



Necessary Documents

Texas Extension Education Association

September 11, 2013

San Marcos, TX

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Necessary Documents Program

Objectives:

- To help inform people about the various documents which we all need as we go through life.
- Learn how to obtain copies of important documents.
- Organize important documents and records to assist in managing one's own affairs and to assist children or executors when necessary.

Advance Preparation:

The presentation is available as a pdf file which contains a copy of the slides and a script for each slide. Read through the presentation script to familiarize yourself with the main points.

Materials Needed:

Copies of the Icebreaker and Documents Checklist handout for each participant.

If you are using the slide presentation, you will need to have a laptop and projector. The PowerPoint file can be downloaded from the TEEA website.

**Necessary
Documents**

Icebreaker

Power of Attorney	Certified Birth Certificate	Life Insurance	Credit Card List	Burial Information
Savings Bonds	Marriage Certificate	Pension Records	Social Security Number	Financial Records
Health Insurance	Deed to House/Property	FREE	Income Tax Records	Immunization Record
Safe Deposit Box	Driver's License	Medical Power Attorney	Will	Living Will
Mortgage Information	Long Term Care Insurance	Military Records	Medicare Number	IRA/401/403/Annuity

Instructions:

Find someone who has a documents listed for themselves or a spouse and make an X in the square.
When you've made a straight row either vertically, horizontally or diagonally, you win.

Necessary Documents

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Throughout life we have a need for a variety of important and necessary documents. This program is designed to help you understand and navigate through them. You may not need all of these, or at least not all at any one time, but we've tried to be thorough.

Use this program, and the accompanying handout, as a check-list to identify and organize the paperwork you need. Prepare a notebook or list for your own use. If you are executor for someone, encourage them to make such a list. This will also be very useful for your spouse/children/executor of your will when needed. A letter of instruction for the executor is also a great idea and very useful tool!

Note: This information is intended for educational purposes only. You should check with your attorney and/or CPA for further information and guidance specific to your situation.

Identification Documents

- **Birth Certificate**
 - **Certified copy requested from Texas Vital Statistics online at www.texas.gov or ordering info at www.dshs.state.tx.us/vs/reqproc/certified_copy.shtm**
- **Social Security Number/Card**
 - **Used to track social security accounts, tax purposes, credit files, financial accounts**

Several types of documents are used as identification or to obtain identification documents.

Birth Certificates

Certified copies of Texas birth certificates can be obtained from the Department of State Health Services Vital Statistics Unit. Copies can be ordered online at texas.gov or obtained in person or by mail from the Texas Vital Statistics Office in Austin. Ordering information is available from their website.

Birth certificates for births within the last 75 years are protected records with specific requirements for obtaining copies. If you reside in Texas you can order your own record and the record of immediate family members. If you live outside Texas, you can order your own record and the record of your child(ren) if you are listed as a parent on the record. You must have a valid driver's license or government ID, a valid credit card and the record must be delivered within the US, territories or commonwealths or US military addresses.

To obtain a copy of a birth certificate from another state, visit the National Center for Health Statistics website which provides links to each state with ordering information. <http://www.cdc.gov/nchs/w2w.htm>

Birth Certificates are used for a variety of purposes including school enrollment and obtaining a driver's license, marriage license and passport.

Social Security Cards

Social Security Cards, technically not an identification card, were originally (and still primarily) used to track an individual's Social Security account. Over time, it has come to also be used as an identifier for people. People's financial, employment, medical and credit information is tied to their Social Security number. Because of the personal nature of the number, the SS card should not be carried with you unless it will be needed to conduct personal business.

Identification Documents

- **Driver's License or State ID**
 - **Authorization to drive and identification**
 - **www.txdps.state.tx.us**
- **Passport**

Driver's License or State ID

These government issued identification cards are used as photo IDs for many purposes from proving you are authorized to drive to proof of ID for airline travel. If you aren't old enough for a driver's license or can't or don't want to drive, you can obtain a state issued ID card. Both are issued by the Department of Motor Vehicles. Information about documents needed to obtain both forms of identification are available at the Department of Public Safety or their website.

Passports

Passports or Passport ID Cards are now required in order to enter other countries (including Mexico and Canada) and to re-enter the United States. Applications can be obtained online from the State Department website www.travel.state.gov. They should be kept in a secure location when not in use.

Childhood and Youth Records

- **Immunization Records**
- **School Transcripts**
- **Diplomas**
- **Driver's License or ID**

Additional records you may need for children include their immunization records – which you will need for school admission, school transcripts and diplomas, and driver's license or ID for teenagers.

Legal Documents

- **Will**
 - www.texasbar.com 'To Will or Not to Will'
- **Living Trust**
- **Powers of Attorney**
 - **General**
 - **Specific**
 - **Durable**

Will:

A will is used to specify who you want to inherit your real and personal property. Wills also allow you to name who you want to serve as your personal representative or executor. If you have children, the only way to name guardians for minor or dependent adult children is through a will.

If you do not make a last will, state law will determine who gets your property. This process is called "intestate succession." Intestacy provisions differ for Community and Separate property. The Texas Bar publishes a publication titled 'To Will or Not to Will' with more details on wills and your legal rights in Texas. You should also visit with your attorney to make sure your will is current.

Wills should be kept where your family can access them easily after you die. While you may want to keep the original with your attorney or in your safe deposit box, keep a copy filed with your important papers in a locked box or file cabinet. Texas law has provisions for certain individuals, including a decedent's spouse or child, to gain access to the safe deposit box after death to search for a will, deed to a burial plot, or insurance policy without a court order.

Intellectual Property is patents and copyrights.

Remember information stored on the Web, such as Facebook, and pictures and documents in other accounts.

If you want to leave money for care of a pet, it is best to set up a trust.

Living Trust

If you have created a Living Trust to manage your assets, keep a copy with your important documents.

Powers of Attorney

A "general" power of attorney is unlimited in scope and duration, and permits the named individual to act as your legal representative in relation to all legal matters until revoked.

A "specific" power of attorney puts limits upon the representative, and may restrict the scope of that person's powers to a single type of conduct or a single transaction. For example, the person could be granted the power to engage in financial transactions from a specific checking account, or to sign the closing documents for a specific real estate transaction.

All Powers of Attorney end when a person becomes incapacitated unless language is included in the document making it 'Durable.' This language essentially states that the power of attorney will continue even if you become incapacitated. Without a 'Durable' Power of Attorney naming an agent to act on your behalf if you become incapacitate, your family may need to have a guardian appointed – a legal proceeding that can be expensive and time consuming.

While you will need to keep copies of any powers of attorney you create, your agent will likely need to provide copies when they try to act on your behalf. Some financial companies including banks, stock brokerages, Social Security and the IRS, may require their own documents to be completed in addition to receiving a copy of your Power of Attorney.

Legal Documents

- **Deeds and Titles to Property**
 - Home, Land, Autos, Boats, etc.
- **Adoption Certificates**
- **Name Change**
- **Marriage Certificates**
- **Pre-Nuptial and Post-Nuptial Agreements**
- **Divorce Decrees**

There are other legal documents you will need to keep including these.

Health Care Directives

- **Medical Power of Attorney**
- **Directive to Physicians**
- **Do Not Resuscitate Orders**
 - **Out of Hospital (OOH DNR)**
 - **In Hospital**
- **http://www.dads.state.tx.us/news_info/publications/handbooks/advancedirectives.html**

Medical Power of Attorney:

A medical power of attorney allows you to choose in advance who will make health care decisions for you if you are unable to make them yourself, and can impose upon them the restrictions you wish. For example, you can say that the person is not authorized to override your "living will", an instrument which limits the right of doctors and hospitals to resuscitate you or to utilize invasive life support to keep you alive. If you don't have a medical power of attorney, in the event of incapacity, your loved ones may be forced to seek a court order to appoint somebody as a "guardian" who will be authorized to oversee your medical care, where you receive your care, and to enforce your wishes in relation to your care.

Directive to Physicians:

The Directive to Physicians, commonly referred to as the Living Will, is used to direct what care you want to receive when you have a terminal or irreversible condition. You can specify your wishes for:

Artificial Life Support (Does not include artificial food and water;
Does not include comfort or pain relief)

Artificially administered food and water (Tube feeding)

Comfort Care - Treatment and medication for the purpose of alleviating pain.

Note: This may also be contained in a Medical Power of Attorney unless limited by signer. In general, it is advised that you create both documents so there is no questions what your wishes are when your condition is deemed terminal.

Copies of both of these documents should be provided to all health care providers to include in the person's health records. The health care agent and/or surrogate should also have a copy in case they become 'activated' when you are unconscious. And some people keep copies in their purse/wallet and glove compartment of their car in case they are in a crash while traveling.

Do Not Resuscitate Orders

Out of Hospital (OOH) – the OOH DNR program allows people to decide they do not want to be resuscitated and declare that certain resuscitative measures not be used on them. The specific resuscitative measures listed in the legislation are included on the Department of State Health Services website. Also provided are the forms for creating an OOH DNR and types and sources of bracelets which can be worn indicating an OOH DNR exists. The bracelets can only be ordered after completing the OOH DNR form. Patients and their families should discuss this issue with their physician prior to creating the OOH DNR. The OOH DNR order should be kept with the patient and be visible or the patient should wear a bracelet. The health care agent should also keep a copy with the patient's health care directives.

In Hospital – These orders require conversations with the patient's physician early in the patient's treatment and at a time when the patient and/or the surrogate can make informed decisions. The patient also needs to have candid conversations with their surrogate so appropriate decisions can be made by the surrogate if the patient becomes unable to make their own decisions.

Copies of the Directive to Physicians, Medical Power of Attorney and the OOH DNR Form can be found at the Department of Aging and Disability Services website.

Health Care Directives

- **Organ Donation**
 - www.donatelifetexas.org
- **HIPAA**
 - **Notice of Privacy Practices**

Organ Donation – the Donate Life Texas Registry is a database of people who have officially provided authorization to donate organs, tissue and/or eyes upon their death. You can register at the Donate Life Texas website (online, by mail or by fax), at your local DPS office when you renew your driver’s license or ID card or through the DMV when you renew your car registration. Once you register, if you are a viable candidate for donation upon your death, your family cannot revoke your decision. Donation cards are no longer used or necessary. Upon your death the hospital will contact the registry and they will search to determine if you are registered. If you want some indication that you are a donor, the next time you renew your license or ID, they can embed a red heart on your card. If you are not registered, your family will be asked about organ donation and they will make the decision.

HIPAA – The Health Insurance Portability and Accountability Act (HIPAA) protects the privacy of individually identifiable health information by setting rules for health care providers and health plans about who can look at and receive your health information, including your family members and friends. Under HIPAA, if you do not object, a health provider or plan can share relevant information with family members and friends involved in your care,

or payment for your health care, in certain circumstances. Your health provider can share information face-to-face, over the phone or in writing if you give the provider or plan permission, you are present and do not object to the sharing of information or you are not present and the provider determines that based on professional judgment that it's in your best interest to share the information. If you indicate that you do not want your information shared with specific individuals, your health care providers must abide by your wishes. If this is the case, you should provide this information in writing.

The law requires that health providers explain your rights and how your health information will be used and shared. You will receive a 'Notice of Privacy Practices' whenever you see a new provider, start using a new pharmacy or change health insurance. You should read this notice so you understand how the provider will use and share your health information, how you can get a copy of your health information, the provider's legal responsibilities to protect your information and who to contact for more information.

Financial Records

- **Bank**
 - **Checking and savings accounts**
 - **CDs**
- **Investment s**
 - **Brokerage accounts, stocks and bonds**
 - **Retirement accounts – IRAs, 401(k), 403(b), pensions, annuities**
- **Taxes**
 - **Income tax returns**

Some of the most important documents and records you have relate to your financial accounts. Having these records organized and communicating with close family members who are currently or may be assisting you in the future, will ensure that your bills are paid, your income continues to reach you, that your personal and physical needs can be met, and that your remaining assets are passed on according to your wishes.

At a minimum, you need to have a list of all your financial accounts with the account number, location, name and contact information for any financial advisors or company representatives you work with, where the paperwork, contract or policy for each account is located, and who the beneficiaries are on relevant accounts. You should also indicate where you have filed your past tax returns.

For any accounts that have a designated beneficiary to pay on death, make sure they are current and consistent with your wishes. Assets with a beneficiary designation do not pass to heirs according to your will. They are passed according to the beneficiary designation. This is why it is so important to make sure these beneficiaries are current.

Financial Records

- **Insurance**
 - **Property, Liability, Health, Life, Long-term Care**
- **Property**
 - **Sales Contracts, Mortgages, Taxes, Appraisals, Titles and Deeds**
- **Credit and Debt Accounts**
 - **Loans, credit cards**

You will want to include your current insurance policies with appropriate contact information.

Keep all property related documents as long as you own a piece of property. This includes sales contracts, mortgage paperwork, property tax statements, appraisals and deeds.

Having a list of credit card account numbers and the number to call if a card is lost or stolen could prove valuable if your purse or wallet were stolen. An easy way to record this information is to photocopy the front and back of each card and keep the copies with your important documents.

Military Records

- **Commission or Enlistment**
- **Discharge: DD-214**
- **Medals**
- **Pensions**
- **Military Funeral Honors**
 - **Military Honors Request Form**
 - **Texas Funeral Services Commission**
www.tfsc.state.tx.us/documents/FuneralHonorsReqForm.pdf

Will be required for military burial honors, pensions.

If you will be requesting Military Funeral Honors, you will need to file the Military Honors Request Form from the Texas Funeral Service Commission.

End of Life

- **Letter of Last Instruction**
- **Burial or Cremation Instructions**
- **Body or Organ Donation Wishes**
 - **Texas Medical Schools**
 - **Medcure.org**
 - **LifeLegacy Foundation**
- **Death Certificates**

A Letter of Last Instruction can be used to give family members information on your wishes for your funeral and burial, on where you would like notifications of your death to be sent and any other last messages or information you want them to have. This is not a legal document, but can be helpful in guiding your family as they make final arrangements. This should not be in the will since probated wills are public information. Include a list of Internet sites, user names and passwords.

If you have made your own funeral arrangements via a 'pre-planned' or 'pre-paid' arrangement with a funeral home, it is important to include this information in your Letter of Last Instruction or to make sure your family knows about these arrangements. Many people 'pre-plan' by selecting their casket, selecting speakers for the funeral, selecting hymns to sing, etc. If you have 'pre-paid', make sure you have included a copy of the contract in your important papers so your family knows who to deal with when making arrangements.

We have already discussed registering for organ donation. If you are

interested in donating your body to science, you should make these wishes clear to your family. There are several medical schools in Texas that accept body donation including TAMU Health Science Center, UT SW in San Antonio, UTMB in Galveston, and the Forensic Anthropology Center at Texas State. There are also national groups which accept body donation for use in medical research and/or medical training including Medcure and the LifeLegacy Foundation. Each organization has donation forms on their website as well as access to staff who can answer any questions. While it is not necessary to register in advance, it certainly expedites the process after your death. Some organizations only accept bodies from a certain radius of their facility while others accept from across the US. Most all of them cover the cost of transportation of the body to their facility and return cremated remains to the family.

Your family will need a number of certified copies of the death certificate for settling your estate and filing insurance and other claims for benefits. The funeral home can assist in ordering them for you. They can also give you an approximate time of delivery since they are not immediately available. The funeral home will be able to notify Social Security of the death and file a claim for the SS death benefit.

Keeping Information Current

- **When and What to change**
 - **Changes in contact information – name, address, phone, email address**
 - **Change in marital status**
 - **Change in family**
 - **Births, deaths, marriages, divorces**
 - **Change in beneficiaries or heirs**
 - **Update Beneficiary Forms or Will**

Once you have your records organized, it's important to keep your information current – in your records and with the companies where your accounts are located.

Other Suggestions

- **Keep checklist in a notebook with details**
- **Names, addresses and telephone numbers of advisors and companies**
- **Policy numbers/license numbers, etc.**
- **Financial institutions and any automatic bill payments**
- **List of memberships to organizations to which you belong and their contact information**
- **Personal and Family Health History**

Keep your checklist in a notebook with information on all documents you have and where they are kept. You can use this as a quick reference; it will also be a benefit for your children/executor. Include names, addresses and telephone numbers for contacting the advisors and companies you do business with and policy numbers/license numbers, etc. Also include financial institutions you use and bill payments that are automatic. Make a list of memberships to organizations to which you belong and their contact information.

Having a Personal and Family Health History helps you when you talk with a new doctor. This also will benefit your family if they face new health issues.

Bibliography

www.cdc.gov/nchs/w2w.htm

(where to write for vital records US states and Terr.)

www.hhs.gov/ocr/privacy/hipaa/understanding/summary/

(US Health & Human Svc.)

www.dshs.state.tx.us/vs/reqproc/default.shtm

(birth/death/divorce/marriage/adoption)

www.Texas.gov (Texas portal to govt. organizations in Texas)

www.state.gov (US State Dept.)

www.firstgov.gov (portal to all US govt. sites)

Wall Street Journal, "The 25 Documents You Need Before You Die", July 1, 2011

New York Times, "Leaving Behind the Digital Keys to Financial Lives", May 24, 2013

Necessary Documents Checklist

Document	Have This	Location
Identification		
Birth Certificate		
Driver's License		
Passport		
Social Security card		
Social Security Information		
Childhood/Youth Records		
Immunizations		
School Transcripts		
Diplomas		
Legal Documents		
Adoption Certificates		
Airplane Title		
Boat Title		
Burial Plot Deeds/Information		
Car Title		
Divorce documents		
House/Land Deed		
Leases		
Marriage Certificate		
Mortgages		
Name Change		
Post-Nuptial Contracts		
Power of Attorney		
Pre-Nuptial Contracts		
RV Title		
Trailer Title		
Truck Title		
Trust Documents		
Will		
Financial Information		
401K Information		
403B Information		
Annuity Contracts		
Automatic Payment Info		
Bank Account Information		

Financial Information Continued

Beneficiaries List/Information		
Brokerage Accounts		
Credit card numbers/details		
Income Tax Records		
IRA Information		
Pension Information/Records		
Personal Prop. Inventory/Appraisals		
Property Tax Information		
Safe Deposit Box		
Savings Bonds & other Bonds		
Stock Certificates		
Insurance Information		
Airplane Insurance		
Boat Insurance		
Car Insurance		
Earthquake Insurance		
Excess Liability Insurance		
Flood Insurance		
Health Insurance		
Homeowner's Insurance		
Life Insurance		
Long Term Care Insurance		
Renter's Insurance		
RV Insurance		
Trailer Insurance		
Truck Insurance		
Medical Information		
Cremation Directive		
Do Not Resuscitate Order		
HIPAA		
Living Will (Adv. Directive)		
Medical Power of Attorney		
Organ Donation		
Other Documents		
Military Commission/Enlistment		
Military Discharge (DD-214)		
Military Records		