

## SIX REASONS TO REVIEW YOUR ESTATE PLANNING DOCUMENTS

If you already have a will, you *may* be ahead of the game. But don't be too sure. When did you last review it? Do you recall where you put the original? Has your life changed in the interim? Have you married, divorced, had children or have your children given you grandchildren? Have you inherited assets? Has the size of your estate changed for other reasons? Have there been any changes in the law that affect your wishes. Have the circumstances of those you have named in your documents changed? Do you have a valid and enforceable health care proxy and power of attorney?

**Relationships change:** Maybe your relationship with the people you have named in your estate planning documents has changed over the years. You may have had additional children or adopted a child. Your child or children may now be adults. Your parents may have passed away or become infirm. They may no longer be able to serve as executors or trustees. You may even wish to protect assets for their benefit if you predecease them. Your child may have relocated and may no longer be close enough to assist you or manage your affairs. Your favorite niece isn't so favorite anymore. A second marriage may have brought new and loving people into your life. There may have been births of grandchildren, nieces and nephews that you want to include in your plan. Whatever your circumstance, it is important to review your list of heirs, guardians, trustees, executors and agents under the health care proxy and power of attorney. Consider their circumstances. Are they still alive? Of sound mind? Capable of serving in the role you have designated for them?

**Assets change:** If your estate has experienced a substantial increase or decrease in value, it's important to review your plan. Will there be tax consequences? Perhaps you bought or sold a major asset, or started a new business. Do you own new or different property? Have you bought or sold real estate? You may have assets that are of sentimental value that a loved one will cherish. Perhaps a favorite charity should be included. Are you contemplating a move?

**Locations change:** If you have moved, you may consider consulting an attorney in the new locale. Laws vary from state to state and governmental benefits such as Medicaid are administered differently even among counties of the same state. Don't assume that your old documents satisfy your new needs.

**Laws change:** State and federal tax laws frequently change. Credits and other savings on property taxes may be applicable. Medicaid rules and regulations change. You should be aware of changes that may affect you or your estate.

**Change in employment status:** Have you changed your job? Have former colleagues, who were important in your life or the lives of your children, become more distant? Have you retired or begun taking required minimum distributions from your retirement accounts? Have you reviewed your beneficiary designations?

**The needs of your beneficiaries change:** Estate planning is often initiated when we have young children. As they grow, their needs change. They no longer need guardians and may be completely capable of managing their own affairs. Sometimes, however, our beneficiaries have special needs that we had not anticipated when we first undertook our planning. Beneficiaries age, they have life-changing accidents, they become ill. Special planning strategies should be incorporated to protect the assets that you want them to inherit.

All of these factors, and many more, will affect your plan. That's why we recommend that you

review your estate plan every three to five years. If you haven't taken that opportunity, don't delay. Call Berwitz & DiTata LLP and let us help you.