DT Law

Estate planning for Illinois families
Naperville, Illinois

After the wedding or the move-in: seven things to review

Your documents do not update themselves when your life changes. Use this list to see where your plan stands, and tick each item as you review it.

- [ ] **1. Beneficiary forms**
  Retirement accounts, life insurance, and payable-on-death accounts go to the person named on the form, whatever your will says. Many employer retirement plans have their own spousal-consent rules, so check the plan.

- [ ] **2. Your will**
  Marriage does not cancel an Illinois will. An older will can still name people you no longer want and say nothing about your spouse. A surviving spouse can also renounce a will and take a share set by law.

- [ ] **3. Health care power of attorney**
  Names who decides about your medical care if you cannot. Without one, Illinois uses a default order. A spouse is near the top, and an unmarried partner ranks near the bottom.

- [ ] **4. Property power of attorney**
  Names who can pay bills and manage accounts if you cannot. A spouse or partner cannot automatically manage accounts that are only in your name.

- [ ] **5. How your home and accounts are titled**
  Title decides who receives the property. Married couples and civil union partners can hold a home as tenants by the entirety, but only if the deed says so. Talk it through before you retitle anything.

- [ ] **6. A premarital agreement (before the wedding only)**
  Must be in writing and signed by both people before the marriage. It can cover property, what happens at death or divorce, and life insurance. It cannot reduce a child's right to support.

- [ ] **7. A guardian for any minor children**
  A parent can name a guardian for a minor child in a will. If a child has another parent, talk with them about the choice.

Good to know in Illinois

- Common law marriage is not valid in Illinois, however long a couple has lived together.
- Partners in a civil union have the same legal protections and obligations as spouses.
- With no will, a spouse inherits everything if there are no descendants (such as children), and half if there are. An unmarried partner is not an heir.

Questions? Book a consultation: dtlaw-ep.com · (331) 215-6333
yung@dtlaw-ep.com · 2020 Calamos Ct., Suite 200, Naperville, IL

General information, not legal advice. It does not create an attorney-client relationship. Illinois law, checked October 2026; laws change.