

Excuses, Excuses... Why You Don't Have a Healthcare Directive

**By Matthew Crider, JD
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What is keeping you from signing a healthcare directive?

A recent article in Reuters mentions that only 2 out of 5 U.S. citizens have some kind of healthcare directive, and that our own U.S. laws might be the cause. A study done by Rebecca Sudore of the University of California, San Francisco found that "Most states had practical restrictions that could make it difficult for many people to complete an advanced directive... In addition, many of the documents used in end-of-life planning were written in complicated legal language that the average person would have trouble understanding."

Some portions of an advance directive might be written in complicated legal language out of necessity, but we don't think that's any excuse not to have one, especially not if you have a knowledgeable and trusted attorney who is willing to go through the legal language with you to ensure you are comfortable with it. As for the other obstacles, the fact that "many states do not allow oral advance directives, and usually require that written documents have witnesses' signatures, be notarized, or both..." and that currently "40 states do not automatically allow domestic partners and same-sex partners to become the default healthcare proxy;" well, these seem to us to be all the more reason to make sure you DO contact your attorney and get your healthcare directive in place.

A healthcare directive, along with a will and a durable power of attorney, are the three foundational documents of any estate plan. Whether you choose to move on to more advanced planning techniques or not, every person should have these three documents at the very least. These simple documents can end up saving you and your family a world of heartache and expense.

Of course, according to Reuters there is one other possibility about why you might be putting off your healthcare directive, "The biggest issue is that people do not want to do advance directives... There is a fear of planning for how we die." Don't let superstition keep you from protecting yourself or your loved ones.

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About Matthew Crider, J.D.

Matthew Crider formed [Crider Law PC](#) in 1999 so he could help individuals and business owners by providing creative solutions and be their trusted advisor and legal counselor. He serves his clients by listening closely to their goals, dreams and concerns and working with them to develop superior and comprehensive estate and asset protection plans. His estate planning practice focuses on preserving and growing wealth by providing comprehensive, highly personalized estate planning counsel to couples, families, individuals and businesses.

