

## Estate planning: Know your rights

### Advance Medical Directives:

#### Living Will:

Document in which you place limits on the type and extent of medical treatment you will receive at the end-stage of a fatal illness.

You must be incurable and dying for it to take effect.

Life Support choices made in the document:

- All life saving measures
- Only food and water
- No life saving measures

#### Medical Power-of -Attorney:

Document directed to doctors and medical facilities to allow your appointed representative to make medical decisions for you when you are unable to do so.

These decisions cannot be left to your doctor.

If You do not designate someone, a family member will be making your decisions for you.

You can change your mind.

### Power of Attorney

Document directed to banks, financial institutions, insurance companies, US Postal Service, IRS, the Social Security Administration, courts, government agencies and other businesses which allows your appointed representative to conduct business for you when you are unable to do so for yourself.

If you become unable to handle or make decisions about your finances, living arrangements, mail or other business, your nearest relatives will have the right to handle your affairs if you do not appoint someone to do this for you.

For the purpose of handling your affairs, your next-of-kin will be as follows:

- 1) A spouse, if you have one;
- 2) If you have no spouse, then an adult child, if you have one;
- 3) If no spouse or adult child, then a parent;
- 4) If none of the above, then a brother or sister, more remote relatives.

You should designate someone to be your Power of Attorney if you do not want your family to handle your affairs.

### Last Will and Testament

A Will is the legal document that sets forth how you want your property distributed after your death, who you want to inherit your property and who you want to handle your affairs after your death.

It is important for the Last Will and Testament to be in the required form. Louisiana has strict guidelines for a will. In other words, if the Last Will and Testament is unenforceable, it will be as if the person had no will at all.

If you do not make a Will, the law will control who inherits your property.

Without a Will, inheritance is generally as follows:

- 1) Spouse and/or children;
- 2) Siblings and/or parents;
- 3) Distant relatives.

A partner you are not married to will not inherit or have any rights to your property after you die if you do not have a Will giving your property to your partner.