

30+ Legal Documents for Aging Parents to Have in Order

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Keeping track of legal documents for aging parents becomes essential as they age. Their care needs can change quickly, requiring you to move fast and have paperwork ready. Your relative may become ill, need to move, or have to file for state, federal, or veterans benefits. It becomes increasingly important to be able to quickly locate legal documents so that your aging loved one can have them on hand when required. From deeds and power of attorney to living wills and medical history, read on to see which legal documents seniors should have in order.

Financial documents

“Financial information can be crucial in many instances for timely, efficient, and more affordable care,” says Stuart Furman, elder care attorney in Valley Center, CA.

For example, a senior applying for certain benefits is required to demonstrate their financial need and will have to provide comprehensive documentation of past and present finances.

“If a family member cannot locate important documents like tax returns or bank account information, it could delay care or even cause a senior to be denied insurance like Medicaid or veterans’ benefits,” says Tiffany Wise, senior director of customer development at A Place for Mom.

Keep track of these important financial documents:

- List of all bank accounts
- Pension documents, 401(k) information, and annuity contracts
- Tax returns
- Savings bonds, stock certificates, or brokerage accounts
- Business partnership and corporate operating agreements. If your aging parent owns a business, they may have business partnership agreements or corporate operating agreements. It’s important to hold onto these documents for easy reference, should problems arise regarding agreements.
- Deeds to all properties
- Vehicle titles
- Documentation of loans and debts, including all credit accounts
- [Power of attorney](#). A power of attorney (POA) is essentially a legal document where your aging parent can name a person or persons to act on their behalf in all legal and financial matters. Should your aging parent become incapacitated, a general POA will terminate while a durable power of attorney (DPOA) will remain in effect and be able to outline your loved one’s financial expectations.

Health care documents

Regardless of health status, it's vital that your loved one's preferences be stated clearly in a living will. A health care proxy is a document where your loved one can name a person or persons to make medical decisions for them when they can't. A living will together with a health care proxy can ensure that your loved one's general wishes and care instructions regarding life support, the donation of organs, and other medical issues will be followed. These are also known as advance directives.

When taking your older parent to a hospital, doctors may want documented proof that you're the decision maker. They may ask for documentation of your loved one's durable power of attorney or advance directives. This is when having official paperwork handy becomes important: Having it close can eliminate any additional stress for a smoother hospital visit. Furthermore, ready access to a senior's medical history can be lifesaving during a medical emergency. For example, documentation about the medications they're currently taking could dramatically influence treatment.

Medical records are also necessary when applying for benefits, including VA assistance and Medicaid. They are also needed when moving to a senior living community.

Keep track of these important health care documents:

- Health care proxy or power of attorney
- Authorization to release health care information
- Living will (health care directive)
- Portable medical order. A portable medical order, nationally known as POLST, is a process and form created for the seriously ill or frail. If your aging parent is dealing with a serious illness, they can choose to have their health care provider write out and sign a POLST. This can then be used to tell all health care providers, regardless of location, what your aging parent wants during a medical emergency. For example, it can dictate what medical treatments to allow or not allow.
- Personal medical history
- Insurance card
- Long-term care insurance policy
- Emergency information sheet

End-of-life and estate planning documents

Making sure your elderly loved one has estate planning and end-of-life documents, or that they are up-to-date and easily accessible. These documents can save both elderly loved ones and their children the burden of added stress during a difficult time. Without these documents, families can be thrown into unnecessary legal and financial chaos.

When it comes to end-of-life and estate planning, you and your aging parent should consult with a lawyer who specializes in elder law to help ensure everything is thoroughly taken care of.

Keep track of these essential end-of-life and estate planning documents:

- Last will and testament. A last will and testament is a document containing your loved one's wishes as to the disposition of their assets when they pass.
- Trust documents. Your loved one may have a living trust which is a legal document that allows them to place assets within the trust.
- Life-insurance policies
- Letter of last instruction. A letter of last instruction is a document including actions, wishes, or items not covered in your loved one's will. For example, the letter could include memorial terms, who should be notified of their passing, or how to handle their ashes.

Miscellaneous documents

Marriage certificates and military records are required when applying for VA benefits such as [Aid and Attendance](#) and are also required in applications for many kinds of state and federal assistance. Seniors may even need their birth certificates.

For example, some states require people to have a photo ID for everything from airline travel to voting in an election. If a senior doesn't have a photo ID, a birth certificate is usually needed.

Keep track of these miscellaneous important papers:

- Marriage papers
- Divorce papers
- List of online usernames and passwords
- List of safe deposit boxes and the location of their keys
- Military records
- Birth certificate
- Driver's license
- Social Security card
- Passport
- Guardianship/conservatorship forms. If your aging loved one has diminished capabilities and is unable to manage their affairs, they may have a legal guardian or conservator. It is important to keep track of the court-ordered papers signed by a judge, in case proof is required.

Tips on storing important documents

It's not enough to merely have these legal documents for aging parents — they need to be accessible. Experts recommend important documents be added to a master folder or box. The folder should be kept in a safe place, like a fire-proof safe.

Going paperless is another option for having easy access to legal documents seniors should have. You can scan them onto your computer, name them accordingly, and store them using an

external hard drive or cloud storage service. This way, you can send over documents with ease when required. Keep in mind, a digital copy will not always work, as some documents must be presented in physical form.

Regardless of how you choose to store legal documents for your aging parents, it's important to keep them safe and organized. Take time to find a system that works best between your senior and their loved ones, so you all easily find the right documents when needed.