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Help your heirs by writing a letter of instruction

An updated estate plan is important for everyone who is 18 years or older. However, there is a lot of information that your family and executors will need that does not fit into a traditional Will. The solution to this, according to an article in Elder Law Answers (“[A letter of instruction can spare your heirs great stress](#)”), is a simple letter of instruction. This is a legally non-binding document that can give your heirs crucial information that will make estate administration, or even caring for an incapacitated person, much easier.

Many people prepare a list of personal items and how they should be distributed after death. A letter of instruction takes this list to another level. Some items that can be included in such a letter are a list of persons you wish to have contacted when you die, including professional organizations or other organizations to which you belong. The location of important documents is extremely helpful, as well as a list of assets, and what financial institutions you use, or financial advisors that you may consult for investments. In addition, names of tax preparers, insurance agents, your lawyer, and your broker can make wading through your financial life so much easier for someone coming in after you are deceased or if your loved one must arrange for public benefits for your care. It is becoming increasingly common for people to conduct much of their business online; providing a list of passwords and PINs can be invaluable as we choose to go paperless more frequently. The location of your safe deposit box can make it easier for your executor, as well as instructions for your burial and funeral services. Listing your credit cards and debt will relieve your heirs of some detective work, especially if you pay all your bills online. You can even write a personal message to family and friends.

A few years ago, an article appeared in The Wall Street Journal where various estate planning attorneys were interviewed regarding “The Mess They Left.” One topic discussed was a missing Will. Many heirs and executors-to-be must sort through seemingly endless paperwork and become detectives to find a Will which is only the first step in administering an estate. People also often leave a money trail with no guideposts or markers, especially if they pay bills online and leave no way to access bank accounts or indications of automatic bill payments. Cluttered houses with no clear list as to who gets what can cause headaches, expense and even family feuds. It might be difficult for an executor to identify debts, or find assets to pay for those debts. Income tax returns must still be kept current, and finding the information to file those returns can be challenging.

Consider taking the time to write such a letter of instruction and leave it in an accessible place; it should be reviewed, and updated as necessary, annually. This does not take the place of communication with family members, especially those you have named as Executors. A good guide is the “estate mate planner” form found on our website, www.owmlaw.com under “resources.” Your family will thank you for taking the time to do this.