



**DEPARTMENT OF THE AIR FORCE**  
HEADQUARTERS, 51ST FIGHTER WING PACAF  
UNIT 2067  
APO AP 96278-2067

Dear Client:

You have just executed a will, advanced medical directive, and/or powers of attorney drafted by an attorney or paralegal from this office. Before you depart we want to remind you of some critical information about these documents.

**Storing Your Last Will and Testament**

Your last will and testament is a very fragile legal instrument and it should be cared for appropriately. Any damage to the original document, whether unintentional (e.g. spills, rips, etc.) or not (e.g., writing on it, crossing out) may invalidate your entire will. Most states will not accept a copy of your will which means your executor must have the original document.

Therefore, we suggest:

- Give your original will to your executor.
- Put the original will in a sealed envelope in a safe place and let your executor know where it is and tell him not to open it until after your death.

Be careful if you plan to store your will in a safety deposit box. Most states require the box to be sealed upon your death. It may take a court order to unseal the box resulting in delays in the administration of your estate as well as additional fees.

**Copying Your Will**

Limit the number of copies you make of your will. The more copies you make the harder it will be in the future to retrieve them all for destruction should you decide to make a new will. When copying your will, do not remove the staples. Additional staple holes may arise suspicion among beneficiaries and the courts. Any copies you make should clearly state "COPY" on every page.

**Other IMPORTANT Will Issues**

If you have a prior will, destroy it along with all copies that have been made.

We recommend you make a list of all your assets to give to your executor, as not all of them may be mentioned in your will. This list should give the executor enough information to know whom they need to contact if they need to. Many policies and accounts have gone uncollected because the executor did not know of their existence.

Wills do not expire. They come into effect on your passing and are valid unless you make a new one. We recommend that you review your estate planning documents not later than 5 years after they were drafted or upon marriage, divorce, birth of children, retiring, or substantial change in financial circumstances to keep your will current.

### **Powers of Attorney**

Make as many copies of your power of attorney that you feel are necessary. Medical powers of attorney should be placed in your medical records and given to your doctor if you frequently use the same one. Make sure your agent has the original power of attorney.

No one is forced to accept a power of attorney. It is up to the institution you are dealing with to determine if they will honor it. If they do not accept it because it does not conform to their standard (usually through specific language), find out what is necessary and we will be glad to prepare another power of attorney specifically for use at that institution.

### **Advanced Medical Directive/Living Wills**

Advanced medical directives/living wills should be placed in your medical records and given to any doctors you regularly see. Make as many copies that you feel are necessary. These documents do not expire but it is a good idea to update them every five years so your family and friends will know that you have recently thought about what you would want to do under these circumstances.

### **Documents-Generally**

Last will and testament: This document provides for your wishes as to what you want to happen to your property when you pass. It can also express your desire for appointment of a guardian for your children, if you have any.

Living will/advanced medical directive: This document expresses your wishes should you be in a coma or persistent vegetative state with little hope of recovery.

Medical power of attorney: This document gives you the ability to name a person or persons who will be responsible for making medical decisions on your behalf if you are unable to make them.

General power of attorney: This document names an Agent to act on your behalf for a variety of matters including financial issues and car registration.

Thank you for entrusting the drafting of these important documents to the 51st Fighter Wing Office of the Staff Judge Advocate. If you have any questions regarding your documents, please feel free to contact us at DSN 784-4131.

  
AMY KATE SIAK, Capt, USAF  
Chief, Legal Assistance