

Suggestions for Where to Keep Legal Documents

1. Last Will and Testament:

Keep the original in the place where you keep your important documents. It is OK to keep the original in a safety deposit box. Use careful judgment in deciding whether to give a copy to children, since you have the legal right to modify your Will whenever you feel it is appropriate to do so. If children know about versions different from your final Will, it could lead to family disputes after your death. (*By the way, if you want to be cremated, be sure and tell your family!*)

2. Health Care Power of Attorney - and - Living Will:

Keep these together. Give the original to the person you designate as your “health care agent.” Keep a copy for yourself wherever you keep your important papers. Place a copy in your suitcase when you travel, and keep a copy in the glove box of your vehicle. Your spouse and each of your adult children should have a copy, or at least know how to get a copy if needed. Your doctor should also have a copy.

3. Durable Power of Attorney:

Keep the original in a safe place ... but NOT in a safety deposit box at a bank. Consider letting your attorney keep it in a fireproof cabinet. This document is not valid until it is recorded at the Register of Deeds office. In some situations, it is appropriate to record it immediately. A certified copy from Register of Deeds is as good as the original. Keep a copy where your spouse or agent can get to it easily to fax to a business office.

4. Written Funeral Plans:

Keep your written funeral plans wherever you keep your important documents, but NOT in a bank safety deposit box. Make sure you tell your spouse and your children that you have written down these plans. It won't do any good if your family discovers or finally locates this document after your service!

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