



Taking Care of Business

A Personal Readiness Action Plan for Soldiers and Families

Deployment is hard—on you and on your loved ones. Take the time now to ensure that the Army can fulfill your wishes as if you were there to direct them.

1 **Reflect upon your wishes and discuss them with your family and loved ones**

2 **Meet with an attorney** (free legal assistance is available)

My JAG Office/Attorney Name: _____

Phone Number: () _____ - _____

3 **With your attorney, discuss:**

- Your family's care**
 - Powers of Attorney
 - General or Specific/Special
 - Durable or Non-Durable
 - Springing or Currently in Effect
 - Family Care Plan documents and notarizations
- Your medical desires**
 - Advanced Medical Directive (Living Will)
 - Healthcare power of attorney

- Your estate plan**
 - Appropriately titling assets to minimize probate court
 - Last Will and Testament
 - Physical Guardian of your minor children
 - Guardian of your minor children's property (money)
 - Testamentary Trust, if needed
 - Coordinate estate plan with your spouse
 - Beneficiary designations that conform to your overall estate plan

4 **Review and change designations, as needed, on important documents**

- Military Personnel Office or Unit S-1**
 - DD Form 93
 - SGLI
 - Thrift Savings Plan (TSP)

- Banks/Financial Institutions/ Employer/Investment Companies/ Insurance**

5 **Communicate with your family**

- All wishes as discussed and legalized with attorney and/or established with your financial institutions and insurance compan(ies)**
- Contingency plan while you are away**
- Community outreach and available support services**
- Person Authorized to Direct Disposition (PADD)**

- Person Eligible to Receive Effects (PERE)**
- Where is the will and other important legal documents?**
- Bank account information:**
 - All account numbers, locations, websites
 - Credit cards
 - Retirement accounts
 - Mutual funds/stocks

Soldiers

- Be fully prepared. Make sure someone you trust knows how to locate and responsibly handle your personal history documents, employment records, automobile information, insurance, property, and finances. Make sure this person is aware that you are entrusting them with these responsibilities!
- Ensure your loved ones have your command's complete official mailing address, key telephone numbers, and e-mail contacts; last four numbers of your Social Security Number; and the Family Readiness Group telephone number.
- Research and communicate the services and benefits available to your loved ones while you are away; in particular, check with the local Red Cross and Army Emergency Relief to learn about their emergency services.
- Set up a method to ensure your bills are paid in a timely manner.
- Discuss management of Family income and tax preparation.
- Make a contingency plan for emergencies at home, e.g., an unexpected vehicle repair while you are away.
- Take measures to ensure the protection of your property.
- Determine who will care for your vehicle, including all mandatory inspections and registration/titling renewals.

Military Personnel Documents/Definitions

DD Form 93 (Record of Emergency Data) DD Form 93 expedites notification of your loved ones in the case of an emergency or your death; allows you to request specific individuals *not* to be notified of your death due to their ill health; designates beneficiaries for death gratuity as well as unpaid pay/allowances; designates the person you would like to direct the disposition of your remains (PADD), names your desired non-medical attendant (NMA), and lists other remarks and instructions.

Servicemembers Group Life Insurance (SGLI) SGLI is low-cost group life insurance for servicemembers. *Traumatic SGLI* is a protection rider under SGLI that provides for payment to any servicemember covered by SGLI who sustains a traumatic injury that results in certain severe loss. *Family SGLI* is a program extended to the spouses and dependent children of SGLI-enrolled servicemembers for 120 days after the Soldier's death and then converts for surviving family members.

Person Authorized to Direct Disposition of remains (PADD) Federal statute establishes the authority to direct disposition of remains. The person who directs the disposition of remains is referred to as the PADD. You can designate one person as your PADD from among the following persons: your surviving spouse; a blood relative of legal age; or adoptive relative of legal age. If none of the above-listed relatives are living, you can designate a person standing *in loco parentis*. In some cases, state law may override your election.

Person Eligible to Receive Effects (PERE) Federal statute establishes the order of precedence for the PERE, i.e., the person who will receive custody of your personal effects if you should die. AR 638-2 provides additional clarifying language. That order of precedence is as follows: your legal representative (i.e., the Executor or Administrator of your will), surviving spouse, eldest child, parent, sibling, other blood relative, a person standing *in loco parentis*, or a person named as beneficiary in your will. By law, the commander's appointed summary court-martial officer will make the PERE determination. Ownership of personal effects is determined in your will or by probate—the PERE receives the personal effects to distribute as you dictated, or in the absence of a will, as the court decides.

Non-Medical Attendant (NMA) If your doctor determines that a non-medical attendant is required to assist you with daily care activities or with travel associated with medical treatment, the treatment facility can place a parent, guardian, or another adult family member 21 years of age or older on NMA orders to assist you with these activities. This person does not have authority to make medical decisions on your behalf if you are incapacitated unless you previously identified that person through a Medical Power of Attorney.

Legal Definitions

Powers of Attorney allows you, as the "principal," to give authority to an individual ("the agent") to act on your behalf. The scope of the power can be general or specific. Power of attorney can be durable, meaning the power lasts beyond your period of incapacity, or non-durable, in which the power terminates upon your incapacity. *Springing power of attorney* activates only when a specified event has occurred (commonly your incapacity or ability to make your own competent decisions).

Healthcare or Medical Power of Attorney is a specific power of attorney that states whom you have chosen to make healthcare decisions for you; it activates if you become unable to make medical decisions.

Advance Medical Directive or Living Will describes the kind of medical treatments or life-sustaining measures you would want, or that you would not want, if you were to become seriously or terminally ill. A living will alone does not let you select someone to make decisions for you.

Will contains your instructions and wishes as to how your property and assets are to be distributed after your death. A will may also designate whom you wish to obtain physical guardianship or your minor children and whom you wish to obtain guardianship over the property (money) of your children. They may be different, depending on your circumstances. A will may also establish a trust for the benefit of your minor children, in which you designate a trustee to manage those assets. Laws restrict the way in which money and property can be passed to minors—it is *extremely important to speak with an attorney if you wish to leave assets such as the death gratuity, insurance proceeds, bank accounts, real property, or other assets to minor children.*