

Caregiving Corner

Resources & Solutions for Caregivers

Get Organized! Your Loved One's Legal Documents

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By now your file of 'Important Documents' for the person you are caring for is quite large with all of the financial documents – plus the collection of things that you may be copying and sending to various other family members. There are just a few more pieces of important paperwork that need to be added to your files. Legal documents have been discussed in this column before, but the information is worth repeating and is absolutely necessary in order to be an organized caregiver.

Legal documents would include some of the materials referenced in the previous column focused on financial documents such as titles, deeds, and insurance policies. Beneficiary information for any type of asset should also be included in the file for legal documents. Having these papers on hand will allow you as a caregiver to quickly access information for your loved one or other family members.

One of the things to keep in mind when collecting legal documents to have in one place is that many documents will need to be checked for updates. Wills, living wills, and documents with other beneficiary information need to be reviewed periodically to make sure that persons named who will be receiving items or money are still living and remain the appropriate recipient. In the case of documents such as living wills, power of attorney, or healthcare power of attorney, it is critical that they be reviewed for accuracy and validity. If a person has such documents drawn up in one state and later moves to a

different state, the legal documents may not be valid after the change in residency. An elder law attorney is an excellent resource to assist in determining which documents will need to be updated.

Though most people assume that such legal documents are just for safekeeping, many caregivers and family members find it convenient to carry a copy of the power of attorney form with them to demonstrate, if necessary, that they have the legal ability to act on that person's behalf. Again, all family members should have copies of the documents to make sure that all interested parties have access to the same information and can be knowledgeable about their loved one's wishes.

Another recent development has impacted the legal arena related to access to information after death. Because of technological advances, many people have more information stored in cyberspace than they may realize. A story recently came to light of the father of a serviceman who died in Iraq. The father had the idea of using his son's emails to write a book chronicling some of the serviceman's thoughts to friends and family. However, online privacy policies make it nearly impossible for anyone other than the account holder to gain access without passwords. The situation was resolved and, given the circumstances, access was granted to the father to retrieve his son's correspondence. This story reiterates the importance in such an electronically dominated era of legally documenting any

access or assets intended to be left to others upon death.

Remember to involve others as much as possible during the decision-making and document-collecting processes. The organization of documents is critically important to the success of your caregiving experience and it only requires a notebook and a will – *your will* to get organized and to stay organized!