No matter how committed your relationship is, no matter how long you've lived together—if you're not married to your partner, then Texas law does not give you any rights if your partner is ill or passes away. Careful estate planning is vitally important for unmarried couples. You can take legal steps to give your partner the ability to make decisions on your behalf or to receive your property when you die, but if you don't take affirmative action, your partner has no legal standing whatsoever.

Your attorney can protect both of you with a plan tailored to your specific needs and goals. It is important to get your plans and documents in order without delays, however, because accidents and illnesses can cause problems at any stage of life.

You Each Need a Will

If you die without a will, your property passes according to the laws of intestate succession. Generally, these laws award your property to your closest living relatives. Your unmarried partner will get nothing unless they are named as a beneficiary in your will.

Your partner is likely to struggle with your family members over ownership of property shared during your relationship. You can prevent misunderstandings and confusion and protect your partner by having your attorney draw up a will specifying what your partner should receive if you pass away before they do.

Title Assets Jointly

If you own real estate, vehicles, or any property with a title, naming your partner as a joint-tenant or co-owner can allow that property to belong solely to your partner at your death, and the property will not become part of your estate or need to pass through probate. It is important to ensure that joint ownership includes a right of survivorship.

Power of Attorney Documents Allow Partners to Make Decisions for Each Other

When your attorney draws up financial and medical power of attorney documents for you, that enables you to authorize your partner to make decisions on your behalf if you become incapacitated. A financial power of attorney can allow your partner access to your bank accounts and the ability to manage your business affairs. A health care power of attorney enables your partner to authorize treatment and make decisions. You should also execute privacy authorization forms to enable your partner to speak with doctors about your needs.

Name Your Partner as a Beneficiary

You can name your partner as the primary beneficiary of your bank accounts, retirement accounts, and investment accounts. Then when you pass away, these assets become your partner's property directly without going through probate. If your partner dies before you, then the assets will be distributed to whoever you name as an alternate beneficiary. Note that you can divide the proceeds so that some funds go to your partner and some go to others that you choose.

Life Insurance Can Protect an Unmarried Partner

If you take out a life insurance policy and name your partner as your beneficiary, the proceeds could help cover debts including funeral expenses. Depending on the value of the policy, life insurance could also make up for income you provided through Social Security, pension, or other benefits that will cease at the time of your death.

Talk to Your Attorney About Protecting Your Partner

If you have not worked with your estate planning attorney to include your partner in your critical documents, it is a good idea to do so sooner rather than later. Your

lawyer can draw up powers of attorney, wills, and other tools to protect both of you in your lives ahead.

For a confidential consultation to discuss your estate planning needs, contact The Nordhaus Firm today.