Re: Your Estate Planning Documents

Dear *[Name]*:

Enclosed are your original Will, General Durable Power of Attorney, and Advance Directive. There are several options for storing these documents, which are discussed below.

***Please do not unstaple your Will. Unbinding it opens the door to a challenge that pages have been replaced inappropriately. Do not write on your Will or make corrections on it. Handwritten changes may render your will invalid.***

***If you see items that need to be changed, please call me immediately to schedule a time for you to come in and talk about updating your Will. This will ensure that any changes made to your Will will be done properly and in accordance with the law.***

1. **Estate Planning Documents.**
2. **Storing Your Estate Planning Documents in Your Safety Deposit Box.** The benefit of a safe deposit box is that your Will remains safe from destruction, fire, theft, and inquisitive beneficiaries. A disadvantage, however, is that the contents cannot be accessed on weekends or bank holidays, so this may result in access issues. Contact your bank regarding the costs for an appropriately sized box.

*Optional paragraph: Recommendation against adding personal representative to safe deposit box*

[I recommend against adding your personal representative as a signer on your safe deposit box since doing so may give your personal representative’s creditors the right to seize the contents of your safe deposit box. In recent years, the law in Oregon was changed to allow certain interested persons to open your box after your death to search for and retrieve your original Will. Therefore, adding personal representatives or others as signers to a safe deposit box should no longer be necessary. If you have any questions about adding someone as a signer to your box, please call me.]

*Optional Paragraph: Recommendation to add Personal Representative as a signer to safety deposit box*

[I recommend against adding beneficiaries as signers on your safety deposit box since doing so may give their creditors the right to seize the contents of your box. You may, however, want to add your personal representative as a signer. Although Oregon law was changed in recent years to allow certain interested persons to open your box after your death to search for and retrieve your original Will, this process involves legal paperwork your estate must pay for. Adding your personal representative as a signer to your box now will save time, paperwork, and money. If you have any questions about adding your personal representative or someone else as a signer to your box, please call me. Provide information regarding where the box and key are located to make accessing the box easy.]

1. **Storing Your Will in Your Home.** The benefit of storing your Will at home is that your Will remains easily accessible. Unfortunately, this may also be a disadvantage. An angry beneficiary may obtain your original Will and destroy it before other beneficiaries discover what has happened.

Storing a Will at home without the benefit of a locked, fire-proof box or safe also means that it is vulnerable to theft, fire, or other destruction. *If something should happen to your Will, please call me at once so I can prepare a new original will for you to sign.*

1. **Storing Your Will at Home in a Fire-Proof Box or Safe.** Many clients choose this option over a safe deposit box. While fire-proof boxes or safes can be a good storage alternative to protect your Will, they can also be a target for thieves. There are companies who can bolt your safe to the floor to further protect the contents. Please remember this when deciding how to store your Will. Also, be sure your personal representative knows where the box or safe is located, and how to access the box or safe, if locked.

2. **General Durable Power of Attorney.**

Your original General Durable Power of Attorney and Letter of Understanding should be stored in a safe location that is readily accessible to you and your agent, yet safe from theft or fire.

3. **Advance Directive.**

Your heirs, loved ones, or health care providers may need access to your original Advance Directive on short notice. Although safety is always a consideration, quick accessibility is the most critical factor in choosing a storage location for this document. I recommend that you give a copy of your Advance Directive to your health care representative and your primary care physician so this important document is easily accessible if it becomes necessary.

Enclosed is a letter to send to your personal representative advising *[him/her]* on the location of your estate planning documents. Please let me know if you have any questions.

Warm Regards,

*[Attorney]*

*[Firm]*

Enclosures

**IMPORTANT NOTICES**

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