LegalShield

EDITION 2026.1
FOR U.S. RESIDENTS

A LEGALSHIELD GUIDE

Estate Planning *Guide*.

Most people put this off because they think it's complicated. It isn't.

PREPARED FOR

LAST UPDATED

WHY WE CREATED THIS GUIDE

Half of Americans *haven't started.* The other half started *and stopped.*

26% of U.S. adults have a current Will in place.	**19%** have signed a durable Power of Attorney.	**45%** **Combined.** Just 45% have either basic. Nearly half.
56% don't know where their parents keep important documents.	**24%** have outdated beneficiaries on their largest account.	**51%** have postponed planning for more than a year.

We can't make the conversations with your parents, your spouse, or your kids any easier. Those belong to your family.

But we can make the paperwork and planning easier. That's why we created this guide. It's a workbook for the part that has fields, signatures, and a place to put them when you're done.

So when your family opens it, the answers are right where you left them. The wishes are clear. The work is done.

You're not alone in this. That's why we did this. That's why we're here.

LegalShield — For more than 50 years, LegalShield has helped families nationwide handle the legal parts of life. Members in all 50 states and Puerto Rico are matched with one of 36 provider law firms. No scavenger hunt, and in most cases, no hourly bill.

Sources: LegalShield Member Research 2025; Pew Research Center, "Family & Money," 2024.

WHO THIS GUIDE IS FOR

Written for the person *already doing the work.*

This guide is for first-time estate planners, and for adult children whose parents have just had a medical event. You're in your forties, fifties, or sixties. You care about people on either side of you. You don't have time to read a textbook about probate.

It's also for the spouse holding the family calendar. For the sibling who quietly became the point of contact. For the parent who wants to spare their kids a search through filing cabinets at the worst possible moment.

It does not assume you know any of this already. It walks you through what to find, what to sign, who to tell, and where to put it all when you're done.

YOU MIGHT BE READING THIS IF

- [ ] You've never written a Will
- [ ] A parent just had a hospital stay
- [ ] You changed jobs and inherited new accounts
- [ ] You got married, divorced, or had a child
- [ ] You bought a house, or sold one
- [ ] You realize you've been putting it off

If none of the above sounds like you, this is a good guide to put on a shelf for the moment one of them does.

There's a beginning, a middle, and an end.
We can show you each one.

HOW THIS GUIDE WORKS

A workbook, not a *lecture*.

This guide is built to be filled in by hand or kept open on a laptop next to a stack of paperwork. It has six sections. You don't have to complete them in order.

Each section has the same shape: a short explainer in plain language, then a checklist, table, or fill-in form you can actually use. Anywhere you see the badge below, the recommendation reflects what attorneys in the LegalShield network say matters most.

ATTORNEY RECOMMENDED = something a lawyer would catch if you missed it.

We are direct about what can do right now, by yourself, what can wait, and when you need to contact an attorney. We don't pretend the hard conversations are easy. We just try to make the paperwork part shorter.

WHAT'S INSIDE

1. Key documents checklist
2. Net worth & asset inventory
3. Cryptocurrency & digital assets
4. Cybersecurity, passwords & access
5. People & professionals
6. Funeral, burial & cremation

TWO LETTERS AT THE BACK

Read this first (when I'm gone), one letter for your family, one for whoever is handling the paperwork. Worth writing now.

WHAT THIS IS NOT

This is not legal advice. It is a structured place to put your information so that your personal attorney, or one of our provider firms, can do their work faster, and so your family isn't searching for this information later.

This guide reflects U.S. federal law and general U.S. state-level practices. State requirements vary; an attorney licensed in your state has the final word.

FOR A PARENT

If you're reading this because of *a parent*.

This guide is for the person providing care. For the one helping out. For the one who shows up because nobody else will. It's for the day you start this work. It's also for the day you realize you started years ago without knowing. We won't pretend to know how you got here. But we know this: the work in front of you is finite. There is a beginning, a middle, and an end. We can show you each one.

A COMMON PATTERN

The call almost always comes when nobody was expecting it.

A stroke on a Tuesday.	*A fall* on a weeknight.	*A diagnosis* at a routine appointment.

One week later, you're standing in the kitchen where you grew up, looking for documents you've never seen, calling banks that can't tell you anything because you don't have the right form. This is the pattern. You didn't cause it. You're not behind. You're exactly on-time.

The following pages give you the shortest path through: what to find first, who to call, what to bring, and what to do once you have it all in one place.

You are not alone here.
The path is short, even when it doesn't feel that way.

THIS WEEK

Find the Will, the POA, the insurance binder, and a recent bank statement.

THIS MONTH

Update healthcare directives. Add yourself as a contact at each bank.

THIS QUARTER

Complete the asset inventory in Section 2 together while you can.

THE WHOLE THING

The whole thing, in *five steps*.

Estate planning is not one decision. It is five, in this order. Most people get stuck on step one because nobody told them it was step one.

1

Take inventory.

Write down what you own, what you owe, and where it lives. Bank accounts, retirement, real estate, life insurance, digital. Until this exists, nothing else can.

2

Decide who, if you can't.

Pick the person who makes medical and financial decisions if you can't. Tell them. Sign the durable POA and the healthcare POA.

3

Write the Will.

A Will says who gets what and who is in charge of carrying it out. Without one, your state writes it for you. State defaults are rarely what people would have chosen.

4

Check beneficiaries.

Retirement accounts, life insurance, and brokerage accounts pass by beneficiary form, not by will. The form on file beats anything else. Confirm it.

5

Tell one person where everything is.

A perfect plan no one can find is the same as no plan. Tell the person in charge where the documents live and how to get in.

If you do nothing else this month, do steps 2 and 4. They take an hour combined and prevent most of the worst outcomes.

ATTORNEY RECOMMENDED

WHEN YOU CAN'T SPEAK FOR YOURSELF

When you can't *speak for yourself.*

Two documents handle most of this.

Durable Power of Attorney

ATTORNEY RECOMMENDED

Lets a person you choose pay bills, manage accounts, sign on real estate, and handle financial matters if you can't. **Durable** means it survives if you become incapacitated, which is the entire point.

Without one: a court-appointed conservator may step in. Months. Attorneys. Hearings.

Healthcare Power of Attorney

ATTORNEY RECOMMENDED

Names the person who makes medical decisions if you can't speak. Pair it with an advance directive (sometimes called a Living Will) so they aren't guessing your wishes under pressure.

Without one: the hospital's default tree decides, and not everyone you'd want has a vote.

THREE PRACTICAL NOTES

01

Pick one person, name a backup.

Two agents who must agree is a recipe for delay. One primary, one alternate.

02

Tell them you picked them.

Surprise agency is a real problem. Have the conversation. Hand them a copy.

03

Re-sign every few years.

Banks and hospitals sometimes balk at old documents. Refresh on a five-year cadence.

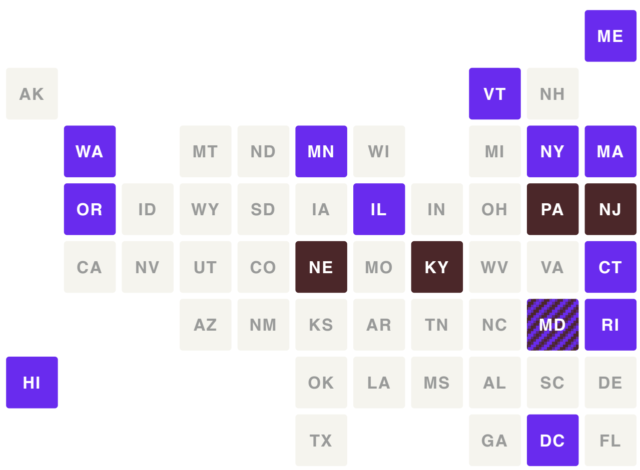
State-specific forms vary. A LegalShield provider firm in your state can draft and witness both documents as part of your membership.

TAXES: FEDERAL, STATE, INHERITANCE

Current as of May 2026

Most families *owe nothing*. A few states are the exception.

Federal estate tax only kicks in above roughly $13.6M per person, so it affects only a small percentage of the population. But twelve states levy their own estate tax at lower thresholds, and five states levy an inheritance tax on the people who receive the money. Maryland is the only state that does both.



Estate tax (12 + DC)

Inheritance tax (5)

Both (Maryland)

Neither

ESTATE TAX (PAID BY THE ESTATE)

CT · HI · IL · ME · MD · MA · MN · NY · OR · RI · VT · WA · DC

Thresholds vary widely, from $1M (OR, MA) to $13.99M (CT). Worth checking yours.

INHERITANCE TAX (PAID BY WHO INHERITS)

KY · MD · NE · NJ · PA

Rates depend on relationship, spouses and children usually pay little or nothing; more distant heirs pay more.

IF YOU LIVE SOMEWHERE ELSE

The 37 remaining states and territories have no state estate or inheritance tax. Federal still applies, but only at the $13.6M threshold.

Thresholds and rates change. Always confirm current numbers with an attorney or your state department of revenue.

SECTION 01

Key *documents* checklist.

If your family had to find every legal document you've ever signed tomorrow, where would they look? This is that list.

THE CHECKLIST

Find these. Photograph them. Tell *one person* where they live.

FOUNDATIONAL

ATTORNEY RECOMMENDED

- [ ] Last Will and Testament · RECOMMENDED
- [ ] Durable Power of Attorney · RECOMMENDED
- [ ] Healthcare Power of Attorney · RECOMMENDED
- [ ] Advance directive / living will
- [ ] HIPAA authorization
- [ ] Revocable Living Trust (if any)

IDENTITY & VITAL RECORDS

- [ ] Birth certificate
- [ ] Marriage certificate / divorce decree
- [ ] Social Security card
- [ ] Passport
- [ ] Military discharge papers (DD-214)
- [ ] Naturalization or immigration documents

PROPERTY & FINANCE

ATTORNEY RECOMMENDED

- [ ] Deed(s) for any real estate · RECOMMENDED
- [ ] Vehicle titles · RECOMMENDED
- [ ] Mortgage statement
- [ ] Most recent tax return
- [ ] List of bank & brokerage accounts
- [ ] Retirement account statements (401k, IRA)
- [ ] Pension paperwork, if applicable

INSURANCE

- [ ] Life insurance policies
- [ ] Long-term care policies
- [ ] Health insurance card & policy
- [ ] Homeowner's or renter's policy
- [ ] Auto insurance policy

Recommendation badges reflect documents attorneys flag as highest-priority for nearly every adult.

AN ACTION PAGE

Check your beneficiaries *this week.*

Retirement accounts, life insurance, and most brokerage accounts pass by the beneficiary form on file, not by your will. An out-of-date form is the single most common preventable mistake in estate planning.

Confirm the beneficiary on each of these.

- [ ] 401(k), 403(b), and any employer retirement account
- [ ] Traditional and Roth IRAs at every brokerage you've ever used
- [ ] Life insurance, both employer-sponsored and individual policies
- [ ] HSA and FSA accounts
- [ ] Pensions and annuities
- [ ] Brokerage accounts with a Transfer-on-Death designation
- [ ] Bank accounts with a Payable-on-Death designation
- [ ] 529 college savings plans

IF YOUR WILL SAYS ONE THING AND THE BENEFICIARY FORM SAYS ANOTHER, THE FORM WINS. EVERY TIME. EVEN IF YOU GOT REMARRIED TWENTY YEARS AGO.

If your will says one thing and the beneficiary form says another, the form wins. Every time. Even if you got remarried twenty years ago.

NAME A CONTINGENT

Always name a backup beneficiary. If your primary predeceases you and there's no contingent, the account drops back into your estate and into probate.

TIME REQUIRED

~ 45 min

One login per account. Most institutions let you update online.

A SMALL SECTION, OFTEN MISSED

What happens *to your pets.*

You cannot leave money *directly to your dog.*

Pets are considered property under U.S. law. They can't inherit. But you can name a caretaker and set aside money for them, through a Will provision, or, in 49 states, a pet trust. Either way, the move is to decide now and tell the person you picked.

WORTH WRITING DOWN

- [ ] The primary caretaker, and a backup
- [ ] Daily routine, food, and brand
- [ ] Vet name, phone, and any chronic conditions
- [ ] Medications and dosing
- [ ] Microchip number and registry
- [ ] A reasonable amount of money for ongoing care

SECTION 02

Net worth & *asset inventory*.

Until this exists on paper, nothing else in estate planning can actually happen. This is the foundation.

NET WORTH SUMMARY

The one-page *snapshot.*

Round numbers are fine. The goal is a single sheet your executor can pick up cold and understand within five minutes.

ASSETS

CATEGORY	ESTIMATED VALUE
Primary residence	$ ________
Other real estate	$ ________
Bank & cash	$ ________
Brokerage accounts	$ ________
Retirement accounts	$ ________
Life insurance (face value)	$ ________
Business interests	$ ________
Vehicles	$ ________
Personal property of value	$ ________
Digital assets & crypto	$ ________
Other	$ ________
Total assets	$ ________

LIABILITIES

CATEGORY	BALANCE
Mortgage(s)	$ ________
Home equity line	$ ________
Vehicle loans	$ ________
Credit card debt	$ ________
Student loans	$ ________
Personal loans	$ ________
Business debt	$ ________
Tax liabilities	$ ________
Other	$ ________
Total liabilities	$ ________

NET WORTH
Assets minus liabilities

$ ________

Round to the nearest $100. Update once a year, birthday is a good trigger.

ASSET INVENTORY · FINANCIAL ACCOUNTS

Where the money lives.

INSTITUTION	ACCOUNT TYPE	LAST 4	BENEFICIARY	APPROX. VALUE
				$
				$
				$
				$
				$
				$
				$

ABOUT THE HOUSE

Your home is usually the biggest single asset and the trickiest to settle. Make sure the deed is in the right name(s), that title isn't surprised by a name change or a divorce, and that anyone you want to inherit it is explicitly named, by Will, joint tenancy, or transfer-on-death deed where state law allows.

PROPERTY	ADDRESS	TITLE HELD AS	MORTGAGE HOLDER	EST. VALUE
				$
				$

Tip: write account numbers in pencil or use the last four only. This document will be photocopied at least once.

SECTION 03

Cryptocurrency & *digital assets*.

Without a key, crypto is gone. Period. This is the section nobody wants to write twice.

SECTION 3 · CRYPTO & DIGITAL

Read this *before* you touch anything.

Three things that are not like other accounts.

1. **A seed phrase is the account.** Anyone with the twelve or twenty-four words can move everything in minutes. Treat it like cash in a glove compartment.
2. **Exchanges can freeze.** Centralized exchanges (Coinbase, Kraken, etc.) require death certificates and probate paperwork. Plan for weeks, not days.
3. **Self-custody is permanent.** Lose the key, lose the funds. There is no customer service line. Write the recovery method down somewhere safe and tell one person.

CENTRALIZED EXCHANGES

EXCHANGE	ACCOUNT EMAIL	2FA METHOD

HARDWARE & SOFTWARE WALLETS

WALLET	TYPE	RECOVERY LOCATION

Do not write the seed phrase in this document. Note *where* the recovery method lives, a fireproof safe, a safety deposit box, a steel backup, not the phrase itself.

SECTION 04

Cybersecurity, *passwords* & digital access.

Email is the front door to everything else. Plan the handoff before it's needed.

THE MASTER LIST

Where the digital life *actually lives.*

SAFETY RULE

Do not write live passwords into this binder. Use a password manager (1Password, Bitwarden, IDShield, NordPass, ProtonPass, LastPass, etc.) and put the master password and recovery instructions in a sealed envelope kept somewhere physical: a safe or safe deposit box. Name the envelope's location below.

ACCOUNT	USERNAME / EMAIL	RECOVERY METHOD	2FA DEVICE	NOTES

SOCIAL MEDIA & CLOUD ACCOUNTS

- ☐ **Facebook** Legacy contact?
- ☐ **Instagram** Memorialize?
- ☐ **LinkedIn** Hand to executor
- ☐ **X / Twitter** Deactivate?
- ☐ **Google** Inactive Account Mgr
- ☐ **Apple** Legacy contact?
- ☐ **Dropbox** Shared folders
- ☐ **iCloud** Photos & notes

SECTION 05

People & professionals.

The list of human beings your family will need to call. Not the documents, the people behind them.

SECTION 5 · PEOPLE & PROFESSIONALS

Family & close friends.

The first calls. Include phone, email, and how they're connected so an outsider can read this and understand.

NAME	RELATIONSHIP	PHONE	EMAIL	NOTES

THE FIDUCIARIES

The people you formally named to act on your behalf in the documents above. Confirm each one knows.

ROLE	PRIMARY	PHONE	ALTERNATE	DOCUMENTS REFERENCE
Executor / personal representative				
Successor trustee				
Durable POA agent				
Healthcare POA agent				
Guardian of minor children				
Pet caretaker				

SECTION 5 · PEOPLE & PROFESSIONALS

Professionals.

Anyone your family or executor might need to call. If a relationship feels obscure to an outsider, write a one-line note about what they handle.

ROLE	NAME & FIRM	PHONE	EMAIL	WHAT THEY HANDLE
Estate planning attorney				
Accountant / CPA				
Financial advisor				
Insurance agent				
Primary care physician				
Specialist physician(s)				
Banker / personal banker				
Funeral home (if pre-arranged)				
Employer HR / benefits contact				
Religious / spiritual contact				

If you don't have an estate planning attorney yet, a LegalShield Membership pairs you with a provider firm servicing your state. The first Will, POA, and healthcare directive are included.

SECTION 06

Funeral, burial & *cremation*.

The decisions you'd rather not make today are the same ones your family would rather not make on the worst day of theirs.

SECTION 6

Final wishes, *in your words.*

Take this gently. Fill in what you know now. Leave the rest. Anything written here helps your family more than nothing written, every time.

DISPOSITION

- ○ Burial (traditional)
- ○ Burial (green / natural)
- ○ Cremation
- ○ Donation to medical science
- ○ Other, described below

PRE-ARRANGEMENTS

Funeral home	______
Cemetery / plot	______
Pre-paid? (Y/N)	______
Policy or contract #	______

SERVICE PREFERENCES

- ☐ Public service / open to all
- ☐ Private service / family only
- ☐ No service
- ☐ Religious tradition observed
- ☐ Specific officiant requested (named below)
- ☐ Specific readings, songs, or eulogists
- ☐ Charitable donations in lieu of flowers
- ☐ Reception or gathering after

IN MY OWN WORDS

Anything you want noted, a song, a reading, who to invite, who to call first…

READ THIS FIRST (WHEN I'M GONE)

To my family,

If you're reading this, I want a few things on paper so you don't have to guess.

I love you. I have loved you the entire time, even on the days when neither of us slept and I forgot how to say it out loud. Whatever you are feeling right now is fine. There is no wrong way to do this.

Don't rush the paperwork. Most of it can wait a week. The things that *cannot* wait are written down in the next pages, with the name of the person who can help.

Take care of each other. Eat something. Call the person who would call you.

With everything,

This page is a placeholder for your handwritten letter. Write it once, in your own voice. Replace this with a printed or scanned copy when you're ready.

READ THIS FIRST (WHEN I'M GONE)

To my executor, attorney, or anyone taking this on,

Thank you. I know what I asked of you, and I know the timing is never good.

The Will is filed in the location noted in Section 1. The most current passwords live with the person named on page 19. The accounts that need the fastest attention are flagged in Section 2.

Take your time with the rest. Most institutions accept a death certificate within thirty days. You don't have to do everything in the first week.

If anything in this binder is unclear, call the attorney listed on page 21. If we never picked one, LegalShield can connect you with a provider firm servicing this state at no cost to the estate beyond the membership.

Gratefully,

Replace this page with your own handwritten or printed letter. Keep it short.

OPERATIONAL CHECKLIST

Don't forget *death certificates.*

Order more than you think. Most institutions require an original, not a photocopy, and getting more after the funeral home closes the file is slower and more expensive. Plan for 10 to 15 originals for most estates.

Who almost always needs one

- [ ] Each bank where the deceased held accounts
- [ ] Each brokerage or retirement account custodian
- [ ] Life insurance carrier (one per policy)
- [ ] Social Security Administration
- [ ] Pension administrator, if any
- [ ] Employer benefits, if recently employed
- [ ] State motor vehicles (per vehicle title)
- [ ] County recorder, for real estate
- [ ] The estate attorney's working file
- [ ] Your personal copy, kept separately

HOW TO ORDER

The funeral director usually orders the first set. Additional copies may be ordered from the county or state vital records office. Price per copy varies state-to-state.

TIP FROM ESTATE ATTORNEYS

Make at least one photocopy of one certificate and keep it with this binder. It's not legally valid for transfers, but it shortcuts a lot of phone calls.

APPROX. COUNT FOR MOST ESTATES

10-15

Originals. Order at the same time as the funeral arrangements.

OPERATIONAL CHECKLIST

The first *thirty days.*

WEEK 1

- [ ] Get the death certificate process started with the funeral home
- [ ] Locate the Will and the binder
- [ ] Notify immediate family
- [ ] Secure the home, mail, and any pets
- [ ] Notify the employer, if applicable

WEEKS 2, 3

- [ ] Order the rest of the death certificates
- [ ] Notify each bank and brokerage in writing
- [ ] File the will with the probate court if required by your state
- [ ] Notify Social Security Administration
- [ ] Cancel auto-renewing subscriptions and recurring bills

WEEK 4

- [ ] Start the asset inventory in earnest with the executor
- [ ] Meet with the estate attorney for next steps
- [ ] Begin claim filings on life insurance
- [ ] File any final tax returns due imminently
- [ ] Take a weekend off if you can. This is a marathon.

SOCIAL SECURITY SURVIVOR BENEFITS

The SSA does not file these automatically. Surviving spouses and dependent children may be eligible, call 1-800-772-1213 or visit your local field office. The current one-time death benefit is a flat $255. Ongoing survivor benefits are a separate, much more significant calculation.

Nothing on this page is on a hard deadline within the first week. Slow down where you can.

WHEN TO CALL AN ATTORNEY

Some of this you can do alone. *Some you shouldn't.*

The work in this binder is yours to do at the kitchen table. When the situation gets specific, different state laws, blended families, business interests, a contested will, that's the moment to put it down and call.

CALL WHEN

- [ ] You own real estate in more than one state
- [ ] You have a blended family or stepchildren
- [ ] You own a business or have a stake in one
- [ ] Someone in your family has special needs
- [ ] You expect the estate to be contested
- [ ] You're settling an estate and the will can't be found
- [ ] Significant assets are held outside the U.S.
- [ ] You're set up across state lines and aren't sure which law applies

LegalShield

WHY LEGALSHIELD

A real lawyer, a fair price, and a vetted firm *serving your state.*

Membership pairs you with a provider law firm that has the bar admissions and the experience to handle this work locally. Estate planning documents are included. Hourly fees are replaced with a flat monthly cost.

36	50 + PR
provider firms across the network	states served, plus Puerto Rico

Already a member? Open the LegalShield app and request a consultation. You'll hear from your firm within eight business hours.

THAT'S THE KIT

You did the part nobody else *in your family* wanted to do.

Put this binder somewhere a normal human would think to look. Tell one person where it is. Update it once a year on the same week, pick a birthday, a holiday, anything that's already a date you remember.

Then go live.

DISCLAIMER

LegalShield

EDITION 2026.1
US_LS_ESTATEPLANNINGGUIDE

REAL LAWYERS. REAL ANSWERS. REAL AFFORDABLE.

You deserve a lawyer who treats you like *a person,* not a case number.

Will preparation

Power of Attorney

Document review

Physician's Directive/Living Will

If you’re already enrolled, you can consult with your provider lawyer anytime. If you’re not enrolled, please consider doing so at your next opportunity..