

**Aging in Place:  
What Documents Do I Need  
&  
What Happens After My Death<sup>©</sup>**

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**Topics Discussed**

- I. What if I become Incapacitated?
- II. Do I need a Will?
- III. Can I write my own Will or print one off the internet?
- IV. What assets will not pass under my Will?
- V. What does the executor do?
- VI. What happens if I die without a Will?
- VII. What is probate?
- VIII. How can I avoid probate?
- IX. Can I disinherit my spouse and children under New York law?
- X. What if I live with my companion but we are not legally married?
- XI. When will I have to worry about owing estate taxes?
- XII. Who will decide what happens to my body after I die?
- XIII. Where should I keep my documents?

## I. What if I become Incapacitated?

- ~ Who will manage my financial affairs?
- ~ Who will make health care decisions for me?
- ~ How will doctors know my wishes for end-of-life care, including artificial nutrition and hydration, medication, organ donation, and my wishes regarding living at home?
- ~ What documents do I need to have in place to avoid the cost and intrusion of a guardianship proceeding?

### A. Durable Power of Attorney

1. Appoints one or more agents to act jointly or separately to make financial decisions for you – for example, to pay your rent, pay your bills, make investment decisions, file tax returns.
2. “Durable” means that the authority for your agent to act continues to be effective even if you become incapacitated.
3. You must specifically authorize your agent to make gifts by executing a separate additional form known as a **Statutory Gifts Rider**. If you do not sign a Statutory Gifts Rider, your agent is limited to making up to \$500 in the aggregate in each calendar year of gifts that you customarily made to individuals and charities. You must specifically authorize an agent to make gifts to him/herself.
4. Best if power of attorney is effective immediately upon signing. Powers of attorney that require proof of incapacity are not recommended. If you are concerned about someone having the power to act before you are incapacitated, perhaps you should reconsider who you are appointing as your agent. It is important to appoint an agent who has integrity and whom you trust to act in your best interests.

### B. Health Care Proxy

1. Designates an agent to make health care decisions for you if you cannot make them yourself.

2. Under New York law, only one person can act at a time as your health care agent. Your agent generally cannot be your attending physician.
3. State law will dictate who has the authority to make health care decisions for you if you do not name an agent. It is particularly important to name a health care agent if you do not want your spouse or children to make these decisions.
4. An agent is to be provided with medical information so that the agent can make necessary health care decisions. Additional health information and information governed by the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) can only be obtained if you sign a HIPAA Authorization form designating health care providers to disclose health care information.

#### **C. Living Will**

Sets forth your wishes regarding resuscitation, heroic measures to be used to be kept alive (e.g. respirator), and artificial nutrition or hydration.

#### **D. Do Not Resuscitate Orders/Cardiopulmonary Resuscitation (CPR) and other Life-Sustaining Treatments/Medical Orders for Life-Sustaining Treatment (MOLST)**

1. The MOLST is a New York State form issued by the Department of Health used to facilitate the communication of medical orders impacting end-of-life care if you have an advanced chronic or serious illness. The MOLST contains specific and actionable medical orders to help physicians and other health care providers discuss and convey your wishes regarding non-hospital cardiopulmonary resuscitation (CPR), Do Not Resuscitate (DNR) and Do Not Intubate (DNI) orders, and other life-sustaining treatment.
2. The MOLST form is a bright pink medical order form that must be signed by certain licensed physicians or nurse practitioners, and by you or your agent, that tells others your medical orders for life-sustaining treatment. All health care professionals must follow these medical orders as you move from one location to another, unless a physician or nurse practitioner examines the patient, reviews the orders, and changes them.

3. When you are at home, a properly executed MOLST form should be kept on the refrigerator, by the phone in the kitchen, or by your bedside so that trained medical personnel can locate it. State law requires a physician to review a non-hospital DNR order and record the review at least every 90 days.

## **II. Do I need a Will?**

A. You need a Will to dispose of property at your death that is in your individual name and that has no designation as to what happens to it at your death.

B. You need a Will to dispose of your tangible personal property, such as jewelry and furniture, at your death.

## **III. Can I write my own Will or print one off the internet?**

A. It is best not to write your own Will or supervise your own Will's execution.

B. Although a Will need not be complicated, the words must be precise so that the court and the parties to the proceeding know what is being disposed of and how it is to be disposed of.

C. New York has four formal requirements for the execution of a Will set forth in Estates, Powers and Trust Law ("EPTL").

1. Will must be signed at the end by the testator;

2. Testator must sign in the presence of at least two witnesses, or acknowledge his or her signature to the witnesses;

3. Testator must acknowledge the document to be his or her Will; and

4. Witnesses must sign the Will as witnesses, preferably at the time the testator signs, but in no event more than 30 days after the testator signs.

5. In addition, best practice is for the witnesses to also sign a self-proving affidavit acknowledged before a notary stating such facts as

would establish the genuineness of the Will, the validity of its execution, and that the testator at the time of execution of the Will was in all respects competent to make a Will and not under any undue influence or duress.

**D. You should only sign ONE Will; you should not sign multiple originals.**

#### **IV. What assets will not pass under my Will?**

- A. Accounts and real property owned jointly with rights of survivorship.
- B. Real property and cooperative shares owned as tenants by the entirety (only applies to married couples).
- C. Property that passes by a beneficiary designation, *i.e.*, life insurance, retirement accounts, and pensions.
- D. Property held “in-trust-for” someone else.
- E. Property held in a transfer on death registration form.

#### **V. What does the executor do?**

- A. Your Will names an executor who is responsible for collecting the assets in your estate, paying debts and expenses, and distributing the estate to those persons that are entitled to it under your Will.
- B. Your named executor has no authority to act until your Will is probated or upon approval by the Surrogate’s Court of an application granting your executor preliminary authority pending probate of your Will (see Topic VII, below).
- C. The person you designate as your executor should be someone who has the practical skills to act. The role can be time-consuming and has the potential for liability if your executor does not handle your estate correctly.
- D. Executor compensation:
  - 1. For receiving and paying out all sums of money not exceeding \$100,000 at the rate of 5%.

2. For receiving and paying out any additional sums not exceeding \$200,000 at the rate 4%.
3. For receiving and paying out any additional sums not exceeding \$700,000 at the rate of 3%.
4. For receiving and paying out any additional sums not exceeding \$4 million at the rate of 2 ½ %.
5. For receiving and paying all sums above \$5 MM at the rate of 2%.

Aggregate compensation is \$34,000 on first \$1 MM.

Aggregate compensation is \$134,000 on first \$5 MM.

## **VI. What happens if I die without a Will?**

- A. New York law determines who receives your assets at death.
- B. The people who inherit are known as distributees.
- C. Order of inheritance if you die without a Will:
  1. If survived by a spouse and no children, the estate passes entirely to the spouse.
  2. If survived by a spouse and children, spouse receives the first \$50,000 plus one-half of your estate, and the children share equally in the remaining one-half. If any children have died before you, the predeceased child's share goes to his or her children (your grandchildren) in equal shares.
  3. If no spouse, no children and no grandchildren, then to parents, and if no parents, to grandparents, and if no grandparents, then to siblings. If any siblings predecease you, the shares of the predeceased siblings are divided among their children (your nieces and nephews).
  4. If none of the above survive you, then one-half is to be divided among aunts and uncles and the children of any predeceased aunts and uncles (your first cousins) on the maternal side, and one-half to

aunts and uncles and the children of any predeceased aunts and uncles on the paternal side. If survived by aunts, uncles and/or cousins on only one side of your family tree, then all to them.

5. Lastly, if none of the above survive you, then to the children of your first cousins (your first cousins-once-removed), with one-half going to those on the maternal side and one-half going to those on the paternal side. If survived by children of first cousins on only one side, then all to them.

## **VII. What is probate?**

A. The process of proving that a Will is valid.

B. New York has solemn form probate, which requires that a Will be admitted to probate only after a formal proceeding in which notice is given to all interested parties.

1. Interested parties generally consist of all people who would inherit under law if decedent died without a Will, *i.e.*, your distributees, as well as any person adversely affected by a codicil to the Will or the probate of a later Will, and the nominated executor.

2. Very little court supervision of estates occurs after your Will is probated.

## **VIII. How can I avoid probate?**

A. Difficult to avoid probate altogether, but use of a revocable trust can help substantially.

B. Often referred to as a “Will substitute,” a revocable trust is a written trust agreement created while you are alive, which generally provides that your property be managed and used for your sole benefit while you are alive, and contains provisions, similar to a Will, that provide how your property is to be distributed as a result of your death.

C. Generally, you are the sole trustee while you are alive and capable of acting. Successor trustees are designated in the event of incapacity and death.

D. Revocable trusts provide NO tax savings.

E. You must re-title your assets (except for retirement accounts or other assets that pass by beneficiary designation or as a result of form of ownership) into the revocable trust during your lifetime. Any assets that are still in your own individual name at death and which do not pass by right of survivorship or beneficiary designation will need to pass through probate.

1. Re-titling your assets involves, among other things, opening new bank accounts in the name of the trustee of the revocable trust, the execution of new deeds transferring real property into the name of the trustee and the issuance of new stock certificates for cooperative shares in the name of the trustee.

2. In order to maintain tax deferral, retirement accounts need to remain in the name of the individual. You can avoid them passing through probate by completing beneficiary designations.

F. Revocable trusts are used by New Yorkers generally to avoid the delay and expense of the probate process and to address privacy concerns. They are particularly useful when you have remote descendants or non-marital children who would require to be located and notified of death and have an opportunity to object to the probate of your Will.

G. Combined with a power-of-attorney and health care proxy, a revocable trust is an effective tool to avoid guardianship in the event of incapacity.

H. You still need a Will if you have a revocable trust. It should be a Will that provides for assets to pass to your revocable trust and distributed in accordance with the terms of your revocable trust. This is generally referred to as a “pour-over” Will.

## **IX. Can I disinherit my spouse and children under New York law?**

A. Unless you and your spouse have entered into a marital agreement (a prenuptial agreement or post-nuptial agreement) addressing rights at death, a surviving spouse has a right to elect against the deceased spouse’s estate in the event of full or partial disinheritance. The election gives the surviving spouse the right to one-third of certain testamentary assets or testamentary substitutes. If you give your spouse a portion of



your assets that does not amount to the required one-third, she can elect against your estate to receive more so she receives the full one-third.

B. Surviving spouse is required to be at least a 50% beneficiary of a deceased spouse's ERISA governed retirement benefit, such as a 401(k) plan.

C. You can disinherit your children.

## **X. What if I live with my companion but we are not legally married?**

A. New York does not have a concept of common law marriage, but it recognizes a valid common law marriage entered into in another state.

B. For same sex couples, a marriage substitute, such as a civil union in another state, registration as domestic partners, or adult adoption will not confer the status of marriage. The U.S. Supreme Court's extension of the rights of same sex couples to heterosexual marriages only applies to actual marriages, not marriage substitutes.

1. As a result, the disposition of property at death by unmarried couples to one another, and the disposition of a single client's property to a non-family member, can only be accomplished through legally binding writings. It is essential that unmarried couples who wish to benefit the surviving partner and single clients have documents (*i.e.*, beneficiary designations for life insurance, IRAs, and other retirement accounts) in place which set forth who is to get their property at death.

2. While New York law voids bequests and beneficiary designations between married couples upon divorce, testamentary and transfer on death gifts between unmarried couples are not voided upon separation of unmarried couples. It is important to review all of your documents if there is a change in your relationship status. If the unmarried couple is no longer together, each must change his or her Will, IRA and life insurance beneficiary designations, joint account designations, *etc.*, in order to avoid the ex-partner from inheriting.

3. Unmarried couples should strongly consider having a revocable trust, which if funded during lifetime, will provide the surviving partner access to the trust funds immediately at death. Otherwise, the

partner will be required to wait until the probate of the Will is complete before he or she can benefit from the deceased partner's assets.

## **XI. When will I have to worry about owing estate taxes?**

You need to have a very large amount of assets or have given away a very large amount of assets during your lifetime in order for your estate to be subject to estate tax. The current exemption from federal estate tax is \$11,180,000 of an individual's combined assets and prior taxable gifts. The current exemption from New York estate tax is \$5,250,000 of an individual's combined assets and certain prior New York taxable gifts (for deaths that occur before 1/1/2019). Real property located outside of New York is not counted as part of your New York taxable estate.

## **XII. Who will decide what happens to my body after I die?**

### **A. What happens if I die alone at home?**

1. Police generally seal your residence if you are the sole occupant and you die at home.
2. Residence is usually not sealed if the occupant dies in the home while under hospice care, or if the occupant dies outside the residence, such as in a hospital, from natural causes.
3. Once your residence is sealed it can only be unsealed by:
  - a. the police department;
  - b. the Public Administrator; or
  - c. a person authorized by an order or decree of the Surrogate's Court.
4. People who the Surrogate's Court will authorize to enter your sealed residence after your death (see **Exhibit A**):
  - a. If your estate is greater than \$30,000, your executor (if you die with a Will) or your administrator (if you die without a Will), upon his or her appointment by the Court.

b. If your estate has a gross value of \$30,000 or less, an executor named under a Will, or if you have no Will, your closest blood relative(s), can be appointed the “voluntary” fiduciary of your estate and be granted access to your residence. The process is simpler and less formal than probating a Will or getting an administrator appointed.

c. If a person is an heir or an executor or beneficiary under a Will, such person can petition to search the sealed residence for a Will, insurance policy, cemetery deed, or to see what is inside (inventory). The Court may issue an order permitting temporary access to the residence by such person with a police officer present. Nothing, however, can be removed other than the 3 items mentioned.

5. The Public Administrator, which is an agency of the City of New York, may enter your residence if the death is reported to it and there is nobody else eligible or willing to administer your estate. Upon entering, the Public Administrator’s investigators will search for a Will and other important documents such as bank account statements, and safeguard jewelry and cash.

6. Even though you are deceased, your landlord is not permitted to enter your residence after your death. The landlord may only enter on the permission of your estate executor/administrator or by court order. If there is no estate fiduciary, or if your estate fiduciary refuses to release the apartment back to the landlord, your landlord needs to bring an eviction proceeding against either your heirs or the executor/administrator of your estate.

7. Any property removed by police for safekeeping will be “vouchered” at the local precinct and stored there for a short period of time. If the property is not claimed, the police turn it over to the Public Administrator. The estate fiduciary appointed by the court can claim your “vouchered” property from the police department or the Public Administrator by providing proof of his/her appointment and photo identification.

B. What if I want to donate my organs?

1. An anatomical gift of all or any part of a body for any purpose may be made by any individual of sound mind who is at least 18 years of age. The gift is effective at death.
2. For potential donors, the New York Public Health Law contemplates that a gift of the organs, tissues, and eyes may be made for a number of different purposes as you specify, such as for science, research, medical teaching and education, and transplantation. A gift may be made either to a specified donee (*i.e.*, to an individual in need of a transplant) or without specifying a donee. If the gift is made to a specific donee, delivery of the document to the donee is not necessary to validate the gift.
3. Although there are many options for effecting the gift, the surest method is the first option listed below, which is to enroll in the New York State Department of Health Donate Life Registry. The following documents can be used to make organ and tissue donations:
  - a. Donate Life Registry. You may enroll in the New York State Department of Health Donate Life Registry on line at [www.nyhealth.gov](http://www.nyhealth.gov) or [www.donatelifeny.org](http://www.donatelifeny.org). In order to donate, you must complete a form including your name, address, certain demographics, birthdate, gender, eye color, and height. It also requires your driver's license ID number.
  - b. Will. You may make a gift of all or part of the body in a Will, which gift becomes effective upon your death. If the Will is presented as evidence of your direction, the Will can be acted on if such actions are taken in good faith. If the Will is not actually probated or if it is declared invalid for testamentary purposes, the gift, to the extent that it has been acted upon in good faith, is nevertheless valid and effective.
  - c. Organ Donor Card or Driver's License. You may make a gift using a card or other form of documentation "designed to be carried on the person." This would include an organ donor card or driver's license. This card or other document must be signed by you. It is not necessary for this form of documentation to be either witnessed or notarized. It is also not necessary for the

document to be delivered to the donee of the gift prior to death in order to be effective.

d. Voter Registration. You may complete an organ donation form when you register to vote in New York. You must sign and date this form. Completing this form authorizes the Board of Elections to provide your name and identifying information to the Department of Health for enrollment in the *Donate Life Registry*.

e. Living Will. Your living will, which must be signed by the individual before two witnesses and signed by the two witnesses, may indicate your wish to donate organs.

f. Health Care Proxy. Your health care proxy may indicate your wish to donate organs. The New York health care proxy must be signed by the individual before two witnesses and signed by the two witnesses. The failure to include specific instructions advising the agent of a wish to donate organs is not to be construed to imply a wish not to donate. If an individual has not specifically made a gift in a document, the agent for the individual has the priority to authorize consent to organ and tissue donation.

C. Who will control the disposition of my remains?

1. You may execute a document appointing an agent to control the disposition of your remains. See ***Exhibit B***.

2. The person given control of the disposition of your remains can also be given authority to consent to organ or tissue donation (though a health care agent would have priority). Failure to state wishes in the disposition of remains document or other instructions is not to be construed to imply a wish not to donate.

3. You can sign a document giving specific instructions regarding where you want to be buried or whether you want to be cremated and what is to happen to your ashes. Best practice is not to use a Will for this purpose.

4. If you do not designate someone to dispose of your remains, New York law sets forth the persons who can make the decision.

### **XIII. Where should I keep my documents?**

- A. Certain important information should be maintained and updated on a regular basis and accessible to someone you trust. See ***Exhibit C***.
- B. You should keep certain information in an envelope on your refrigerator so it is accessible to everyone, including the police or other person who might enter your home if you are unconscious. See ***Exhibit D***.
- C. You should give your health care proxy to your primary physician or other medical doctor caring for you. Often, you will sign more than one duplicate original health care proxy so that you can give one to each of your doctors. You can also give one to each of the named health care agents.
- D. Your Will and other documents should be kept in a safe and secure location and accessible by someone you trust. Your Will should not be kept in a safe deposit box.
- E. You can leave your Will with the attorney who prepared it, or file it in Surrogate's Court.

# EXHIBIT A

## NEW YORK COUNTY SURROGATE'S COURT

31 Chambers St • New York, NY 10007 • Monday-Friday, 9am-5pm • [nycourts.gov/forms/surrogates](http://nycourts.gov/forms/surrogates)

**Has the Police Dept sealed your deceased loved one's residence or invoiced property?  
What you will need and which offices can help you access the residence and retrieve the property**

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- a. **If** • The value of the estate is \$30,000 or less [*see ▼*] **and**
- There is no Will and you are a distributee/heir [*see ■*] **or**
  - There is an original Will and you are named in it:

Administration Dept • Room 505 • (646) 386-5005  
Application: [Small Estates/Voluntary Administration](#)  
(*see Voluntary Administration Checklist or DIY Form*)

Necessary documents:  
• Original certified death certificate (cannot be returned)  
• Original Will, if any  
• Copy of [police property clerk](#) invoice(s), if any

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- b. **If** • The value of the estate is more than \$30,000 [*▼*] **and**
- There is no Will and you are a distributee/heir [*■*]:

Administration Dept • Room 505 • (646) 386-5005  
Application: [Petition for Letters of Administration](#)  
(*see Administration Proceeding Checklist*)

Necessary documents:  
• Original certified death certificate (cannot be returned)  
• Copy of [police property clerk](#) invoice(s), if any

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- c. **If** • The value of the estate is more than \$30,000 [*▼*] **and**
- There is a Will and you are named in it:

Probate Dept • Room 504 • (646) 386-5004  
Application: [Petition for Probate](#)  
(*see Probate Proceeding Checklist*)

Necessary documents:  
• Original certified death certificate (cannot be returned)  
• Decedent's Will

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d. **If** • You need to search the sealed residence for a Will, insurance policy, cemetery deed, or to see what is inside (inventory), the court may issue an order permitting temporary access to the residence with a police officer present; nothing can be removed other than the 3 items mentioned above [*death certificate not required; see below*]:

Miscellaneous Dept • Room 507 • (646) 386-5001  
Application: Petition to Search Premises

Necessary document: Copy of death certificate or police dept, medical examiner or funeral home issued paper(s) indicating decedent's date of death & address

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e. **If** • You are not a distributee/heir **and** do not know of a Will **and** there is no one else willing or able to administer the estate **or** there are no known distributees, the Public Administrator may be able to access the residence, retrieve invoiced property, and distribute it to those persons entitled to it under law.

Public Administrator of New York County • Room 311 • (212) 788-8430 • [nycountypa.com](http://nycountypa.com)

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**▼** What counts as part of the estate? Decedent's property/assets without a joint owner or named beneficiary.

**■** Who are the distributees/heirs? (*Nearest group only, in order*) **1<sup>st</sup>**: spouse, children, children of predeceased children **2<sup>nd</sup>**: parents **3<sup>rd</sup>**: siblings, children of predeceased siblings **4<sup>th</sup>**: grandparents **5<sup>th</sup>**: aunts-uncles, children of predeceased aunts-uncles (first cousins) **6<sup>th</sup>**: children of predeceased first cousins (first cousins once removed).

• **How to file the application:** In person (recommended) or by messenger before 3:30pm, or by mail.

• **What you will receive when your application ([a], [b] or [c] above) is complete:**

Certificates or Letters authorizing you to retrieve the property and get unrestricted access to the residence.

(5/17)

# EXHIBIT B

NEW YORK STATE DEPARTMENT OF HEALTH  
Bureau of Funeral Directing

## Appointment of Agent to Control Disposition of Remains

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I, \_\_\_\_\_  
(Your name and address)

being of sound mind, willfully and voluntarily make known my desire that, upon my death, the disposition of my remains shall be controlled by

\_\_\_\_\_  
(name of agent)

With respect to that subject only, I hereby appoint such person as my agent with respect to the disposition of my remains.

### SPECIAL DIRECTIONS:

Set forth below are any special directions limiting the power granted to my agent as well as any instructions or wishes desired to be followed in the disposition of my remains:

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Indicate below if you have entered into a pre-funded pre-need agreement subject to section four hundred fifty-three of the general business law for funeral merchandise or service in advance of need:

- No, I have not entered into a pre-funded pre-need agreement subject to section four hundred fifty-three of the general business law.
- Yes, I have entered into a pre-funded pre-need agreement subject to section four hundred fifty-three of the general business law.

\_\_\_\_\_  
(Name of funeral firm with which you entered into a pre-funded pre-need funeral agreement to provide merchandise and/or services)

### AGENT:

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Telephone Number)

SEE OTHER SIDE ►



**SUCCESSORS:**

If my agent dies, resigns, or is unable to act, I hereby appoint the following persons (each to act alone and successively, in the order named) to serve as my agent to control the disposition of my remains as authorized by this document:

1. First Successor: \_\_\_\_\_  
(Name)  
\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
(Telephone Number)

2. Second Successor: \_\_\_\_\_  
(Name)  
\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
(Telephone Number)

**DURATION:**

This appointment becomes effective upon my death.

**PRIOR APPOINTMENT REVOKED:**

I hereby revoke any prior appointment of any person to control the disposition of my remains.

Signed this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
(Signature of person making the appointment)

**Statement by witness (must be 18 or older):**

I declare that the person who executed this document is personally known to me and appears to be of sound mind and acting of his or her free will. He or she signed (or asked another to sign for him or her) this document in my presence.

Witness 1: \_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Address)

Witness 2: \_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Address)

**ACCEPTANCE AND ASSUMPTION BY AGENT:**

- 1. I have no reason to believe there has been a revocation of this appointment to control disposition of remains.
- 2. I hereby accept this appointment.

Signed this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
(Signature of Agent)

## EXHIBIT C

### IMPORTANT PERSONAL INFORMATION (TO BE KEPT IN A PRIVATE AND SECURE LOCATION)

\* \* \* \* \*

<b>Date:</b>
<b>Name:</b>
<b>Address:</b>
<b>Date of Birth:</b>
<b>Social Security #:</b>
<b>Who to Contact:</b>
<b>Relationship:</b>
<b>Medical Doctor:</b>
<b>Allergies:</b>
<b>Hospital of Choice:</b>
<b>Health Care Proxy: Yes <input type="checkbox"/> No <input type="checkbox"/></b> <b>If yes, where located:</b>
<b>Living Will: Yes <input type="checkbox"/> No <input type="checkbox"/></b> <b>If yes, where located:</b>
<b>Will: Yes <input type="checkbox"/> No <input type="checkbox"/></b> <b>If yes, where located:</b>

<b>Location of House Keys and Other Keys:</b>
<b>Location of Important Papers:</b>
<b>Marital Status:</b> Never Married <input type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed <input type="checkbox"/>
<b>Spouse:</b> Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Contact Information For Spouse (if applicable):</b>
<b>Ex-Spouse(s) (if applicable):</b>
<b>Mother's Maiden Name:</b>
<b>Father's Name:</b>
<b>Marriage Certificate:</b> Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, where located:
<b>Divorce Papers:</b> Yes <input type="checkbox"/> No <input type="checkbox"/> Have you or your spouse filed for divorce? Are you divorced? Where is copy of divorce decree?
<b>Lawyer Used in Divorce:</b>
<b>Children:</b> Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Contact Information For Children (if applicable):</b>
<b>Hidden Valuables:</b> Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, where located:
<b>Bank Accounts:</b>

**Passwords and User Names for:**

**Online Accounts:**

**Bank Cards:**

**Other Accounts:**

**Safe Deposit Box: Yes  No**

**If yes, where located:**

**Location of Key/Combination:**

**Home Safe : Yes  No**

**– Location of Key/Combination:**

**Post Office Box: Yes  No**

**– Location of Key/Combination:**

**Pets: Yes  No**

**Pet Medications:**

**Veterinarian:**

**Person to contact to care for Pets:**

**Car: Yes  No**

**Where is car parked?**

**Home Owners Insurance: Yes  No**

**Car Insurance: Yes  No**

**Life Insurance: Yes  No**

**Long-Term Care Insurance: Yes  No**

**Funeral Arrangements: Yes  No**

<b>Prearrangement/Prepayment: Yes <input type="checkbox"/> No <input type="checkbox"/></b>
<b>Funeral Home to Contact:</b>
<b>Disposition of Remains, Designation of Agent: Yes <input type="checkbox"/> No <input type="checkbox"/></b>
<b>Organ Donation: Yes <input type="checkbox"/> No <input type="checkbox"/></b>
<b>Donation of Body for Medical Research: Yes <input type="checkbox"/> No <input type="checkbox"/></b>
<b>Cremation: Yes <input type="checkbox"/> No <input type="checkbox"/></b>
<b>Religious Affiliation, if any:</b>
<b>Clergy:</b>

## EXHIBIT D

### IMPORTANT INFORMATION IN THE EVENT OF DEATH, INCAPACITY, EMERGENCY, OR CATASTROPHE (TO BE KEPT IN AN ENVELOPE ON YOUR REFRIGERATOR)

\* \* \* \* \*

<b>Date:</b>
<b>Name:</b>
<b>Address:</b>
<b>Date of Birth:</b>
<b>Who to Contact:</b>
<b>Relationship:</b>
<b>Medical Doctor:</b>
<b>Allergies:</b>
<b>Hospital of Choice:</b>
<b>Health Care Proxy: Yes <input type="checkbox"/> No <input type="checkbox"/></b> <b>If yes, where located:</b>
<b>Living Will: Yes <input type="checkbox"/> No <input type="checkbox"/></b> <b>If yes, where located:</b>
<b>Will: Yes <input type="checkbox"/> No <input type="checkbox"/></b> <b>If yes, where located:</b>
<b>Location of House Keys and Other Keys:</b>

<b>Marital Status: Never Married <input type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed <input type="checkbox"/></b>
<b>Spouse: Yes <input type="checkbox"/> No <input type="checkbox"/></b>
<b>Contact Information For Spouse (if applicable):</b>
<b>Children: Yes <input type="checkbox"/> No <input type="checkbox"/></b>
<b>Contact Information For Children (if applicable):</b>
<b>Pets: Yes <input type="checkbox"/> No <input type="checkbox"/></b>
<b>Medications:</b>
<b>Veterinarian:</b>
<b>Person to contact to care for Pets:</b>
<b>Funeral Arrangements: Yes <input type="checkbox"/> No <input type="checkbox"/></b>
<b>Prearrangement/Prepayment: Yes <input type="checkbox"/> No <input type="checkbox"/></b>
<b>Funeral Home to Contact:</b>
<b>Disposition of Remains, Designation of Agent: Yes <input type="checkbox"/> No <input type="checkbox"/></b>
<b>Organ Donation: Yes <input type="checkbox"/> No <input type="checkbox"/></b>
<b>Donation of Body for Medical Research: Yes <input type="checkbox"/> No <input type="checkbox"/></b>
<b>Cremation: Yes <input type="checkbox"/> No <input type="checkbox"/></b>
<b>Religious Affiliation, if any:</b>
<b>Clergy:</b>