

If Something Happens to Me

A practical starting guide to incapacity, estate, and life-continuity planning

Educational planning resource - not legal, tax, financial, or medical advice. Laws and terminology vary by state. Use this guide to organize your thinking and bring informed questions to qualified professionals.

Why this matters

Planning is not only about death. A serious accident, surgery, stroke, cognitive decline, or even a long recovery can leave family members trying to manage bills, medical decisions, digital accounts, housing, business obligations, and personal wishes without a map.

The goal of this kit is simple: make the important decisions while you can, document them clearly, and make sure the right people know where to begin.

Start with five questions

1. Who should make medical decisions if I cannot?

2. Who should manage money and legal matters if I cannot?

3. Who should settle my estate after I die?

4. Where can someone find the information, documents, accounts, passwords, and instructions they will need?

5. What does a good outcome look like for me if I become seriously ill or dependent on care?

The four situations to plan for

Situation	What matters most
Healthy and capable	You remain in control; keep documents and information current.
Temporary incapacity	Use the least intrusive help necessary; avoid irreversible decisions if recovery is likely.
Long-term incapacity	Protect autonomy, quality of life, housing, finances, and continuity.
Death	Give executors and family a clear, organized path to settle affairs and preserve what matters.

Use this kit in this order

- Read the Key Documents, Roles & Definitions guide.
- Review the What Happens If... scenario chart.
- Complete the Personal Continuity Inventory.

- Use the Family Conversation Agenda with the people you may ask to help.
- Complete the Document & Preparedness Checklist.
- Use the Attorney Meeting Preparation Sheet before meeting counsel.
- Review everything annually and after major life changes.

A few important principles

- A will does not avoid probate; it tells the probate court how you want your probate estate handled.
- A will does nothing while you are alive. Incapacity planning requires separate authority.
- Beneficiary designations and jointly owned assets may pass outside your will.
- The best medical decision-maker may not be the best financial agent or executor.
- Do not put frequently changing passwords or detailed account lists in your will.
- Use a password manager and a separate continuity inventory instead.
- Planning should support your own quality of life and autonomy, not merely preserve an inheritance.

Where to keep this

Keep the working copy somewhere easy to update. Tell at least one trusted person where the originals of legal documents are stored and where your continuity inventory can be found. Avoid putting passwords directly into a paper binder unless you have made an intentional security choice.

Key Documents, Roles & Definitions

Plain-English explanations of what each document and role does - and why it matters

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Last Will and Testament

What is it?	Directs how probate property should be distributed after death and nominates an executor.
Why is it important?	Without a valid will, state intestacy law decides who receives probate property. A will can simplify administration by giving the court and family clear instructions, but it does not avoid probate.
Key role	Executor
Good fit	Organized, honest, persistent, able to work with professionals and keep records.

Power of Attorney (POA)

What is it?	Authorizes another person to handle specified financial and legal matters while you are alive.
Why is it important?	Without effective financial authority, family may be unable to pay bills, manage accounts, handle property, or act on business matters during incapacity without court involvement.
Key role	Agent / attorney-in-fact
Good fit	Trustworthy, financially responsible, detail-oriented, willing to document decisions.

Health Care Proxy / Medical Power of Attorney

What is it?	Names the person who can make medical decisions when you cannot.
Why is it important?	It gives clinicians a legally recognized decision-maker instead of forcing family to guess who has authority.
Key role	Health care agent
Good fit	Understands your values, stays calm under pressure, communicates well, and can advocate.

Living Will / Advance Health-Care Directive

What is it?	States treatment preferences and values for situations in which you cannot communicate.
Why is it important?	It gives your health-care agent guidance in situations you may never have discussed in detail.
Key role	Guides the health care agent

Good fit	Should express values and decision standards, not try to predict every medical scenario.
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HIPAA Authorization

What is it?	Allows specified people to receive or discuss protected medical information.
Why is it important?	It can help family or trusted people communicate with providers even before they have formal decision-making authority.
Key role	Authorized person(s)
Good fit	People who may need information to help coordinate care.

Appointment for Disposition of Remains

What is it?	Names the person who has authority to carry out instructions for remains, cremation, burial, or related arrangements.
Why is it important?	It reduces uncertainty and family conflict at a time when decisions may need to be made quickly.
Key role	Disposition agent
Good fit	Practical, available, emotionally able to carry out your wishes.

Revocable Living Trust

What is it?	Holds assets under trust terms while the creator generally retains control and the ability to change the trust.
Why is it important?	It can help with management during incapacity and may reduce probate for assets actually transferred into the trust, but it is not automatically necessary for everyone.
Key role	Trustee / successor trustee
Good fit	Reliable, administratively capable, and able to follow the trust terms.

Beneficiary Designations

What is it?	Direct who receives certain retirement accounts, insurance proceeds, or other designated assets at death.
Why is it important?	These designations can control independently of the will, so outdated beneficiaries can defeat an otherwise careful estate plan.
Key role	Beneficiary
Good fit	The intended recipient; review after major life events.

Common roles

Role	What it does	What to look for
Executor	Administers the probate estate after death.	Organization, honesty, stamina, recordkeeping, willingness to deal with courts and professionals.
Financial agent / attorney-in-fact	Acts under a POA while you are alive.	Trust, judgment, recordkeeping, responsiveness. This person does not need to be a lawyer.
Health care agent	Makes medical decisions when you lack capacity.	Understands your values; can tolerate uncertainty and pressure; can communicate and advocate.
Trustee	Manages assets held in trust according to the trust terms.	Integrity, administrative competence, impartiality and patience.
Successor / alternate agent	Steps in when the first-choice person cannot or will not serve.	Should independently be capable of doing the job.
Local coordinator	Practical role: visits, communicates observations, locates documents, helps distant family.	Proximity, reliability, good communication. Formal legal authority is optional.
Daily money manager	Professional help with bill payment, account organization, reconciliations and paperwork.	Useful when family wants oversight but not routine administration.
Creative / IP manager	Handles licensing, archives, releases, copyrights or artistic decisions when specialized assets exist.	Subject-matter judgment; may be different from the person who receives the economic interest.
Guardian	Court-appointed decision-maker when advance arrangements are absent or insufficient.	A fallback, not usually the preferred first-line plan.

Terms that commonly cause confusion

Term	Plain-English meaning
Probate	Court process for validating a will and authorizing estate administration.
Probate asset	Property that passes through the estate rather than by another transfer mechanism.
Non-probate asset	Property that passes by beneficiary designation, joint ownership, trust, or similar mechanism.
Principal	The person who grants authority under a POA.
Agent / attorney-in-fact	The person authorized under a POA; not necessarily a lawyer.
Fiduciary	Someone legally obligated to act for another person's benefit and follow applicable duties.
Capacity	Ability to understand and make the relevant decision; it can vary by decision and over time.
Durable	Authority that continues despite later incapacity, where applicable.
Springing / contingent	Authority intended to become effective after a defined future event.
Per stirpes	A common inheritance method under which a deceased beneficiary's share generally passes down that beneficiary's family line.
Medicare	Federal health insurance. It is not a general long-term custodial-care program.
Medicaid	Means-tested public coverage that may pay for qualifying long-term-care services; eligibility rules are state-specific and time-sensitive.

What Happens If...

A quick-reference chart for incapacity, recovery, long-term care, and death

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Situation	Primary goal	Immediate priorities	Avoid
Healthy and capable	You remain in control.	Keep documents current; review beneficiaries; maintain continuity inventory.	Do not shift control because of age alone.
Short hospitalization; mentally capable	Accept practical help at your direction.	Keep bills and logistics moving; retrieve documents if needed.	Do not sell assets or make irreversible decisions.
Temporary incapacity	Use the least intrusive help necessary, with recovery in mind.	Health-care agent handles medical decisions; POA agent handles essential finances; local helper coordinates.	Avoid permanent housing, investment, or business decisions unless clearly necessary.
Weeks or months of recovery	Return control as capacity returns.	Use paid help where useful; keep cash flow and care organized; reassess treatment.	Do not assume temporary limitations are permanent.
Prolonged physical incapacity; cognition intact	Preserve autonomy and quality of life.	Bring services to the person where feasible; use professional financial help if useful.	Do not prioritize inheritance over care and independence.

What Happens If... (continued)

Situation	Primary goal	Immediate priorities	Avoid
Significant cognitive decline	Protect safety, dignity, finances, and continuity.	Activate appropriate legal agents; simplify finances; arrange care; protect from error or fraud.	Do not prolong burdensome treatment solely because it is technically possible.
Assisted living or memory care becomes necessary	Move when the current home is no longer safe or workable.	Compare care quality and cost; manage property and contracts; use assets for the person's own care.	Do not keep property merely to preserve an inheritance.
Death	Make the process orderly and preserve important information and assets.	Locate originals; contact executor and attorney; secure property and devices; preserve data before deleting anything.	Do not immediately close every account or erase devices.
Family disagreement or unclear decision	Use the person's documented values as the standard.	Consult the controlling document, legal agent, clinicians and counsel as appropriate.	Do not let convenience, guilt, hierarchy, or inheritance substitute for stated wishes.

Family Conversation Agenda

A calm, practical way to discuss roles before anyone is in a crisis

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Suggested opening

"Nothing is wrong. I am doing this while I am healthy and able to make thoughtful decisions so that, if something ever happens, nobody has to figure my life out from scratch."

1. Executor role

Would you be willing to help settle my estate after death? What would make the role manageable?

2. Health-care decisions

Would you be willing to make medical decisions if I cannot? Would you want another family member or local person involved?

3. Financial authority

Would you be willing to hold a POA role? Would you prefer a professional to handle routine bill-paying while you retain oversight?

4. Local coordination

Who can physically check on me, enter my home, communicate with providers, and report accurately to distant family?

5. Temporary vs. long-term incapacity

When should help begin? What decisions should wait if recovery is likely?

6. Quality-of-life preferences

What does a meaningful recovery look like to me? When would comfort become more important than continued aggressive treatment?

7. Housing and care

Where do I hope to live as I age? Under what conditions would a move become reasonable?

8. Business / professional obligations

If I own a business or practice, should it continue temporarily, be sold, or wind down? Who knows how it operates?

9. Digital life

Where are credentials stored? What should be preserved, memorialized, transferred, or deleted?

10. What have I missed?

What worries you? What role would you not want? What would make this easier for you?

End with

"You do not have to accept a role you do not want. I would rather know that now and choose someone else than leave you with an obligation you never agreed to."

Personal Continuity Inventory

A map of the information someone would need if you could not manage your own affairs

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A. Identity & Immediate Contacts

Full legal name

Preferred name

Date of birth

Home address

Primary phone

Primary personal email

Primary emergency contact

Attorney / law firm

B. Medical

Health insurance / Medicare information

Primary doctor or most-used physician

Specialists

Medication list location

Health Care Proxy location

Living Will / directive location

Preferred hospital / health system

C. Home & Housing

Residence type / ownership

Mortgage or rent servicer

Building / HOA / co-op contact

Utilities

Who has a key / access method

Home insurance

Pet care instructions

D. Banking & Cash Flow

Primary checking institution

Secondary checking / savings

Primary credit card

Regular income sources

Major recurring expenses

Automatic payments

Where statements are stored

E. Investments & Retirement

Brokerage accounts

Traditional retirement accounts

Roth accounts

Pensions / annuities

Beneficiary records location

Investment-management approach

F. Taxes & Recordkeeping

Who prepares taxes

Tax software / accountant

Location of recent returns

Business tax records

Estimated tax schedule

Basis / property-improvement records

G. Digital Access

Password manager

Emergency-access status

Primary email control account

Phone unlock method

MFA / authenticator method

Cloud storage

Device recovery keys location

Backup method

H. Online Accounts & Social Media

Major social media

Cloud photo / video storage

Subscriptions

Domain registrars

Websites

Streaming / creator accounts

Desired memorialize / preserve / delete instructions

I. Business / Professional

Business name and structure

Business bank

Accounting system

Client / customer roster

Key vendors

Critical systems

Backup support person / company

Continue / sell / wind-down preference

J. Insurance & Benefits

Life insurance

Disability insurance

Long-term care insurance

Health / supplemental coverage

Other policies

Policy documents location

K. Physical & Sentimental Property

Vehicles

Jewelry / valuables

Artwork

Family photographs / archives

Musical / creative equipment

Items promised to specific people

Donation / disposal preferences

L. Creative / Intellectual Property

Copyrighted works

Royalty accounts

Publishing / distribution

Masters / source files

Licensing agreements

Archival material

Who should manage decisions

Disposition / legacy wishes

M. Funeral / Remains / Memorial

Burial / cremation / other preference

Disposition agent

Funeral home / provider if selected

Religious / cultural wishes

Memorial preferences

Obituary / notification wishes

Do not store passwords here unless you intentionally choose to.

Use this inventory to point to the secure location where credentials and originals can be found.

Document & Preparedness Checklist

Track what you have, what needs work, and where the current version lives

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Item	Purpose	Have	Need	Review	Location / notes
Last Will and Testament	After-death distribution and executor nomination	☐	☐	☐	
Power of Attorney	Financial/legal authority during life	☐	☐	☐	
Health Care Proxy / Medical POA	Medical decision-maker	☐	☐	☐	
Living Will / Advance Directive	Treatment values and preferences	☐	☐	☐	
HIPAA Authorization	Medical-information access	☐	☐	☐	
Disposition of Remains Appointment	Authority for remains / cremation / burial	☐	☐	☐	
Beneficiary Designations	Retirement, insurance and other designated assets	☐	☐	☐	
Trust documents, if any	Trust ownership / administration	☐	☐	☐	
Personal Continuity Inventory	Accounts, contacts, systems and instructions	☐	☐	☐	
Password Manager Emergency Access	Secure credential continuity	☐	☐	☐	
Digital / Social Media Instructions	Preserve, memorialize, transfer or delete	☐	☐	☐	
Business Continuity Plan	Keep operating, sell or wind down	☐	☐	☐	
Pet Care Instructions	Immediate and long-term care	☐	☐	☐	
Property / Housing Records	Deed, lease, co-op/HOA, mortgage, insurance	☐	☐	☐	
Tax Records	Returns, basis, business records	☐	☐	☐	
Creative / IP Instructions	Copyrights, royalties, archives, licensing	☐	☐	☐	
Funeral / Memorial Preferences	Practical wishes and contacts	☐	☐	☐	

Attorney Meeting Preparation

Do the thinking before the meter starts

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1. Goals

What are the three most important outcomes I want from this plan?

Is preserving an inheritance important, secondary, or not a goal?

How important are simplicity, privacy, probate avoidance, tax planning, asset protection, or long-term-care planning?

2. Family & beneficiaries

Who should inherit? In what proportions?

What should happen if a beneficiary dies before me?

Should young beneficiaries receive assets outright or in trust?

Are there family circumstances the attorney should know about?

3. Fiduciaries

Who should serve as executor?

Who should hold financial Power of Attorney?

Who should serve as health care agent?

Who should serve as alternates?

Should any role be handled by a professional instead of family?

4. Incapacity

When should financial authority begin?

What decisions should be limited during temporary incapacity?

Who can coordinate locally if decision-makers live far away?

What professional help should an agent be allowed to hire?

5. Medical preferences

What does an acceptable quality of life mean to me?

Do I want time-limited trials of treatment with reassessment?

When would I prefer comfort-focused care?

How much discretion should my health care agent have for new treatments that did not exist when I signed the directive?

6. Housing & long-term care

Do I want to age in place?

When would a move become acceptable or necessary?

Should I consider long-term-care or Medicaid planning?

Would a trust improve my own flexibility/care or mainly preserve assets for heirs?

7. Non-probate assets

Which assets pass by beneficiary designation or joint ownership?

Are beneficiary designations current and coordinated with the will?

Are there accounts that should be retitled or simplified?

8. Business / professional interests

What happens if I cannot operate my business for 30, 60, or 180 days?

Who has authority to continue, sell, or wind it down?

Are credentials, client records, contracts, and billing processes documented?

9. Digital & creative assets

Who can access devices, email, cloud storage, password manager and digital accounts?

What should be preserved, transferred, memorialized, or deleted?

Do copyrights, royalties, publishing, licensing, domains, or creative archives require special treatment?

10. Questions requiring legal judgment

Which existing documents need replacement rather than amendment?

What state-specific execution formalities matter?

What tax, trust, Medicaid, housing, business, or IP issues require specialized advice?

What have I not asked that the attorney thinks I should?

Annual Review Checklist

Once the foundation is built, keep it current with a short yearly review

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Review every year and after major life events: marriage, divorce, birth/adoption, death, move, retirement, major diagnosis, business sale, major asset change, or significant relationship change.

- ☐ Will still reflects my intended beneficiaries and executor.
- ☐ Power of Attorney agents are still appropriate and willing.
- ☐ Health care agent and alternates are still appropriate and willing.
- ☐ Living Will / treatment preferences still reflect my values.
- ☐ Beneficiary designations were reviewed.
- ☐ Continuity Inventory reflects current institutions, accounts and contacts.
- ☐ Password manager emergency access was tested or reviewed.
- ☐ Phone / MFA recovery methods are current.
- ☐ Important originals are still where my trusted people expect them to be.
- ☐ Business / professional continuity plan is current.
- ☐ Digital, social media, domain and subscription inventory is current.
- ☐ Creative / intellectual-property records are current.
- ☐ Housing, care and long-term-care assumptions still make sense.
- ☐ Attorney, tax and financial contacts are current.
- ☐ At least one trusted person knows where to start.

Review date: _____ Next review date: _____

Changes / follow-up: