

**Abstract:** Estate planning isn't just about what happens to a person's assets after death. It's also about protecting one's family during his or her lifetime. This article discusses two estate planning documents that are essential for everyone: a living will and a health care power of attorney.

## **Two essential documents to protect your estate**

Estate planning isn't just about what happens to your assets after you die. It's also about protecting yourself and your loved ones during your lifetime. To spare your family from guessing what you want done, and to ensure that your wishes are carried out, put your wishes in writing. Generally, that means executing two documents:

**1. A living will.** This document expresses your preferences for the use of life-sustaining medical procedures, such as artificial feeding and breathing, surgery, invasive diagnostic tests and pain medication. It also specifies the situations in which these procedures should be used or withheld.

A living will may contain a "do not resuscitate" order, which instructs medical personnel not to perform CPR in the event of cardiac arrest.

**2. A health care power of attorney (HCPA).** This document authorizes a surrogate — your spouse, child or another trusted representative — to make medical decisions on your behalf if you're unable to do so. An HCPA is generally broader than a living will, though there may be some overlap.

An HCPA might authorize your surrogate to make medical decisions that don't conflict with your living will. These might include consent for medical treatment, placement in a nursing home or other facility, or authorization to employ or discontinue life-prolonging measures.

It's a good idea to have both a living will and an HCPA or, if allowed by state law, a single document that combines the two. Contact us with your questions regarding these or other aspects of the estate planning process.