



ESTATE PLANNING CHECKLIST

# Moving to Missouri

## *Squaring Your Estate Plan With Missouri Law*

Most out-of-state estate documents survive a move; Missouri still draws its own lines on wills, powers of attorney, trusts, and real estate. Work through this checklist to align your plan with Missouri law before your family ever needs it.

### 1 Gather Your Existing Documents

- Last will and testament
- Revocable living trust and any amendments
- Pour-over will, if you use a trust
- Durable financial power of attorney
- Healthcare power of attorney or proxy
- Living will / advance directive
- Beneficiary forms: life insurance, IRAs, pensions
- Prenuptial or postnuptial agreements
- Business succession documents
- For each: note the date, signing state, and where the original is kept

### 2 Confirm Missouri Domicile and Inventory What You Own

Your plan follows your true home, not your mailing address. Missouri calls it domicile.

#### DOMICILE SIGNALS

- Missouri driver's license obtained
- Registered to vote in Missouri
- Filing Missouri state taxes
- Home purchased or established here

#### ASSET INVENTORY

- Missouri real estate: home, farm, or land
- Out-of-state real estate: cabins, rentals
- Bank, savings, and investment accounts (note the state)
- Retirement savings: 401(k), IRA, pensions
- Business interests: LLC, corporation, partnership
- Life insurance and annuities

### 3 Review Your Will for Missouri

- Signed by at least two competent witnesses
- Witnesses are not also beneficiaries
- A self-proving affidavit is attached
- Executor is Missouri-based, or a local alternate is named
- Out-of-state legal language reviewed so a Missouri court reads it cleanly

## 4 Make Powers of Attorney Missouri-Proof

Banks and hospitals balk at unfamiliar out-of-state forms. Missouri language clears the roadblock.

- Durable financial power of attorney reviewed for Missouri acceptance
- Authority spelled out for digital assets, tax matters, and business decisions
- Healthcare directive lets your agent obtain records and make end-of-life decisions the way Missouri providers expect
- Agents confirmed; consider naming someone close who can walk into a bank or sit at a bedside

## 5 Align Your Trust With Missouri

A rolled-over trust already prevents most probate, but it may still point to your old state.

- Governing law and situs updated to Missouri (a Missouri restatement)
- Missouri co-trustee or successor added if the original trustee is out of state
- Tax provisions updated for the new state line
- Trust fully funded: home deeded in if your plan calls for it, accounts retitled, business interests checked before assignment
- Remember: an unfunded trust does not bypass probate, however polished it looks on the shelf

## 6 Clean Up Beneficiary Designations

Most money never touches probate; it moves straight to whomever you named.

- Every account reviewed: life insurance, retirement, transfer-on-death, payable-on-death, annuities
- Primary and backup beneficiaries are current
- Designations coordinated with your trust
- Retirement-account tax quirks weighed before naming a trust as beneficiary

## 7 Check Your Missouri Real Estate

- Deed reviewed; confirm how title is held (sole owner, joint tenants with right of survivorship, or tenants in common)
- Missouri beneficiary deed considered for real property: it keeps control now, is revocable, and must be recorded before death
- Out-of-state property reviewed for second-probate exposure, especially from a marital-property state

## 8 Understand Probate and Small-Estate Rules

- Identify assets that would pass through probate: sole name, no title transfer, no beneficiary
- Check Missouri's small-estate threshold; the dollar amount can change
- Use trusts, joint ownership, and beneficiary designations to minimize the court's grip

## 9 Revisit Taxes and Life Changes

- Note the good news: Missouri has no state estate or inheritance tax (federal rules still apply to larger estates)
- Family changes accounted for: births, deaths, marriage, divorce
- Guardians, trustees, and executors are still the right people
- New assets, or a recent business or farm deal, reflected in the plan

## 10 Organize and Communicate

- Originals stored somewhere fireproof and reachable, not a bank box no one else can open
- Healthcare directives shared with your doctor and the people named in them
- Attorney contact shared with your agents and representatives
- A simple list of accounts, policies, and digital credentials prepared as a map for your family

## Bring in a Missouri Attorney

Estate planning is a long game, not a single act. A Missouri attorney can spot the small things that snag big plans (out-of-state real estate, beneficiary mix-ups, incapacity gaps) without pushing pointless rewrites. Take care of it now, and hand quiet certainty to the people who count on you.

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This checklist is general information, not legal advice, and does not create an attorney-client relationship. Missouri statutes and dollar thresholds change over time; confirm the specifics that apply to your situation with a licensed Missouri attorney.