

**Planning Ahead**



***Lisa C. Alexander, Esq.***  
*Jakle & Alexander, LLP*

**Estate Plan Check**

It's a New Year, time for your annual estate plan review. You don't need an attorney to do this. But every year it's a good idea to pull your estate plan documents out of the drawer and read them over. Make sure you understand how your Trust works: what would happen if you became incapacitated and how will your estate be distributed in the event of death?

Following are some questions to answer as you do your review:

Have you provided for all the people who are important in your life? Are there people named who are no longer in your life? Are your beneficiaries older and more mature or just older but possibly less mature? Should ages for distribution be changed? Do any of your beneficiaries have "special needs" or governmental benefits that need to be protected?

Are you satisfied that the people you have named as Successor Trustees or Executors can do the job? It's a lot of work. Do they have the time and are they capable?

Are there family dynamics issues that should be addressed, for everyone's protection? Sometimes this means difficult conversations and hard choices. If this is a second marriage, is your spouse protected? Will he or she be able to stay in the house for a period of time after your death? Are your children provided for or will they have to wait until the step-parent dies before receiving their inheritance?

Do you have a Durable Power of Attorney? Is it effective immediately or only if you become incapacitated? How would your incapacity be determined? Do you have confidence in the people you have named as agents? Do you understand all the powers you are giving your agent? Should any powers be limited or expanded?

Do you have an Advance Health Care Directive? Would the person you have named as Health Care Agent be able to carry out your instructions? Does that person share the same views as you about end of life care? Have you discussed your wishes with your agent?

If you are satisfied with the answers, you can put your estate plan documents back into the drawer for another year. If there are changes to be made, don't procrastinate. Make sure your documents are up to date.

**Lisa C. Alexander is an attorney at Jakle & Alexander, LLP. She can be reached by calling 310-656-4310 or by emailing her at [alexander@jaklelaw.com](mailto:alexander@jaklelaw.com).**