

## LETTER TRANSMITTING ESTATE PLANNING DOCUMENTS

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 discussed below.

### 1. **Estate Planning Documents.**

- A. **Storing Your Estate Planning Documents in Your Safety Deposit Box.** The benefit of a safety deposit box is that your Will is safe from destruction, fire, theft, and inquisitive beneficiaries.

The cost of a box large enough to hold your estate planning documents will likely vary between \$\_\_\_\_ and \$\_\_\_\_\_ per year, depending on your bank.

*Optional paragraph: Recommendation against adding personal representative or beneficiaries to safety deposit box*

[I recommend against adding your personal representative or beneficiaries as signers on your safety deposit box since doing so may give their creditors the right to seize the contents of your 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 safety 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.]

- B. **Storing Your Will in Your Home.** The benefit of storing your Will at home is that your Will is easily accessible. Unfortunately, this can also be a disadvantage. It is possible for an angry beneficiary to 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 contact me at once so I can prepare a replacement original for you to sign.*

C. **Storing Your Will at Home in a Fire-Proof Box or Safe.** Many clients choose this option over a safety deposit box. While fire-proof boxes can be a good storage alternative to protect your Will, they can also be a target for thieves. 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/or 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. If you have any questions regarding the above, please call me.

Truly yours,

*[Attorney]*  
*[Firm]*

Enclosures

#### IMPORTANT NOTICES

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