

# Financial Planning Matters: Estate Planning

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What is estate planning and should you take the time to plan? If you don't make a plan for how your assets are distributed at the death, then your state of residence will. They distribute your estate according to the laws of that state, even if that is contrary to what you want. "Intestate" means that you died without creating a will or trust that provides written instructions for passing your estate to your heirs. If you should die intestate, the only way that property can be legally re-titled to your heirs' names is by a court order under a court-approved process.

Many assets, such as retirement plans and life insurance proceeds, can be transferred to beneficiaries without any complications. Problems arise when there are no provisions for beneficiaries who are not capable of handling their financial affairs. Having a qualified attorney prepare your will is very important and can assist with the distributions to beneficiaries that may need special assistance. A will has other benefits, too. Your will designates the guardian of your minor children, the executor of your estate, and trustee of your trust.



In addition to preparing a will, reviewing your beneficiary designations on your life insurance and retirement plans, your attorney will discuss a living will, financial power of attorney, and health care power of attorney.

- A power of attorney gives authorization to another person to do specific things on your behalf or to act generally on your behalf, if you are unable to do so.
- A living will documents your wishes concerning "heroic" or extraordinary measures that you want performed to save your life in the event of a catastrophic illness or injury.
- A health care power of attorney specifically authorizes another person, such as your spouse, to make decisions with respect to your health care in the event you are unable to do so. The Terri Shiavo family would not have bitterly fought over her end-of-life issues if she had executed a health care power of attorney.

Take some time to review and complete an estate planning worksheet provided by the American Bar Association at: <http://estate.findlaw.com/estate-planning/estate-planning-overview/estate-planning-overview-process-checklist.html> Then follow this with a visit to a qualified estate-planning attorney.

Call today to set up a time to meet with your Western Fraternal Life representative and review your beneficiary options.