



## POWER OF PLANNING: OTHER ADVANCE PLANNING STEPS

**Making a Power of Attorney is an important step – and it's just one of the ways to plan ahead.**

The key to making your **Power of Attorney (POA)** is choosing someone you **trust** and who is **willing** to be your **Agent**. If you don't have someone in mind, that's okay! Learn about other tools you can use to express your wishes and protect your choices.

**During Life Planning: These documents could help you during your lifetime**

### Living Will Declaration

- One-page document
- States that the **quality of your life is more important than the length of your life**
- Says you do NOT want artificial intervention (ventilators, feeding tubes, etc.) if a doctor believes recovery is unlikely
- **No POA agent required**

**Free download:** <https://dph.illinois.gov/content/dam/soi/en/web/idph/files/forms/living-will-040416.pdf>

### POLST (Practitioner Orders for Life-Sustaining Treatment)

- Formerly known as the DNR (Do Not Resuscitate) order
- Medical order completed with your health care provider
- Requires a doctor or qualified health care practitioner's signature
- Reject life-sustaining treatment like CPR or ventilators in a medical emergency
- Talk with your doctor to decide if completing a POLST is right for you
- **No POA agent required**

**Free download:** [https://dph.illinois.gov/content/dam/soi/en/web/idph/forms/topics-services/health-care-regulation/nursinghomes/POLST\\_220926.pdf](https://dph.illinois.gov/content/dam/soi/en/web/idph/forms/topics-services/health-care-regulation/nursinghomes/POLST_220926.pdf)

### This is Me: A Personal Guide to My Care

- Personality profile created by Center for Disability and Elder Law
- Express your preferences about comfort, culture, music, gender identity, guests, food, and more
- Not legally binding, but helpful to loved ones and providers
- **No POA agent required**

**Free download:** [www.illinoislegalaid.org/power-planning](http://www.illinoislegalaid.org/power-planning)

### Declaration for Mental Health Treatment

- State preferences for mental health treatments (medications, therapies, and facilities)
- Name a specific doctor to decide whether you are incapable of making decisions
- Name someone you trust to make decisions for you based on your preferences, if you are experiencing a mental health crisis and can't make decisions yourself
- **No POA agent required**

**Free download:** [www.illinoislegalaid.org/legal-information/declaration-mental-health-treatment](http://www.illinoislegalaid.org/legal-information/declaration-mental-health-treatment)



## After Death Planning: These legal tools will help you make plans for after you have passed.

### Transfer on Death Instrument (TODI)

- Name the person or people you want to inherit your home/property
- Transfers title to beneficiaries after your death
- **Avoids probate court** (in most cases)
- You keep full ownership rights while alive
- Beneficiaries cannot act as owners, including taking out loans, until after transfer
- **Only costs \$59** to record with Cook County

**Free download:** [www.illinoislegalaid.org/legal-information/transfer-death-instrument-or-todi](http://www.illinoislegalaid.org/legal-information/transfer-death-instrument-or-todi)

### Transfer on Death Beneficiary (Vehicle)

- Name someone to inherit your car after your death
  - Avoids probate court (in most cases)
- Requirements:
- Must own vehicle outright (no loan and no co-owners)
  - Fill out Beneficiary Affidavit from Secretary of State Vehicle Services (DMV)

**Free download:** [www.ilsos.gov/publications/pdf\\_publications/vsd773.pdf](http://www.ilsos.gov/publications/pdf_publications/vsd773.pdf)

### Other Accounts

- Name beneficiaries directly on:
  - Retirement plans (IRA, 401K, pensions)
  - Bank and investment accounts
  - Life Insurance policies
  - Annuities
- Contact the company or institution directly

### Last Will and Testament

- Instructions for distribution of your belongings
- Make specific gifts to specific people
- Disinherit people if needed
- Real property (home, apartment) left in a will must go through probate court
- Anything worth over 100K left in a will must go through probate court
- Disagreements are settled in probate court

**Learn more:** [www.illinoislegalaid.org/legal-information/will-legal-document-explain-my-wishes-after-i-die](http://www.illinoislegalaid.org/legal-information/will-legal-document-explain-my-wishes-after-i-die)

### Payable on Death Beneficiary (POD)

- Name the person or people you want to inherit your bank account money
- Transfers the money more easily than a Will
- Avoids probate court (in most cases)
- Keep full ownership rights while alive
- A form you complete at your bank

**\*Not the same as a joint bank account!**  
Remember: joint account holders can take out money because they also own the whole account

### Resources and Helplines:

Senior Planet by AARP

Free help & tech classes (English & Spanish)  
(888) 713-3495 | [seniorplanet.org](http://seniorplanet.org)

IL Dept. on Aging Senior Helpline

Home-delivered meals, respite, long-term care, more  
(800) 252-8966 | English & Spanish

More Support

**2-1-1:** Community help line or (773) 362-4401 /  
Text ZIP to 898-211

**3-1-1:** Local government services

**9-8-8:** Suicide & crisis lifeline

Our society has a fundamental obligation to guarantee justice for all of its members. For over 40 years, **Center for Disability & Elder Law** has been providing free legal services to low-income residents of Cook County, Illinois and expanding access to justice to persons marginalized by poverty, age and/or disability, since it was created by the Chicago Bar Foundation in 1984.

Funding provided by

