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## Beyond a Will - Life documents check list

### **Beyond the Will: The Legal Backbone of Estate Planning**

While a will is the cornerstone of any estate plan, it's only one piece of a much larger puzzle. Australians are increasingly recognising the importance of additional legal documents to ensure their wishes are respected and their loved ones protected. **A Binding Superannuation Death Benefit Nomination** is crucial, as superannuation does not automatically form part of your estate. This document directs your super fund trustee to pay your benefits to a nominated beneficiary, avoiding delays and disputes. Similarly, a **Legal Power of Attorney** allows someone to manage your financial affairs if you become incapacitated, while a **Medical Power of Attorney** (or Appointment of Medical Decision Maker) empowers a trusted person to make healthcare decisions on your behalf

**Guardianship and Advanced Care Directives:** Estate planning also involves preparing for scenarios where you may not be able to advocate for yourself. A **Guardianship nomination** ensures that your children—or even pets—are cared for by someone you trust, with legal authority to make decisions about their wellbeing. An **Advanced Care Directive**, sometimes called a Living Will, outlines your preferences for medical treatment, including end-of-life care, organ donation, and resuscitation instructions. These documents provide clarity to healthcare providers and family members during emotionally charged moments, reducing the risk of conflict and ensuring your values are upheld.

**Start with Intention: Preparing Before You Draft** Before putting pen to paper, take time to reflect on your values, relationships, and responsibilities. Begin by listing your assets, debts, and dependents. Consider who you trust to act on your behalf and how you want your legacy to be remembered

### **Will**

A legal document that outlines how your assets and property should be distributed after your death. It can also name an executor to manage your estate. **Read – Will Power article to see what may be required in your state or territory to make it valid.**

### **Enduring Power of Attorney**

Grants someone authority to make financial and legal decisions on your behalf if you become incapacitated.

### **Enduring Medical Power of Attorney**

Grants someone authority to make Medical decisions on your behalf if you become incapacitated.

**Advance Care Directive (Living Will)**

Specifies your wishes for medical treatment and end-of-life care if you cannot communicate them yourself.

**Superannuation Beneficiary Nomination**

Directs who will receive your superannuation benefits upon your death. Can be binding or non-binding.

**Insurance Policy Details**

Includes life, health, and income protection insurance documents, ensuring beneficiaries and coverage are clear.

**Digital Asset Plan**

Outlines access and management of your online accounts, social media, and digital files after death.

**Funeral & Burial Instructions**

States your preferences for funeral arrangements, burial or cremation, and any cultural or religious considerations.

**Guardianship for Minor Children**

Specifies who will care for your children if you pass away or become incapacitated.

**Guardianship for Pets**

Specifies who will care for your Pets if you pass away or become incapacitated.

**Trust Deeds**

Legal documents for any trusts you have established, detailing how assets are managed and distributed.

**Business Succession Plan**

Outlines what happens to your business interests if you retire, become incapacitated, or die.

**Personal Letters or Ethical Will**

Non-legal documents that share your values, life lessons, and messages for loved ones.

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