

Estate Planning: Where To Keep Your Documents When They Are Completed

As important as it is to make your estate planning documents such as a will or living trust and pour over will, durable powers of attorney, and healthcare powers of attorney is where to keep those documents. Finding a safe secure place to keep your estate planning documents is very important for the fact that those documents are no good if they are destroyed, lost, or missing.

Some states including South Carolina have laws that support that a missing or lost will is presumed to be destroyed or revoked or no longer any good, unless there is evidence presented otherwise. This is difficult to overcome so it is very important to keep your documents in place they cannot be lost or destroyed. This safe place could be a safety deposit box in a bank or in a fire proof safe in your house. A safe should only include important documents and no valuables so a potential thief will not be tempted to take it. It is best to let the person you selected as a personal representative in the will and the backup personal representative know where the will is located so they can retrieve it at the proper time. It is not a good idea to let anyone else know who you do not completely trust because they may attempt to destroy or alter it if it is in their interest. There should be one original will and copies should be kept separate.

Keeping your estate planning documents is almost as important as making them in the first place. If you go to the effort of making an estate plan it is important to make sure that the plan is carried out and the best way to do this is through making sure that your documents can be found. This means that you should inform the person you intend to carry out your estate as an executor or personal representative can actually locate the documents when they are needed. You should tell only a trusted person where they are located so the wrong person does not find them, but also that the right person will be able to locate them when the time is right. A hidden will or living trust that is not found is the same as have no documents at all. A good hiding place is good but too good of a hiding place will prevent the documents from being found at all.

Evan Guthrie is licensed to practice law throughout the state of South Carolina. For further information visit his website at <http://www.ekglaw.com>. <http://estateplanning.ekglaw.com> Evan Guthrie Law Firm 164 Market Street Suite 362 Charleston SC 29401 843-926-3813