<u>Divorce: Estate Planning Steps</u>
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Our community has been blessed in many ways, however we too are prone to failed marriages. What is one to do from a legal standpoint after the judgment of divorce is entered and the parties have gone their own way? Is there more legal work that is required? The answer is YES. The following is a quick summary of what action steps are needed in order to make certain what you have goes to who you want, when you want ho you want:

- <u>Destroy Old Documents</u>: Destroy or amend any and all powers of attorney, health proxies, living trusts and living wills naming your ex-spouse ("ex".) Even if the divorce automatically makes those documents void, why tempt anyone? Do you want your ex to be holding an original health proxy authorizing him to pull the plug? Watch documents that aren't obvious, such as a bank power of attorney form on file at the bank.

- <u>Sign New Documents</u>: Update all of your documents. Frequently powers of attorney, wills and other documents name an ex-spouse, an ex-spouse's family or friends that have sided with your ex. Revise your documents and name people as fiduciaries you can trust to take care of you and respect your wishes.

- <u>Revise Beneficiary Designations</u>: If your ex is named as beneficiary of your pension plan he/she might inherit the plan. Don't count on the fact that you're divorced to change this.

- <u>Address College Savings</u>: If your ex is the account owner listed on your child's 529 college savings plan he/she can pull the money out at any time. Be sure to get a neutral party listed as account owner. Try to name a trust with independent trustees.

- <u>Monitor Life Insurance</u>: Most divorces include a requirement that one spouse provide life insurance coverage, but few divorce agreements address how that coverage should be monitored. Obtain proof of payment and if possible the right to periodically receive an in force illustration of the policy. Address the type of insurance coverage required and the amount. Your ex could buy the cheapest one year term. But if he develops a health issue the coverage will become unavailable.

- <u>Property and Casualty Insurance</u>: It is common in many divorces for some co-owned property to continue. For example, one spouse might continue to occupy the marital residence until the youngest child attains age 18. Be sure you're on the policy.

- Investments: Revise your investment allocations. Most post-divorce portfolios are a mess. Don't delay, get assets reallocated in a manner that works for you.

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