

Florida Estate Planning Checklist

A practical starting point for organizing your will, trust, and incapacity planning documents.

1. Core Documents

The foundation of most Florida estate plans. Check off what you already have in place.

- ☐ Last Will and Testament
- ☐ Revocable Living Trust (*if applicable to your situation — see Section 2*)
- ☐ Durable Power of Attorney
- ☐ Healthcare Surrogate Designation
- ☐ Living Will / Advance Directive
- ☐ HIPAA Authorization
- ☐ Designation of Pre-Need Guardian (*for minor children, or for yourself*)

2. Do You Actually Need a Trust?

Not every estate needs one. Check any that apply to you — if you check two or more, a revocable living trust is worth discussing.

- ☐ I own Florida real estate I'd like to keep out of probate
- ☐ I own property in more than one state
- ☐ I want to leave assets to minor children or grandchildren in a controlled way over time
- ☐ A beneficiary of mine receives (or may need) public benefits
- ☐ Privacy matters to me — probate records are public; trust administration generally is not
- ☐ I want incapacity protection in place without a court guardianship proceeding

3. Asset Inventory

Make a simple list of what you own so nothing gets left out of your plan.

- ☐ Bank and investment accounts
- ☐ Retirement accounts (401(k), IRA, pension)
- ☐ Real estate (primary residence, rental, out-of-state property)
- ☐ Life insurance policies
- ☐ Business interests

- ☐ Vehicles, valuables, and digital assets (crypto, online accounts)

4. Beneficiary Designations to Review

These accounts pass directly to whoever is named on the account — not through your will or trust — so they need to be checked and updated separately.

- ☐ Retirement accounts (401(k), IRA)
- ☐ Life insurance policies
- ☐ Payable-on-death (POD) and transfer-on-death (TOD) accounts

5. Key People to Decide On

The people you name matter as much as the documents themselves.

- ☐ Personal Representative (executor) — and a backup choice
- ☐ Successor Trustee (*if you have a trust*)
- ☐ Agent under your Power of Attorney — and a successor agent
- ☐ Healthcare Surrogate
- ☐ Guardian for minor children

6. Life Events That Mean It's Time to Revisit Your Plan

- ☐ Marriage or divorce
- ☐ Birth or adoption of a child or grandchild
- ☐ Moving to Florida from another state, or leaving Florida
- ☐ Death or incapacity of a named executor, agent, or trustee
- ☐ A significant change in assets or family circumstances

This checklist is educational and general in nature. It is not legal advice and does not create an attorney-client relationship. Florida law has specific execution and witnessing requirements for these documents — a document that is not signed correctly may not be valid.

Ready to Put These Documents in Place?

Schedule a consultation with Attorney Philip W. Graziano — in person in Pembroke Pines, FL, or by video, anywhere in Florida.

(954) 440-6608 | pwg@grazianolawgroup.com | grazianolawgroup.com