

## Trust Review: Revise, Restate or Revoke?

You have a Revocable Trust that was executed years ago. Now you wonder if it is up to date. Should you have it reviewed to be assured it will operate now as you envisioned it when you first had it done? How often should you review your Trust? The following questions will help you decide when you should have your Trust reviewed and if a Trust Restatement is advisable. Reviewing your Trust, Pour Over Will, Advance Health Care Directive and Power of Attorney will ensure that you and your loved ones will be prepared should something happen to you.

### Estate Plan Review

- Were your Trust and Estate Planning documents executed more than 3 years ago?
- Do your existing Estate Planning documents continue to reflect your wishes?
- Have you recently changed jobs or retired?
- Have you recently bought or sold any Real Estate, Mutual Funds, Life Insurance, Stocks or Bonds?
- Have you recently received any inheritance, or been divorced, married or remarried?
- Do you have any new children or grandchildren or have any children or grandchildren passed away?

### Revocable Trust

- Do you have an AB or ABC Trust?
- Has you or your spouse become incapacitated or passed away?
- Have you changed your mind about how your estate will be distributed?
- If you gave to a charity, do you wish to change distribution to them or do you wish to remove them?
- Have you decided to change any beneficiaries or have any passed away?
- Have any Successor Trustee become unwilling or unable to serve or have they passed away?

### Power of Attorney (POA)

- Does your POA continue to reflect your wishes?
- Have any Agents become unwilling or unable to serve or passed away?
- Have you decided to name a new Agent?
- Have you moved from or into a new state since your POA was executed?
- Does your POA require a Doctor declaration of incapacity?
- Have you recently changed your Doctor?
- Is there HIPAA/CMIA language included in your POA?

### Pour Over Will (POW)

- Does your Will continue to reflect your wishes?
- Have any Executors become unwilling or unable to serve or have they passed away?
- Have you moved from or into a new state since your Will was executed?
- Have you decided to change any distribution wishes?
- If you have minor children, does your Will have a Guardian named?
- If you named a Guardian, have you changed your mind about who you chose?

### Advance Health Care Directive (AHCD)

- Does your AHCD continue to reflect your wishes?
- Have you changed any of your End-of-Life Decisions?
- Have you recently changed your Doctor?
- Do you have a standalone HIPAA Release allowing your Agent access to your medical records?
- Have you moved from or into a new state since your AHCD was executed?
- Have any Agents become unwilling or unable to serve or have they passed away?
- Is there HIPAA/CMIA language included in your AHCD?

If you answer yes to 3 or more of the above questions, contact [Afsar Estate Planning](#) to have your Trust reviewed. Once we review the Trust, we will advise if it should be revised, restated or revoked. A Trust Restatement will bring your Trust up to date with your wishes and current law. It will not require you to change any existing account names, deeds or title information; they will remain the same as they are now. You should review this list every 3 years to ensure that your Estate Plan is up to date.