

# WICKERT LAW OFFICE

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## WHAT ARE YOUR DISABILITY OR ESTATE PLANS?

### NO PLAN.

- Higher administrative costs.
- Estate distributed to State defined heirs.
- Others making your decisions you don't want.
- Unknown wishes for end of life care.
- Family conflict over estate and burial plans.
- Added family stress at a time of crises.
- Expensive guardianship if disabled or incapacitated.

### SOME PLANS.

- Only a Last Will and Testament from internet or stationary store.
  - Not specific to Washington, missing certain legal issues, or improperly completed.
  - Missing language to save on estate administrative and probate costs.
  - Does not name alternative or successor executors.
  - No witness attestation page, so witnesses need to be track down later.
  - No personalized alternative provisions for disposition of estate or care of pets.
- Only a Durable Power of Attorney from internet or stationary store.
  - Does not name alternative or successor attorney-in-fact.
  - Does not address specific needs of principal.
  - Not specific to Washington, missing certain legal issues, or improperly completed.
  - Does not address or allow you to select who should be your guardian if needed.
  - Missing Medicaid planning language.
  - May address your financial affairs or health care decisions only.
  - May address health care decisions, but does not include HIPPA language.
  - Hospital or clinic forms does not address other third parties.

### FULL SET OF PERSONAL DRAFTED PLAN (when properly drafted).

- Last Will and Testament, Durable Power of Attorney (for financial affairs and health care decisions), Health Care Directive (Living Will), and Disposition of Remains.
  - You select your executor and attorney-in-fact and successors.
  - Provisions in Will to reduce estate administrative costs.
  - Durable Power of Attorney accepted by third parties.
  - Name a person prohibited from challenging your Durable Power of Attorney.
  - Durable Power of Attorney names your selected guardian, if necessary.
  - Will includes a testamentary trust for disabled heir, children, or children with money or substance abuse issues.
  - Health Care Directive is your instructions to your doctor for end of life care.
  - You direct how your remains are taken care of such as: cremation, burial, viewing, spreading of ashes, services, or no services at all.

### WHERE ARE YOUR PLANS?

- Originals kept in a safe place. Original Will necessary for court filing. Original Durable Power of Attorney necessary to prove existence of document.
- Is there another signor to your safe deposit box? Does your Durable Power of Attorney grant access to your safe deposit box.
- Stored in the cloud. Cloud does not take the place of an original. Review agreement for unfavorable privacy or storage provisions.