The Letter of Intent: The Document Your Estate Plan May Be Missing

“Intentionality” is a buzzword that crops up in a lot of conversations these days. You may hear people refer to living their lives with “intention,” which is related to concepts such as purpose and authenticity.

To live with intentionality is to make deliberate choices that reflect your core values and beliefs. It means thinking carefully about every decision and weighing it against what truly matters to you.

Intention is one of the core principles of estate planning. Someone who is intentional about their legacy may spend years adjusting and refining their plan to harmonize present and future needs through documents such as a will and a healthcare proxy. But if your plan is missing a letter of intent, consider adding one as soon as possible to clarify your intentions.

What a Letter of Intent Is (and What It Is Not)

A letter of intent is an informal document that gives family members, fiduciaries, and other trusted people additional guidance about your wishes. Unlike formal estate planning documents, such as a power of attorney, healthcare directive, trust, or will, it is not legally binding.

The fact that a letter of intent is not legally binding does not diminish its importance to an estate plan. While it cannot replace formal estate planning documents or override them, it can fill in the practical and personal details that those documents often leave out.

While a will may set aside money from the estate to pay for end-of-life services or specify which property passes to which heirs, a letter of intent can provide crucial context about how you want those decisions and wishes carried out.

A letter of intent can also help contextualize sensitive end-of-life preferences, including medical aid-in-dying, that may not be fully spelled out elsewhere in documents or personal conversations.

You could, for example, use a letter of intent to explain wishes involving hospice, palliative care, and funeral arrangements or, where relevant and legal, medical aid in dying.

The letter does not create legal authority or replace healthcare documents, nor is it required for any specific end-of-life care. But it can help family members and fiduciaries better understand your thinking about your care. That is where “intentionality” comes in.

What to Include in a Letter of Intent and Why

In keeping with the concept of intentionality, a letter of intent can include whatever you want it to.

You do not have to worry as much about the legal side because it does not carry the force of law. While it should not conflict with your legal documents, it should provide additional context that those documents are not meant for and may not contain. If you are unsure what to include, try starting with things such as:

- **Funeral or memorial preferences.** Note whether you want a funeral, memorial, celebration of life, or something else, along with any specifics about the service.

- **End-of-life preferences.** Include personal wishes that may not belong in a living will, such as who you want present, what kind of environment you prefer, or other nonmedical details.
- **Personalized messages.** Leave notes, explanations, or final thoughts for family members, friends, or other loved ones.
- **Pet care.** Identify whom you would like to care for your pets and include any routines, preferences, or special needs they should know about.
- **Digital accounts.** Explain how digital property, such as online accounts, subscriptions, photos, and files, should be accessed or handled.
- **Sentimental items.** Give guidance about personal belongings with emotional value that may not be specifically addressed in your will, including the people you hope will receive them.

An estate plan that lacks these types of information may still be legally complete, but it will be missing the details that best express your intentions. As a result, your advisors and decision-makers may be operating from a partial planning playbook. They might be able to fill in gaps with informed guesswork, but that is not the same as explicitly spelling out your intentions, leaving little room for doubt.

Without a letter of intent, you could unintentionally leave your plan and loved ones with unnecessary uncertainty.

- Family members may be left guessing about what you wanted when your formal documents do not address a personal decision.
- Different interpretations can lead to disagreements among loved ones about everything from funeral arrangements to sentimental belongings.
- Important personal details may simply be lost if they were discussed only verbally or never shared with the people who will eventually need them.

In other words, a plan that lacks a letter of intent can raise as many questions as it answers, and those questions can directly undermine the intentionality you set out to establish in your plan.

Where to Keep a Letter of Intent for Easy Access

So far, we have addressed what a letter of intent is and why you should have one. For it to function as intended, you must also be mindful of **where** it is kept and **who** should know about it.

- Keep your letter of intent somewhere secure but accessible, such as in a fireproof home safe, a secure digital vault, or a clearly labeled file, alongside your other estate planning documents. The goal is to protect the letter while making it easy for your decision makers to retrieve it when the time comes.
- Make sure that the right people know that it exists. Your attorney, executor, healthcare agent, or another trusted person should know where the letter is kept and how to access it. If access requires a key or password, make sure they know how to obtain those as well.

Avoid putting the only copy somewhere no one can reach when it is needed, such as in a locked location that others cannot access. You may also want to keep a digital copy and review the letter periodically as your wishes, relationships, and circumstances change.

A letter of intent may not carry the force of law, but it can give the people you trust something just as valuable: a better understanding of what you intended.