



DIVORCE & ESTATE PLANNING

ESSENTIAL COORDINATION
STRATEGIES FOR
TRUSTED ADVISORS



Schluter & Hughes
LAW FIRM PLLC

AGENDA

01 | INTRODUCTION

02 | CONTROL DOCUMENTS

03 | BENEFICIARY
DESIGNATIONS

04 | TRUSTS

05 | STEPS FOR ADVISORS

06 | BOTTOM LINE

07 | Q&A

Meet Dawn Schluter, JD LLM



- Michigan Lawyers Weekly's Hall of Fame Lawyers 2025
- Michigan Super Lawyers and Best Lawyers in America 15+ years
- State Bar of Michigan Family Law and Probate & Estate Planning Sections
- American Bar Association's Real Property, Trust & Estate Law Section
- Oakland County Bar Association's Probate, Estate & Trust Sections
- Financial and Estate Planning Council of Metropolitan Detroit- Board Member
- Five Star Professional Estate Planning, HOUR Detroit and DBusiness
- Wayne State University Law School, J.D., L.L.M. in Taxation

The Control Documents



Key Estate Planning Documents

Who can act for me now

PATIENT
ADVOCATE
(POWER OF
ATTORNEY
HEALTHCARE)



HIPAA



DURABLE
POWER OF
ATTORNEY



WILLS &
TRUSTS



**“It changes
automatically in
divorce”
is a dangerous
assumption**



PATIENT ADVOCATE

- ✓ Is Spouse still the right person?
- ✓ Update
- ✓ Provide Notice



HIPAA: The Sleeper Issue

- ✓ Many clients don't realize they signed HIPAA authorizations as part of estate planning
- ✓ Unless revoked properly, that authorization can keep working as written
- ✓ If a client wants privacy during separation, this is one of the first documents to revisit



DURABLE POWER OF ATTORNEY

- ✓ May have been made effective on signing
- ✓ Consider revocation
- ✓ Notice required



WILLS & TRUSTS

- ✓ Estate Plans of parents and other relatives
- ✓ Estate Plans of clients
- ✓ Pre-filing issues and consultations



INJUNCTIVE ORDERS



Cannot Violate



Pre-filing, unlikely to have legal restrictions



Logical Approaches

POST-DIVORCE



Statutory Provisions



Pro-Active Planning



Titling

Beneficiary designations don't fix themselves

- Retirement accounts
- Life insurance
- Payable-on-death accounts
- Transfer-on-death accounts

As the advisor, you're in an ideal position to create a "designation audit" checklist



**A practical
coordination
workflow
That
clients love**



4 Steps for Advisors



1

EARLY INTAKE

Ask: “Do you have a financial POA, medical POA, and HIPAA release?
Who is named?”

4 Steps for Advisors



2

RED FLAGS

- Spouse is named as agent/advocate and client is uncomfortable
- Client can't find the documents
- Family trusts exist and/or the potential for inheritance
- Plans and beneficiary designations haven't been reviewed in years

4 Steps for Advisors



3

COORDINATE WITH COUNSEL

Recommend the client speak with an estate planning attorney

4 Steps for Advisors



4

VERIFY IMPLEMENTATION

Advisors shine here:
Confirm new docs are distributed to financial institutions and that titling and beneficiary designation changes were actually processed

Divorce is a moment when the **“fine print”** of legal & financial documents becomes real life



Bottom Line

The best outcomes happen when advisors & attorneys:

- ✓ Coordinate early
- ✓ Reduce unauthorized access risk
- ✓ Avoid emergency chaos
- ✓ Align the client's financial and estate plans with their new reality





QUESTION & ANSWER SESSION



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CONTINUUMLIFEPLANSM



Estate Planning | Estate & Trust Administration | Care Coordination | Probate

Fiduciary Tax & Accounting | Independent Trustee Services | Education Counseling