



**DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 167TH AIRLIFT WING (AMC)
MARTINSBURG, WEST VIRGINIA**

Dear Client:

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

1. 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, missing staples, etc.) or not (e.g. writing on it, crossing out, etc.) may invalidate your entire Will. Most states will not accept a copy of your Will. Therefore, your executor or personal representative must have the original document. As such, I suggest:
 - *Fireproof storage:* Put the original Will in a sealed envelope in a safe place, preferably a fireproof container, and let your executor and alternation executor know where it is and how to access it. Also instruct them not to open the sealed envelope until your death.
 - *County Clerk's Office:* Contact the Clerk's Office for your county (e.g., Berkeley County Clerk's Office or Jefferson County Clerk's Office) to determine whether you can store the original Will with the Clerk's office.
 - *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 for destruction should you decide to make a new Will. When copying your Will, do not remove staples. Additional staple holes may raise suspicion among beneficiaries and the courts. Any copies you make should clearly state "Copy" on every page.
 - *Reviewing Your Will:* Review your Will on an annual basis and consider updating you Will upon remarriage, divorce, birth of children, retiring, or a substantial change in financial circumstances. Remember, when considering changes, do not write on or alter your original will.
 - *SGLI Designation Update:* If you decide to fund a testamentary trust for you children with your SGLI proceeds, visit your personnel center to fill out a new SGLI designation form. The following language is recommended on the SGLI document in the beneficiary space: "To my children, (Names of Children), or if my children are under the age of (Insert Age) to my trustee to fund a trust established for the benefit for my children. (Names of Children) under my Last Will and Testament."

- *Asset Overview:* Some of your assets/estate will pass outside of your will. Examples of this usually include your home, life insurance, some bank accounts, etc. I recommend that you make a list of all your assets to give your executor or personal representative, with sufficient information to enable your executor or personal representative to obtain information on behalf of your estate. Many accounts and policies go uncollected each year because the executor or personal representative was unaware of their existence. However, such list contains sensitive information, and you should keep it locked away with your Will in a safe place. Do not give this information to your executor or personal representative in advance. If you choose to make such a list, I recommend that you review it for updating annually, both to obtain an overall assessment of your financial assets and facilitate the administration of your estate.
- 2. 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. Make sure the agent and alternate(s) you appointed have copies of these documents. Note, no one has to accept a power of attorney. It is up to the institution or individual to determine if they will honor it. If they do not accept it because it does not conform to their preferred format or language, please provide this office with the require language and we will gladly prepare a revised Power of Attorney for you to use at that specific institution. Powers of Attorney are extremely difficult to revoke. Do not give a Power of Attorney to your agent unless you are convinced that they are trustworthy and will act in your best interest. Almost all Powers of Attorney will expire on their own. Once expired, they are no longer valid. Also, Powers of Attorney will expire if the grantor is no longer living.
- 3. Advanced Medical Directives or Living Wills: Advanced Medical Directives or Living Wills should be placed in your medical records and/or given to your treating physician(s). 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.

If you have any questions, please contact us at 304-616-5336. Thank you for entrusting the drafting of these important documents to the Air Force Legal Assistance Office.

Sincerely,

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