

An Introduction to the Legal Documents for Dying and Death

Putting our worldly affairs in order in preparation for dying is not only helpful to our family and carers at the time of our death, and to our family afterwards, but it can also be a profound spiritual process.

The legal documents that are useful to complete in advance, in case we become incapable of issuing our own instructions, include the following:

1. **Will**
2. **Enduring Power of Attorney**
3. **Enduring Power of Guardianship**
4. **Advance Health Directive**
5. **Last Letter to Your Family**

The relevant documents and their names vary a little from state to state in Australia; the above list refers to Western Australia. The Will covers arrangements after you die; the other documents are valid until you die.

Writing a **Will** enables us to look at our attachments and transform them into generosity. It can also help forestall any unhappiness amongst your family and beneficiaries, as your wishes are legally binding.

Appointing a trusted friend as your **Enduring Attorney** enables them to look after your financial affairs and property should you no longer be able to do this, giving you peace of mind, and removing a potential source of disagreements within your family.

In a similar way, appointing an **Enduring Guardian** allows a close friend to convey to doctors and others your wishes for health care and personal matters in the event that you cannot communicate any more.

Working through the decisions you would make about life-support treatment, in order to complete your **Advance Health Directive** (often called a 'living will'), allows you to rehearse possible scenarios of dying and transform them into a powerful recognition of impermanence. If you wish for palliative care without undue medical interventions, and wish to die as 'naturally' as possible, then the Advance Health Directive is the place to make your wishes clear to all concerned with your care in the final stages of dying.

Writing a letter of instructions for our final arrangements (**Last Letter to Your Family**) affords a special opportunity to relieve our loved ones of difficult decisions not covered in the documents above, and to respond to their sorrow with forethought and compassion. Spiritual arrangements you wish during and after death, and funeral wishes can be set down in this letter.

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Comments from the experiences of members of the Wheel of Life and from *Life in Relation to Death* by Chagdud Tulku Rinpoche and Chagdud Khadro, Padma Publishing, 2000. Edited by Len Warren.