How Do I Make Sure My Wishes Are Upheld?
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Overview of the CLRC
• Joint program
• Confidential services
• English & Spanish or language line
• Education Model

National Telephone Assistance Line
1-866-THE-CLRC
1. Phone Calls
2. Emails
3. Letters
4. Faxes
5. Online Intake Form

Advance Planning

Advance Planning, generally
Part 1 – People and Property:
Wills, Trusts, and Powers of Attorney for Finances

Part 2 – Health care:
Advance Health Directives and component parts (Powers of Attorney for health, living will, etc.)

Tools for Planning Ahead - People and Property
• Will
• Living trust
• Durable power of attorney for financial affairs
Wills and Trusts – First Steps

- Bank accounts
- Safe deposit boxes
- Stocks, bonds, real estate
- Valuables
- Other property
- Life insurance policy
- Retirement account
- Debts (including who owes you)
- Other financial accounts

How do you own it?

Sole v. Joint Ownership

Wills

- Be prepared!

The Alternatives

- Statutory Will
- Holographic (Handwritten) Will

Reassess previous planning

Amending a Will

- Use a codicil
- Don’t cross out or handwrite
- Follow state law for full will
- Void previous versions
Passing away without a will

- "Intestate"
- Property divided by 'intestate succession'
- Generally, distributed to your spouse and children
- Then to next closest kin

Probate

To begin the probate process, contact the local state or county court

Trusts

- Managed by trustee based on individual wishes
- No probate
- Common for larger estates

Pour Over Will

Power of Attorney For Financial Affairs

Living Trusts
Tools for Planning Ahead – Health Care

- Advance health care directive
- Living will
- Power of attorney for health
- Physician order for life sustaining treatment (POLST)

Advance Healthcare Directives

- Written document
- Signed and dated, in the presence of 2 witnesses
- Signed by 2 knowledgeable witnesses

Advance Health Directives

- Living Will

Your specific health-related wishes...

Advance Health Directives

- Power of Attorney for Health

Your specific health-related wishes...

Physician Order for Life Sustaining Treatment

www.polst.org/programs-in-your-state/

End of Life Treatment

- Right to palliative care
- Right to refuse food
- Right to refuse medical treatment
- Right to palliative sedation
- Right to have wishes upheld

www.polst.org/programs-in-your-state/
Death with Dignity/Aid in Dying

- Determination by a physician
- Terminal illness
- Oral and written request
- Psychological examination

Resources:
- Caring Connections: www.caringinfo.org
- Compassion and Choices: www.compassionandchoices.org
- CLRC: www.cancerlegalresourcecenter.org
- Your State Bar: www.americanbar.org/groups/bar_services/resources/state_local_bar_associations.html

Questions?

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