WHEN SHOULD A WILL BE CHANGED?
Ordinarily under Illinois law:

- a child born or adopted after the will has been made (unless provided for in the will) is entitled to the same share the child would get if there were no will.
- divorce or dissolution of marriage revokes a will as to all provisions for the spouse but other provisions remain.
- marriage does not revoke a will but it represents such an important change of status that it is advisable to review your will.

A will should be reviewed from time to time, especially after the death of a family member, a change of residence, the acquisition or disposal of property or a business, when the executor dies or leaves the state or when the witnesses are no longer available. Federal and Illinois death tax laws change from time to time, so you should have your will reviewed by an attorney periodically to figure out if your will should be updated.

PLANNING YOUR WILL
Nobody likes to think about their own death and many people avoid writing a will because they do not want to be reminded that they will die. But in order to make sure that your children will be taken care of and that your money and other property will be given to the people you want to give it to after you die, you must have a will.

An estate lawyer can assist you in coming up with a plan and then preparing all of the documents needed to carry out your plan and make sure that your will meets all of the legal requirements. It is dangerous to use a pre-printed form of a will or a trust instead of a properly written document that applies to your particular situation.

Here is a check list of some of the things you should discuss with your lawyer, if applicable, when you plan your will:

- personal effects
- taxes
- special bequests
- real estate
- investments
- life insurance
- executor
- minors and guardians for minors
- trusts and custodianships
- joint tenancies
- IRA's, pensions and employee benefits

CAN A WILL DIRECT MY DOCTOR TO "PULL THE PLUG"?
Illinois law allows you to sign a document called the Illinois Statutory Short Form Power of Attorney for Health Care ("Health Care POA"). This document, which is completely separate from a will, provides you with the opportunity, while competent, to name a family member, friend or other person (called an "agent") to make medical decisions for you if you are unable to make and communicate decisions for yourself at a later date. Those decisions may include withholding or withdrawal of life sustaining procedures. The Health Care POA also allows the agent to choose whether to donate your organs and make burial arrangements.

If you do not have a Health Care POA, Illinois law also allows you to have a "Living Will," which is limited in scope and tells your doctor your desires as to life sustaining procedures should you have an incurable and irreversible injury where death is imminent without death delaying procedures.

Where there is no Health Care POA or Living Will, the Health Care Surrogate Act allows your guardian, certain family members or close friends (if there are no family members) to make medical treatment decisions where you are unable to make decisions for yourself.

You should talk with a lawyer to make sure you understand your options regarding health care decisions and end-of-life alternatives.

This pamphlet, based on Illinois law, was issued to give you some general advice about the law. It is not intended as legal advice about any particular problem. If you have a question about the law, you should consult a lawyer. If you do not know a lawyer, call the Lawyer Referral Service of The Chicago Bar Association at 312-554-2001.