



# PLANNING FOR DEATH & DISABILITY

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## 1. Comprehensive Estate Planning

### Big 3 – Definitions and differences

#### a) Will

- i) Testator/Testatrix
- ii) Executor/Executrix
- iii) Trustee
- iv) Personal Representation
- v) Non-enforceable and legally unacceptable provisions
- vi) Components of a Will

#### b) Enduring Power of Attorney

- i) Definition
- ii) Exceptions
- iii) Immediate vs. Springing
- iv) Attorney

#### c) Personal Directive

- i) “Living Will”
- ii) Agent
- iii) Non-financial matters
- iv) Medical treatments, living arrangements, personal activities
- v) Guilt Relief “Pull the Plug” clause
- vi) Limits on Agent powers
- vii) Agent duties and protection

## 2. Important Considerations

- a) International Assets
- b) Changing a Will
- c) Private Company Shares
- d) Estate Freeze
- e) Life Insurance
- f) Pre-Planned Funerals
- g) Organ Donation
- h) Safekeeping your documents

## 3. Intestacy

- a) Definition
- b) Consequences

## 4. Common Pitfalls

- a) Disabled Beneficiaries
- b) Formalities
- c) Memoranda of Household Items
- d) Lapse
- e) Ademption
- f) Vague Descriptions
- g) Gifts to Minors

## 5. DIY Wills

## 6. Elder Abuse

- a) Forms of Abuse
- b) Resources for Help