- **Trusts:** These can help avoid probate (the legal process of handling your estate) and keep things running smoothly for your loved ones.

03.

healthcare directives: your medical wishes, clearly stated

- **Living Will:** Lays out your preferences for life-sustaining treatment so your loved ones don't have to guess.
- **Do Not Resuscitate (DNR) Order:** Tells medical professionals whether you want CPR if your heart stops.

05.

special considerations for transgender individuals

- Update your name on legal documents like your driver's license, Social Security, and passport to match your identity. Change your gender marker where you can.

02.

avoiding probate and making things easier for your loved ones

- **Joint Ownership with Rights of Survivorship:** This means property automatically passes to your partner when you pass away.
- **Transfer-on-Death (TOD) and Payable-on-Death (POD) Accounts:** These let you name who gets your money without going through probate.
- **Name Your Beneficiaries:** Retirement accounts, life insurance, and bank accounts should list the right beneficiaries - make sure they are up to date!

04.

power of attorney: who has your back?

- **Financial Power of Attorney:** Lets someone you trust handle your money matters if you can't.
- **Medical Power of Attorney:** Gives a trusted person the right to make healthcare decisions for you, not who the law thinks is best.
- **HIPAA Authorization:** Ensures your chosen person can talk to doctors and access medical records.

06.

power of attorney: who has your back?

- Not all lawyers understand the unique needs of LGBTQ clients, so look for one who does.
- Regularly review and update your estate plan - life changes, and your plan should too.