



PART 1: LEGAL PLANNING GUIDE

Here are three approaches to delicately handle the ‘tough conversation’ of legal documentation with your aging loved ones by Stuart Furman, experienced elder law attorney:

1. **ALLOW YOUR PARENTS TO HAVE CONTROL** – Begin the conversation and preparation where they can control what their desires and wishes are for the future. Work together with them to put the right plans in place. Let them know that their wishes are the only things that are important.
2. **CREATE A NEW TRUST RELATIONSHIP** – With both you and your parent taking on new roles of caregiver and cared for, there has to be a new trust established. Help them understand that you are merely becoming the agent to carry out their wishes.
3. **GATHER IMPORTANT INFORMATION** – Gathering legal information ahead of time is the best way to prevent problems once crisis strikes. Stuart Furman notes, *“I can’t emphasize more how much information needs to be readily at hand and packed in your eldercare suitcase.”*

NECESSARY DOCUMENTS FOR ELDERCARE READINESS

FINANCIAL INFORMATION YOU NEED

- List of all bank accounts
- Pension documents, 401(k) information, and annuity contracts
- Tax returns
- Savings bonds, stock certificates or brokerage accounts
- Partnership and corporate operating agreements
- Deeds to all properties
- Vehicle title
- Documentation of loans and debts, including all credit accounts
- Trust documents and durable financial power-of-attorney (financial proxy)

HEALTHCARE DOCUMENTS YOU NEED

- Health care proxy (durable health power-of-attorney)
- Authorization to release health-care information
- Living will (healthcare directive)
- Personal medical history
- Insurance card (Medicare, Medicaid, Independent)
- Long-term care insurance policy
- Lists of current medication and health conditions

END-OF-LIFE AND ESTATE PLANNING DOCUMENTS YOU NEED

- Will and trust
- Life-insurance policies
- End of life instructions letter (for wishes not covered in a will, for example wishes regarding one’s memorial)
- Organ donor card or information