

## SENIOR INFORMATION & ASSISTANCE

Northwest Regional Council  
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### Common Legal Documents

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#### Will

A will is a legal document in which a person makes certain requests to distribute property in a manner within the requirements of the law.

Many people think that only the wealthy leave estates. This is not true. A car, interest in a house, personal goods and effects, and cash in a bank are all part of a person's estate.

If you die without executing a Will, or Community Property Agreement, your property will be distributed as directed by state law. If you have no living family, your property will go to the State.

#### Living Will (Directive to Physicians)

A Living Will is a written directive instructing your doctors when you want them to stop life-sustaining medical treatment and let you die. It can take effect only if you are terminally ill and will die soon, so that life-sustaining procedures would only prolong the process of dying, or if you are in a permanent unconscious condition. Procedures needed to ease pain are **not** affected by a Living Will (treatment is given to ease pain).

#### Community Property Agreement

A Community Property Agreement is a contract between a husband and wife designating which of their property is owned separately and which is owned together. A Community Property Agreement can also provide for the distribution of the property upon the death of the first spouse.

A Community Property Agreement can be revoked only by a notarized written document signed by marriage partners, unless the original agreement provides for some other method of revocation.

#### Durable Power of Attorney

A Power of Attorney (POA) is a grant from one legally competent person (called the "**principal**") to another (called the "**attorney-in-fact**") to act on behalf of the principal.

The Power may be limited or special, that is, designed for a limited, specific purpose. There are many types of Power of Attorney documents including ones just for healthcare or limited transactions. For detailed information about these documents, see our handout titled ***Durable Power of Attorney***.