

## Essential Information to Create Your Will

Do you realize that when you get divorced, your will, trust, power of attorney and health care proxy may become invalid? That means that your estate planning documents should be modified and re-executed as soon after your divorce as possible.

At ODM, we can prepare your estate plan quickly and efficiently by filling out one short and easy online [intake form](#).

Many people do not want to even begin thinking about “what happens when...,” but it is very important for you and your loved ones that you take the time to make a will so that there are no unanswered questions after you are gone.

Making a will may seem like a daunting task and you may not even know where to begin, but here are some steps to help you begin the process.

1. **Take an inventory of your assets and liabilities.** Take into consideration important tangible assets such as real estate, vehicles, and valuable jewelry and artwork, as well as intangible assets such as investments and life insurance policies. Having such a list will enable you to have a better idea of what your estate looks like and how you may want it distributed once you have passed.
2. **Choose a personal representative.** An executor, now known as a personal representative, is the individual who will implement the instructions that you set forth in your will. It is thus of the utmost importance that this individual is very reliable and will be available when their assistance becomes necessary. Often, individuals select their spouse as the personal representative of their will and provide an alternate individual in case their spouse predeceases them or is unable to act as a personal representative for any reason. Additionally, many people opt to have their attorney act as their personal representative, so as to ensure that an experienced mind handles the proceedings. Once you have chosen your personal representative, it is very important to let them know that you are naming them as such and to keep them updated if and when your will changes.
3. **Make a list of beneficiaries.** These individuals are those who will benefit from the distribution of your assets. More often than not they include family, friends, and charities. If you choose to leave all of your assets to one individual, you will need to come up with alternative beneficiaries, in the event that that individual predeceases you. This is a matter that can be discussed with your attorney.
4. **Name guardians if you have minor children.** Choosing your children’s guardians is a very important step and for individuals with children, probably the most important and hardest choice in the will writing process. To help you make the choice, keep in mind the following:

- Financial capability of the guardian to provide for your children

- Location of the guardian
- Age of the guardian
- How the religious beliefs of the guardian align with you and your spouse
- Time the guardian will have to give to your children

It is important when reviewing your will that you also reevaluate who you have chosen as guardians. As time goes on, your guardians may have a growing family, making it less likely that they will be able to care for your children, or they may have moved far away, which may not be good for your children's transition in the event of your passing. By continuously reevaluating, you can ensure that the future needs of your children are always taken care of.

5. **Meet with your attorney.** With all of this information gathered, a meeting with your attorney will now be less daunting and allow you to have the time to ask whatever questions you may have.

**For additional information regarding the preparation of your will or other highly recommended estate planning docs, such as your health care proxy, power of attorney and living trust, contact us today at 1(800)290-1012 or at [edamaral@onlinedivorcemediation.com](mailto:edamaral@onlinedivorcemediation.com) or visit our new website, [www.onlinedivorcemediation.com](http://www.onlinedivorcemediation.com), where you can fill out an online intake form for the above.**