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Wills, Trusts, Estates, Probate,  
Asset Protection & LGBT Planning

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## ***Steps to Follow After Divorce***

People in the process of terminating their marriage by a divorce decree should consider the impact their divorce will have on their estate planning and incapacity planning documents. Very often individuals will live separated either informally or under a decree of separation prior to formal divorce. In some circumstances it is not possible to revise one's estate plan prior to the finalization of the divorce. Once a divorce is final however, it is especially important for individuals to consider the following revisions.

- *Revise Will and any Revocable Trust to address dispositions and fiduciary appointments to the former spouse.* Although Connecticut General Statutes do provide in Section 45a-257c that a disposition or fiduciary appointment made by Will is revoked after divorce, the statute does not apply to couples legally separated. Moreover, the statute does not apply to the provisions of Revocable Trusts.
- *Review and potentially revise the Guardian Clause in Will.*
- *Revoke Power of Attorney in favor of former spouse.* Consider executing a new Power of Attorney in favor of an alternative attorney-in-fact.
- *Revise Living Wills and Appointment of Health Care Agent.* Consider the appoint of an alternative Health Care Agent.
- *Revise all beneficiary designations in favor of former spouse.* IRA's, 401(k)'s, Life Insurance Policies, and certain annuities pass by beneficiary designation at death. All such accounts and policies should be reviewed.
- *Review all jointly owned accounts and property.* Bank accounts and real property are often owned in this manner.