

Legal Protections Checklist for Consensually Nonmonogamous Families



This document is not legal advice. It is an educational resource outlining categories and considerations for legal protections based on what NCSF has learned while supporting our communities for nearly 30 years. This document should NOT replace professional legal counsel.

By using this document, you acknowledge that:

- ☒ You understand this is NOT legal advice
- ☒ You understand you need to hire a licensed attorney
- ☒ You understand laws vary by state
- ☒ You understand this document is educational only
- ☒ You will consult with a qualified attorney before taking any legal action
- ☒ You will not rely solely on this document for legal decisions

Your family deserves proper legal protection. Hire an attorney.

A COMPREHENSIVE
LEGAL
PROTECTIONS
CHECKLIST FOR
NONMONOGAMOUS
FAMILIES

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Common Mistakes

- ✗ DIY documents without attorney review
- ✗ Using outdated forms
- ✗ Not notarizing documents
- ✗ Not updating documents regularly
- ✗ Assuming one state's documents work in another state

Please pay special attention to:

[WHY YOU MUST HIRE A LICENSED ATTORNEY](#)

[FINDING A QUALIFIED ATTORNEY](#)

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What this document IS and IS NOT

What this document IS:

- ✓ An educational resource
- ✓ A checklist of categories to consider
- ✓ A starting point for conversations with your attorney
- ✓ A way to organize your thoughts before meeting with a lawyer
- ✓ General information about common legal protections

This Document IS NOT:

- ✗ Legal advice
- ✗ A substitute for hiring an attorney
- ✗ Guaranteed to work in your state
- ✗ A complete guide to all legal protections
- ✗ Applicable to every situation
- ✗ A guarantee that documents will be enforceable

How To Use This Document Safely

1. Read this document to understand the categories. Get familiar with the types of legal protections that may exist for your situation.
2. Use this document to make a list of your concerns: What specific situations worry you? (hospitalization, death, custody, property, etc.).
3. Hire a licensed attorney - Contact KAP or find a local family law attorney.
4. Review [WHAT TO BRING TO YOUR MEETING](#). Use it as a starting point for discussion
5. Ask your attorney which items apply to your state. Your attorney will tell you what's possible in your jurisdiction.
6. Have your attorney draft state-specific documents. Don't DIY; let a professional create your documents.
7. Follow your attorney's advice. Your attorney knows your state's laws; follow their guidance.
8. Update documents as laws change. Laws change; your attorney can advise when updates are needed.

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Definitions for Key Terms

Legal/Medical Documents

Power of Attorney: A legal document that authorizes another person (called an "agent" or "attorney-in-fact") to act on your behalf. This can be limited to specific tasks (like managing a bank account) or broad (like handling all financial matters). The person with power of attorney can make decisions and sign documents as if they were you.

Sources: [Cornell Law School - Legal Information Institute](#), [Consumer Finance Protection Bureau](#), [CaringInfo.org](#)

Healthcare Proxy: A person you legally designate to make medical decisions on your behalf if you become unable to do so. Also called a "healthcare agent" or "medical power of attorney," this person has the authority to approve or refuse medical treatment based on your wishes and values. In *In re Guardianship of Kowalski*, 478 N.W.2d 790 (Minn. Ct. App. 1991), the court recognized a same-sex partner's authority to make medical decisions based on a healthcare proxy document, establishing precedent for non-traditional families.

Sources: [New York State Department of Health](#), [Western Southern - Healthcare Proxy vs. Power of Attorney](#), [SmartAsset - Estate Planning](#), [National Cancer Institute](#)

HIPAA Authorization: A legal document that gives specific people permission to access your private medical information under HIPAA (Health Insurance Portability and Accountability Act), a federal privacy law. Without this authorization, healthcare providers cannot share your medical records or health status with anyone except your legal spouse or biological family.

Sources: [U.S. Department of Health & Human Services - HIPAA Authorization](#), [HIPAA Journal - What is HIPAA Authorization?](#), [Healthcare Compliance Pros](#), [Paubox - HIPAA Consent vs. Authorization](#)

Advance Directive/Living Will: A legal document that specifies what medical treatment you want (or don't want) if you become seriously ill or injured and cannot communicate your wishes. It typically addresses issues like life support, resuscitation, and pain management, and takes effect only if you're unable to make decisions yourself.

Sources: [Mayo Clinic - Living Wills and Advance Directives](#), [CaringInfo.org - Advance Directive vs. Living Will](#), [Nationwide - Advance Directive vs. Living Will](#)

DNR (Do Not Resuscitate): A medical order instructing healthcare providers NOT to perform CPR (cardiopulmonary resuscitation) if your heart stops beating. A DNR ensures that if you die, medical staff will not attempt to revive you, allowing you to die naturally according to your wishes.

Sources: [Cleveland Clinic - Do-Not-Resuscitate Orders](#), [MedlinePlus - DNR Order](#), [MD Anderson Cancer Center - DNR Orders](#), [Harvard Health - DNR Definition](#)

Probate: The legal court process that occurs after someone dies, during which a judge oversees the distribution of the deceased person's assets, pays any debts and taxes, and settles disputes. Probate can take months or years and is often expensive; many people use trusts to avoid it.

Sources: [American Bar Association - The Probate Process](#), [Investopedia - Probate Definition](#), [Wikipedia - Probate](#)

Beneficiary Designation: A legal naming of who receives money or assets from a specific account or policy (such as life insurance, retirement accounts, or bank accounts) when you die. Beneficiary designations typically override your will, meaning the designated person receives the asset directly, regardless of what your will says.

Sources: [Vanguard - What Is a Beneficiary](#), [MetLife - What Is a Beneficiary](#), [Canada Life - What is a Beneficiary](#), [PensionBee - What is a Beneficiary](#)

Executor/Personal Representative: The person you designate in your will to manage your estate after you die. The executor's responsibilities include locating your assets, paying debts and taxes, and distributing remaining assets to beneficiaries according to your will. If you don't name an executor, the court will appoint one.

Sources: [American Bar Association - Estate Planning](#), [Investopedia - Executor Definition](#), [Nolo - Estate Planning Guide](#)

Family Law Terms

Second-Parent Adoption: A legal court process in which a non-biological parent becomes a legal parent of a child through adoption. After adoption is finalized, the adoptive parent has all the legal rights and responsibilities of a biological parent, including inheritance rights, custody rights, and the ability to make medical decisions.

Sources: [Lambda Legal - Second Parent Adoption](#), [American Civil Liberties Union - LGBTQ+ Family Rights](#), [National Center for Lesbian Rights - Family Law](#)

Guardianship: A legal relationship in which a court appoints a person (the "guardian") to care for and make decisions for another person (the "ward") who cannot care for themselves. Guardianship is commonly used for children whose parents have died or are unable to parent, and can also apply to adults who are incapacitated.

Sources: [American Bar Association - Guardianship](#), [National Center on Law & Elder Rights - Guardianship](#), [CaringInfo.org - Guardianship Planning](#)

Custody: The legal right and responsibility to care for a child, make decisions about their upbringing, and determine where they live. Custody can be "sole" (one parent has all rights) or "joint" (multiple parents share rights and responsibilities).

Sources: [American Bar Association - Child Custody](#), [FindLaw - Custody Definition](#), [Nolo - Child Custody](#)

Parenting Agreement/Co-Parenting Agreement: A legal contract between multiple parents that specifies custody arrangements, decision-making authority, financial responsibilities, visitation schedules, and what happens if a parent dies or leaves the family. This agreement helps prevent disputes and clarifies each parent's rights and obligations.

Sources: [American Bar Association - Family Law](#), [Nolo - Parenting Plans](#), [FindLaw - Co-Parenting Agreements](#)

Domestic Partnership: A legal relationship between two unmarried people who live together and share financial and personal responsibilities. Some states recognize domestic partnerships and provide legal protections similar to marriage; other states do not. A domestic partnership agreement clarifies the financial and legal terms of the relationship.

Sources: [Lambda Legal - Domestic Partnership](#), [Human Rights Campaign - Domestic Partnership](#), [National Center for Lesbian Rights - Domestic Partnership](#)

Property/Financial Terms

Revocable Living Trust: A legal document that holds your assets and specifies how they should be managed during your life and distributed after your death. It's "revocable" because you can change or cancel it anytime, and "living" because it takes effect while you're alive. A trust avoids probate, maintains privacy, and allows detailed control over asset distribution.

Sources: [American Bar Association - Trusts](#), [Investopedia - Revocable Trust](#), [Nolo - Living Trust](#)

Deed: A legal document that proves ownership of real property (land or buildings). A deed shows who owns the property and may include conditions or restrictions on how it can be used. Deeds are recorded with the county government to create an official public record of ownership.

Sources: [American Bar Association - Property Law](#), [Investopedia - Deed Definition](#), [FindLaw - Deed](#)

Tenancy: The legal right to occupy and use rental property under a lease agreement. A tenant has certain rights (like the right to a safe living space) and responsibilities (like paying rent on time). Tenancy can be held by one person or multiple people jointly.

Sources: [American Bar Association - Landlord and Tenant Law](#), [FindLaw - Tenant Rights](#), [Legal Aid - Tenant Rights](#)

Right of Survivorship: A legal provision that automatically transfers a deceased person's share of jointly-owned property to the surviving owner(s). With right of survivorship, if one owner dies, their share passes directly to the other owner(s) without going through probate. This is common in joint property ownership and some marriage arrangements.

Sources: [Investopedia - Right of Survivorship](#), [American Bar Association - Property Rights](#), [Nolo - Survivorship Rights](#)

Cohabitation Agreement: A legal contract between unmarried people who live together that clarifies financial arrangements, property ownership, debt responsibility, and what happens if the relationship ends. A cohabitation agreement is similar to a prenuptial agreement and helps prevent disputes about money and property.

Sources: [FindLaw - Cohabitation Agreements](#), [Nolo - Living Together Agreements](#), [American Bar Association - Family Law](#)

Nonmonogamy-Specific Terms

Nonmonogamy: Nonmonogamy is an umbrella term for any relationship structure in which people have romantic, sexual, or intimate relationships with multiple partners, with the knowledge and consent of all involved. Nonmonogamy encompasses many different relationship models and philosophies, including polyamory, open relationships, relationship anarchy, ethical nonmonogamy, and other consensual multi-partner arrangements. The defining characteristic of nonmonogamy is transparency, honesty, and mutual agreement among all participants about the nature and boundaries of the relationships.

Sources: [More Than Two - Relationship Structures](#), [KAP Professionals - Nonmonogamy Resources](#)

Polyamorous/Polyamory: Polyamory (or a form of non-monogamy) is the practice of having consensual romantic or sexual relationships with multiple people at the same time, with the knowledge and agreement of all involved. Polyamory is based on honesty, communication, and mutual consent among all partners. It is a specific relationship philosophy that emphasizes emotional intimacy and love across multiple partnerships.

Important Note on Terminology: The term "polyamory" is often abbreviated as "poly". However, it's important to understand that "poly" has a distinct and separate meaning in Pacific Islander contexts, and the two communities have worked toward linguistic clarity to avoid cultural erasure.

Historical Context: The word "Polynesia" itself was not created by indigenous Pacific Islanders. A French writer, Charles de Brosses, coined the term in 1756 to describe the islands of the Pacific. Historically, indigenous peoples did not call themselves Polynesian; instead, they identified by their specific islands, tribes, or ancestral groups, such as [Māori](#), [Samoan](#), or [Tongan](#). The abbreviation "poly" emerged much later as modern youth and urban diaspora populations mixed, creating shared pan-Pacific spaces and cultural identifiers, with [many Pacific Islanders using "poly" as a warm, familiar shorthand for their heritage and community](#).

The Modern Debate: The modern debate over the shorthand "poly" erupted online in the mid-2010s, driven largely by the rise of social media hashtags. [Essays like "Poly Means Polynesian Not Polyamorous"](#) highlighted how the polyamorous community's use of #poly was burying Pacific Islander cultural content, creating what indigenous activists described as [digital erasure of Pacific Islander spaces](#).

While some defenders of the polyamorous shorthand pointed out that [poly- is simply an Ancient Greek prefix meaning "many"](#) (forming both "Polynesia" meaning "many islands" and "polyamory" meaning "many loves"), critics argued that [no singular group could claim exclusive ownership over a prefix shared by polyester, polynomials, and countless other terms](#).

Interestingly, some Indigenous Pacific Islanders pushed back against the debate entirely, but for a different reason: because "Polynesia" is a European colonial term, [many individuals prefer to completely bypass both "Polynesian" and "poly," choosing instead to identify strictly by their specific heritage](#).

Current Practice: To reduce confusion and keep search terms clear, many in the non-monogamous community have adapted, with many intersectional online polyamorous spaces now explicitly asking users to use "polyam" or "polya" instead of "poly" to preserve digital space for Pacific Islanders.

Sources: [KAP Professionals - Polyamory Aware](#), [More Than Two - Polyamory Resources](#)

Chosen Family: People who are not biologically related to you but whom you consider family and with whom you have deep emotional bonds and commitments. Chosen family can include romantic partners, close friends, and others you've intentionally included in your life as family members.

Sources: [LGBTQ+ National Youth Talkline - Chosen Family](#), [Lambda Legal - Family Definitions](#), [Human Rights Campaign - Family Equality](#)

Multi-parent Household: A family structure in which a child is raised by more than two parents who share parenting responsibilities, decision-making authority, and financial support. Multi-parent households are common in polyamorous families and require clear legal agreements to protect all parents' rights and the child's welfare.

Sources: [KAP Professionals - Multi-Parent Families](#), [National Center for Lesbian Rights - Family Law](#)

Additional Helpful Terms

Notarization: The official certification by a notary public (a person authorized by the state) that a document was signed in their presence and that they verified the signer's identity. Notarization creates an official record and makes a document harder to challenge in court.

Sources: [American Bar Association - Notarization](#), [FindLaw - Notary Public](#), [National Notary Association](#)

Attestation Clause: A formal statement in a legal document (usually in a will or trust) in which you declare that you are of sound mind, signing of your own free will, and understand what you're signing. An attestation clause helps prevent claims that you were confused, coerced, or incompetent when you signed.

Sources: [American Bar Association - Will Execution](#), [Nolo - Will Requirements](#), [FindLaw - Estate Planning](#)

Intestacy Laws: State laws that determine how a person's assets are distributed if they die without a valid will or trust. Intestacy laws typically prioritize biological family members (spouse, children, parents) and may not recognize your chosen family, which is why having a will or trust is crucial.

Sources: [American Bar Association - Intestacy Laws](#), [Investopedia - Intestate Definition](#), [Nolo - Intestate Succession](#)

Incapacitation/Incapacitated: A legal state in which a person is unable to make decisions or care for themselves due to illness, injury, mental decline, or unconsciousness. Legal documents like powers of attorney and advance directives take effect when you become incapacitated.

Sources: [American Bar Association - Incapacity Planning](#), [CaringInfo.org - Incapacity](#), [National Center on Law & Elder Rights - Incapacity](#)

WHY YOU MUST HIRE A LICENSED ATTORNEY

State Laws Vary Significantly.

- Every state has different laws regarding marriage, domestic partnerships, guardianship, adoption, wills, trusts, and family law.
- Some protections available in one state may not exist in another state
- Some documents that are valid in one state may not be recognized in another state
- Polyamorous family structures have different legal recognition depending on your state and jurisdiction

What Works in One State May Not Work in Another

- Domestic partnership agreements are recognized in some states but not others
- Second-parent adoption laws vary dramatically by state
- Guardianship designations have different requirements in different states
- Hospital visitation rights are handled differently by different states
- Some states recognize multiple parents; others do not

You Need State-Specific Legal Advice

- A will that's valid in California may not be valid in Texas
- A trust that works in New York may not work in Florida
- Custody arrangements that are enforceable in one state may not be enforceable in another
- Your specific family situation requires analysis under YOUR state's laws

FINDING A QUALIFIED ATTORNEY

Use The Kink and Polyamory Aware Professionals Directory

<https://www.KAPprofessionals.org/> KAP maintains a directory of lawyers, therapists, and other professionals who are knowledgeable about and affirming of polyamorous and kink communities.

Choosing An Attorney

Why use KAP professionals

- They understand nonmonogamy and won't judge you
- They know the legal challenges specific to polyamorous families
- They're experienced in drafting documents for non-traditional families
- They can explain your state's specific laws
- They can help you navigate complex family situations

What to Look For in an Attorney

- Family law experience: They should specialize in family law or estate planning
- LGBTQ+ friendly: They should be affirming of non-traditional families
- Polyamory-aware: Ideally, they have experience with polyamorous clients
- Local expertise: They should be licensed in YOUR state and familiar with YOUR state's laws.
- Willing to listen: They should listen to your family structure and help you achieve your goals

Questions to Ask a Potential Attorney

1. "Are you familiar with polyamorous or nonmonogamous family structures?"
2. "Have you worked with clients in non-traditional family arrangements?"
3. "What are the specific laws in [your state] regarding [your concern]?"
4. "Can you draft documents that reflect my polyamorous family?"
5. "What are the limitations of what we can do legally in this state?"
6. "What happens if we move to another state?"

Important Notes Specific to Polyamorous Families

Legal Recognition Varies

- Some states recognize multiple guardians. A small number of states have passed explicit laws empowering courts to recognize three or more legal parents on birth certificates or in custody arrangements (often when limiting parentage to two would cause detriment to the child or in cases involving assisted reproduction). California is the primary example, having signed legislation that allows children to have more than two legal parents in appropriate cases. This is codified in California Family Code Section [7612\(c\)](#), which states: "In an appropriate action, a court may find that more than two persons with a claim to parentage under this division are parents if the court finds that..." This provision is often referred to as the "three parent law."
 - In other states, such as Louisiana, Oregon, Washington, Massachusetts, and Alaska, courts have [recognized third-parent adoptions in individual cases](#). In the District of Columbia and Delaware, semen or egg donors can be "de facto parents," so a child could, conceivably, have three parents.
 - Louisiana also allows multiple fatherhood in certain circumstances. Source: [Los Angeles Times - Brown signs bill to allow children more than two legal parents](#)
 - Most states do NOT recognize multiple parents; Most other U.S. states strictly enforce the traditional "Rule of Two" limiting legal parentage to two individuals.
 - Marriage is still only between two people; Federal law and all state laws recognize marriage only between two people.
 - Domestic partnerships vary significantly by state. Some states recognize domestic partnerships and provide legal protections, while other states do not recognize them at all. No federal domestic partnership law exists; recognition depends entirely on state legislation.

Some states recognize domestic partnerships; others don't. See [States with Domestic Partnership Recognition](#)

- What This Means for Your Family
- Because you are not able to legally marry all your partners, you may not be able to have all partners listed as legal parents.
- You need creative legal solutions to protect your family.
- An attorney experienced with nontraditional families can help you find solutions within your state's laws.

Your Chosen Family Needs Legal Protection

- Without legal documents, your biological family may make decisions for you.
- Without legal documents, your partners may have no rights to your children.
- Without legal documents, your partners may not inherit your assets.
- Without legal documents, your partners may not have visitation rights in hospitals.
- Legal documents are how you protect your chosen family.

State-specific considerations

Before You Do Anything

- Research your state's laws. What does your state allow?
- Hire a local attorney. Find someone licensed in your state. You can use NCSF's [Kink and Polyamory Aware Directory](#), or reach out to the [NCSF](#).
- Ask about your specific situation. Every family is different and has different needs.

Examples of How Laws Differ:

Multiple Parents:

- California may allow up to three parents on a birth certificate.
- Most other states only allow two parents.
- Your state may or may not allow multiple parents.

Domestic Partnerships:

- Some states recognize domestic partnerships.
- Some states don't.
- Recognition affects taxes, benefits, and inheritance.

Second-Parent Adoption:

- Some states make it easy for non-biological parents to adopt.
- Some states make it very difficult.
- Your state's laws will determine what's possible.

Hospital Visitation:

- Some states have specific laws about hospital visitation.
- Some states leave it to hospital policy.
- Your state's laws affect how much protection you have.

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What happens if you don't get legal protection

If You're Hospitalized:

- Your biological family may make medical decisions, not your partners.
- Your partners may be denied visitation
- Your partners may not receive information about your condition
- Your wishes about end-of-life care may be ignored

If You Die:

- Your biological family may inherit everything, not your partners
- Your biological family may control your funeral arrangements
- Your partners may have no legal claim to your assets
- Your children may be taken by biological family, not your chosen guardians

If You're Incapacitated:

- Your biological family may control your finances
- Your biological family may make legal decisions
- Your partners may have no authority to act on your behalf
- Your business or property may be mismanaged

If Your Child is Injured:

- Only biological parents may be able to authorize medical treatment
- Non-biological parents may be denied access to the child
- Medical decisions may be made by people you don't trust
- Your family structure may not be recognized

BOTTOM LINE

- You **MUST** hire a licensed attorney to protect your polyamorous family.
- This document is a starting point, not a solution. Your attorney will:
- Explain your state's specific laws
- Tell you what's possible in your jurisdiction
- Draft documents that are valid in your state
- Help you navigate complex family situations
- Ensure your wishes are legally protected

Don't DIY this. Your family's legal protection is too important.

CORE LEGAL CATEGORIES

POWERS OF ATTORNEY

Healthcare/Medical Power of Attorney

What it is: Designates who can make medical decisions if you're incapacitated. Without it, hospitals will recognize only your legal spouse or biological family.

What to Include: Specific individuals named with full legal names, clear authority limits, succession clauses, effective date.

How to Make It Less Contestable:

- Use state-approved forms
 - Financial institutions can reject out-of-state forms if they do not comply with local state laws.
 - Witness counts, notarization mandates, and "hot powers" (like gifting or changing beneficiary designations) vary significantly by state line.
- Notarize with 2-3 witnesses.
 - "Under the Uniform Power of Attorney Act (adopted in most states), a power of attorney must be signed by the principal and witnessed by at least two disinterested witnesses."
- Different states have different witness requirements
 - Some states require 2 witnesses, others 3, some allow 1
 - Reference your state's Uniform Power of Attorney Act or state-specific statutes
 - **Durability Rules:** Non-UPOAA states often require explicit, exact statutory wording to make a power of attorney durable past the principal's incapacity.
- Get a physician letter confirming competency
- Film video explaining wishes
- Avoid ambiguity
- Update every 3-5 years
- Distribute copies to doctors

Financial Power of Attorney

What it is: Authorizes someone to manage finances and conduct transactions if you can't.

What to Include: Who can access bank accounts, pay bills, manage investments, file taxes, specific account numbers, spending limits, backup agents

How to Make It Less Contestable:

- Notarize with witnesses
- Include a "springing" clause if your state supports this and your attorney advises it.
 - Not all states recognize springing POAs equally. While a springing POA lets a principal retain full control until a specific triggering event occurs (usually medical incapacity), varying state laws and strong institutional resistance make them highly problematic in practice.
 - Outright Bans: Some states have eliminated springing POAs altogether for newly executed documents. For example, under the Florida Power of Attorney Act, any durable POA executed after October 1, 2011, must take effect *immediately* upon signing.
 - Strict Statutory Requirements: States like California (under Probate Code Section 4129) and New York allow springing POAs but enforce rigid statutory forms. They require the document to explicitly detail how incapacity must be proven and certified before an agent can act.
 - There can be incapacity delays, HIPAA obstacles, or financial institution rejection, so attorneys will often draft an immediate durable POA. To prevent the agent from acting prematurely, the principal can execute an immediate POA but leave the original document in the safekeeping of their drafting attorney, with a written memorandum instructing that it be released to the agent only if incapacity occurs.
- Specify effective date
- Provide copies to banks
- Use attorney-drafted documents.

HEALTHCARE & MEDICAL DECISIONS

Healthcare/Medical Power of Attorney

Document or Action: Healthcare Power of Attorney (also called Healthcare Proxy or Medical Power of Attorney)

What it is/why you need it: Without this document, if you're hospitalized or incapacitated, hospitals will only recognize your legal spouse or biological family members. Your partners will have ZERO legal authority to make medical decisions, access your information, or advocate for your care, even if you've been together for decades. This document ensures your chosen family can make life-or-death decisions on your behalf.

What to Include and why (all subjects are state-dependent):

- **Full legal names of authorized individuals:** Hospitals need exact legal names to verify identity and authority; using nicknames or names of informal relationships creates confusion and delays
- **Specific medical decision-making authority:** Define exactly what decisions they can make (surgery, medication, life support, etc.) so there's no ambiguity about their power.
- **Succession/backup agents:** If your primary agent is unavailable during an emergency, you need backup agents named in order; otherwise, hospitals will revert to biological family.
- **Effective date and conditions:** Specify if it's immediately effective or only upon incapacity; this prevents challenges about when the document applies
- **Specific limitations (if any):** If there are certain decisions you don't want them to make, state this clearly to prevent overreach
- **Healthcare preferences:** Include your wishes about life support, resuscitation, pain management, etc., so agents know your values

How to Make It Less Contestable: Use state-approved statutory forms.

Each state has specific legal language: Using official forms ensures compliance with state law and makes the document harder to challenge.

- **Why:** Courts recognize statutory forms as properly executed; non-compliant documents are frequently invalidated.

Notarize with 2-3 independent witnesses: Notarization proves the document was properly signed; witnesses verify you weren't coerced.

- **Why:** This creates an official record that's difficult for biological family to dispute; it shows proper procedure was followed

Get a physician's letter confirming mental competency: A doctor's statement that you're of sound mind at the time of signing prevents claims that you were confused or incompetent.

- **Why:** Biological family often claims you were mentally incapacitated; medical documentation defeats this argument

Film a video explaining your wishes: Record yourself explaining why you chose these people and what you want; this is powerful evidence of your intent.

- **Why:** Video is compelling evidence of your mental state and genuine wishes; it's hard to argue you were coerced when you're on video explaining your choices

Avoid ambiguous language: Don't say "my partners" or "my family"; use full legal names and clearly state relationships.

- **Why:** Ambiguity gives biological family grounds to challenge who has authority; specific names eliminate this argument

Distribute copies to all relevant parties: Give copies to your doctors, hospital, healthcare proxy, and all partners.

- **Why:** If hospitals don't have the document, they'll ignore it; distribution ensures it's available when needed

Update every 3-5 years: Review and re-sign periodically to show this is your current, ongoing wish.

- **Why:** Outdated documents are more challengeable; recent updates show your current intent.

Include explicit language about your polyamorous family: State something like: "I recognize that [names] are my chosen family, and I want them to have the same authority as a legal spouse."

- **Why:** This directly addresses potential bias against non-traditional families and makes your intent crystal clear

HIPAA Authorization Document or Action: HIPAA (Health Insurance Portability and Accountability Act) Authorization

What it is/why you need it: HIPAA is a federal law that restricts who can access your medical information. Without HIPAA authorization, your partners cannot receive ANY information about your medical condition, even in an emergency. Hospitals will refuse to tell them if you're alive, what's wrong with you, or what treatment you're receiving. This document legally authorizes specific people to access your medical records and receive information.

What to Include and why (all subjects are state-dependent):

- **Full legal names of authorized individuals**
- **Medical providers need exact legal names to verify who can access information:** Your full legal name and date of birth So providers can identify your records correctly
- **Specific health information they can access:** You can authorize access to all records or limit it (e.g., "all records except mental health" if you prefer privacy in that area)
- **Duration of authorization:** Specify if it's permanent or expires on a certain date
- **Your signature and date:** Required for the authorization to be valid
- **Notarization:** Adds legal weight to the document
- **How to Make It Less Contestable:** Use the official HIPAA form. Each healthcare provider has a specific form; using their form ensures compliance with their system.
 - **Why:** Providers are trained to accept official forms; non-standard documents may be rejected

Notarize the document: Have a notary public witness your signature.

- **Why:** Notarization creates an official record and makes it harder to claim you didn't sign it

Provide copies to ALL healthcare providers: Give to your doctor, hospital, specialist, pharmacy, etc.

- **Why:** Providers only honor authorizations they have on file; without copies, they'll deny access

Be specific about who can access what: Name individuals and specify which information they can access.

- **Why:** Vague language can be challenged; specific authorization is harder to dispute

Update whenever you change doctors or healthcare providers: Provide new copies to new providers.

- **Why:** Outdated or missing authorizations will be ignored; keeping current copies ensures access

Keep a copy for yourself: Store a copy in your files and give copies to your healthcare proxy.

- **Why:** You need proof you authorized access; having copies shows you took this seriously

Hospital Visitation Authorization (also called Visitation Rights Document)

What it is/why you need it: Hospitals have strict visitation policies and will only allow "immediate family" to visit. Without this document, your partners may be turned away from your hospital

room, even if you want them there. This document explicitly authorizes your partners to visit you and receive information about your condition.

What to Include and why (all subjects are state-dependent):

Explicit authorization for each partner to visit

- **Name each person who should be allowed to visit:** Visiting hours preferences
- **Specify if they can visit anytime or during certain hours:** Who can receive updates about your condition

Authorize specific people to receive medical information: Who is NOT allowed to visit If you're estranged from biological family, explicitly exclude them (e.g., "My mother [full name] is not authorized to visit or receive information about my condition").

- **Why:** Explicit exclusions prevent hospitals from giving information to people you don't want involved.

Specific instructions for different scenarios: What if you're conscious vs. unconscious? What decisions should each person make?

Your signature, date, and notarization: Makes it legally binding

How to Make It Less Contestable: Notarize the document. Have a notary public witness your signature.

- **Why:** Notarization creates an official record that's hard to challenge

Include the hospital's name and address: Specify which hospital(s) this applies to.

- **Why:** Hospitals are more likely to honor documents that specifically name them

Give copies to hospital admissions AND your partners: Provide them to the hospital when you're admitted and keep copies with your partners.

- **Why:** If the hospital doesn't have the document, they'll ignore it; multiple copies ensure someone has it

Attach to your HIPAA authorization: Include this with your HIPAA form so they're together.

- **Why:** Hospitals are more likely to honor documents that are filed together in your medical record

Reference it in your healthcare directive: Mention this document in your advance directive.

- **Why:** This creates consistency across your medical documents and reinforces your intent

Update if circumstances change: If you have new partners or want to exclude someone, update the document.

- **Why:** Outdated documents may not reflect your current wishes

Be explicit about your polyamorous family: State something like: "These individuals [Full Names] are my chosen family and have the same visitation rights as a legal spouse."

- **Why:** This directly addresses potential bias and makes your intent unmistakable

Living Will/Advance Directive

Document or Action: Living Will or Advance Directive

What it is/why you need it: This document specifies your wishes for end-of-life care BEFORE you need it. It tells doctors what kind of medical treatment you do or don't want if you're dying or permanently unconscious. Without this, doctors will do everything possible to keep you alive, even if that's not what you'd want.

What to Include and why (all subjects are state-dependent): (all subjects are state dependent):

Life support preferences: Do you want to be on a ventilator? For how long? Under what conditions?

- **Resuscitation preferences:** Do you want CPR if your heart stops?
- **Organ donation wishes**
- **Do you want to donate organs?**
- **Pain management preferences**
- **How aggressive should pain management be?**
- **Religious/cultural preferences:** What matters to you spiritually or culturally?
- **Who should be consulted?** Which of your partners should be involved in decisions?

How to Make It Less Contestable:

- **Use state-approved statutory form.** Each state has specific legal language; use your state's official form.
 - **Why:** Courts recognize statutory forms as properly executed; non-compliant documents are frequently invalidated
- **Notarize with witnesses:** Have a notary public and 2-3 witnesses present when you sign.
 - **Why:** Notarization and witnesses create an official record that's hard to challenge
- **Get physician confirmation of competency:** Have your doctor confirm you're of sound mind when you sign.

CNM Families Legal Protections Checklist

This document is educational material only and is NOT legal advice. Laws vary significantly by state and jurisdiction. Some protections may not be available in your state. You MUST consult with a licensed attorney in your state before taking any legal action.

- **Why:** Biological family often claims you were confused; medical confirmation defeats this argument
- **Film a video explaining your wishes.** Record yourself explaining your end-of-life preferences and why they matter to you.
 - **Why:** Video is powerful evidence of your genuine wishes and mental state
- **Distribute to healthcare providers:** Give copies to your doctor, hospital, and healthcare proxy.
 - **Why:** Providers only honor documents they have on file
- **Update every 3-5 years.** Review and re-sign periodically.
- **Why:** Recent updates show your current wishes; outdated documents are more challengeable

Do Not Resuscitate (DNR) Order

What it is/why you need it: A DNR order is a legal document that tells medical professionals NOT to perform CPR (cardiopulmonary resuscitation) if your heart stops. Without a DNR, doctors will automatically try to revive you, even if you don't want that. A DNR ensures your wishes are respected.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Your legal name and ID:** So medical professionals can identify you. Physician signature: Your doctor must sign to make it official
- **Notarization: Adds legal weight.** Effective date: When the DNR takes effect. Conditions (if any)
- **Are there situations where you DO want resuscitation?**

How to Make It Less Contestable:

- **Get from your doctor:** Your physician must be involved in creating a DNR.
 - **Why:** Medical professionals are trained to recognize and honor official DNRs
- **Notarize:** Have a notary public witness the signatures.
 - **Why:** Notarization creates an official record
- **Wear a DNR bracelet/necklace:** Get a medical alert bracelet that identifies you as DNR.
 - **Why:** First responders look for medical alert jewelry; this ensures they know your wishes immediately
- **Give copies to all healthcare providers.** Ensure your doctor, hospital, and specialists have copies.
 - **Why:** Providers only honor DNRs they have on file
- **Update if preferences change.** If you change your mind, get a new DNR.
 - **Why:** Outdated DNRs may not reflect your current wishes

Medical Information Sheet

(detailed medical history document)

What it is/why you need it: When you're hospitalized, doctors need your complete medical history immediately. This document provides all critical medical information in one place so hospitals don't have to search for it.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- Current medications and dosages: So doctors don't prescribe conflicting medications
- Allergies and reactions: Critical for treatment decisions; allergic reactions can be fatal.
Chronic conditions: So doctors understand your baseline health
- Previous surgeries
- Relevant to current medical decisions
- Mental health history: Important for overall care and medication decisions
- Preferred hospitals/doctors: So care is coordinated with providers who know you
- Religious/cultural preferences for care: So treatment respects your values
- Who can/cannot visit: So hospitals enforce your visitation wishes

How to Make It Less Contestable:

- **Keep digital copies with your healthcare proxy.** Give copies to whoever has your healthcare power of attorney.
 - **Why:** They need this information to make decisions on your behalf
- **Store on your phone** (accessible without unlocking)
- **Make it accessible in emergency situations.**
 - **Why:** First responders may access your phone; making information accessible saves time
- **Give it to your regular doctor.** Ensure your primary care provider has this information.
 - **Why:** Your doctor can provide it to hospitals and specialists. Update whenever anything changes
- **Review and update regularly.**
 - **Why:** Outdated medical information can lead to wrong treatment decisions
- **Laminate physical copies.** Protect them from damage.
 - **Why:** Damaged documents are unreadable; lamination preserves them

Emergency Contact Card

(laminated wallet card)

What it is/why you need it: If you're in an accident or emergency, first responders need to know immediately who to contact and what your medical situation is. This card goes in your wallet and provides critical information when you can't communicate.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Your legal name and ID number:** So first responders can identify you
- **Primary emergency contacts** (all partners/family members): List everyone who should be contacted
- **Phone numbers and relationships:** So responders know who to call and how they relate to you
- **Medical conditions, allergies, medications.** Critical for emergency treatment decisions
- **Organ donor status:** So responders know your wishes
- **DNR status (if applicable):** If you have a Do Not Resuscitate order, this is critical information
- **Healthcare proxy name:** Who should make medical decisions for you
- **QR code (optional):** Links to your full medical history stored securely online

How to Make It Less Contestable:

- **Laminate it.** Protect it from damage so it's readable in an emergency.
 - **Why:** A damaged card won't be readable; lamination ensures it survives
- **Carry it in your wallet at all times.** It only works if you have it with you.
 - **Why:** First responders check wallets; if it's not there, they won't find it
- **Give copies to all emergency contacts** so they know what's on your card.
 - **Why:** Your contacts can help first responders understand your wishes
- **Update annually.** Review and reprint if phone numbers or information changes.
 - **Why:** Outdated information is useless; annual updates ensure accuracy
- **Include QR code linking to full medical history.** Store your complete medical information online in a secure location.
 - **Why:** First responders can access detailed information quickly; this can be life-saving

Will (Last Will and Testament)

What it is/why you need it:

A will is a legal document that specifies who gets your assets and property after you die. WITHOUT a will, your state's intestacy laws decide, and they usually give everything to your biological family,

not your chosen family. Your partners get NOTHING unless you're legally married or they're adopted. A will ensures your wishes are honored.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Specific asset distributions:** Who gets what? Be specific (e.g., "My house goes to [name], my car goes to [name]").
 - **Why:** Vague language leads to disputes; specific distributions are clear and hard to challenge
- **Beneficiary names and relationships:** Use full legal names and clearly state how they relate to you.
 - **Why:** This prevents confusion about who you meant; it also documents your recognition of your polyamorous family
- **Executor designation:** Who will manage your estate and carry out your wishes?
 - **Why:** Without an executor, courts will appoint someone (usually biological family); naming an executor ensures your choice is respected
- **Guardian designations (if children):** Who should raise your children if you die?
 - **Why:** Without this, courts will decide; naming guardians ensures your children go to people you trust
- **Explanations of your intent:** Why are you leaving things to specific people?
 - **Why:** Explanations reduce claims of undue influence; they show your reasoning was sound
- **Explicit disinheritance (if applicable):** If you're excluding biological family, state this clearly: "I intentionally make no provision for my mother..."
 - **Why:** Explicit exclusion prevents biological families from claiming you "forgot" them

How to Make It Less Contestable:

- **Use an attorney-drafted will.** Hire a lawyer to draft your will; DIY wills are frequently challenged.
 - **Why:** Attorney-drafted wills are presumed valid; courts recognize professional legal work
- **Include an attestation clause. Include a formal statement: "I am of sound mind and body, and I am signing this of my own free will."**
 - **Why:** This creates a record of your mental competency; it defeats claims that you were confused or coerced
- **Use 2-3 disinterested witnesses.** Have witnesses who don't benefit from the will sign it.
 - **Why:** Disinterested witnesses are credible; if beneficiaries witness the will, it looks suspicious

- **Notarize with a self-proving affidavit.** Include sworn statements from witnesses; this prevents them from having to testify later.
 - **Why:** Self-proving affidavits speed up probate and make the will harder to challenge
- **Film video explaining your wishes:** Record yourself explaining why you're leaving things to specific people.
 - **Why:** Video is compelling evidence of your mental state and genuine wishes
- **Get a physician letter confirming competency.** Have your doctor confirm you're of sound mind when you sign.
 - **Why:** Medical documentation defeats claims that you were mentally incapacitated
- **Explain WHY you're leaving things to specific people.** In the will, explain your reasoning.
 - **Why:** This reduces claims of undue influence; it shows your decisions were thoughtful
- **No handwritten changes.** Don't cross things out or write in margins; use formal amendments (codicils).
 - **Why:** Handwritten changes look suspicious and are often challenged; formal amendments are clearly intentional
- **Keep a detailed memo of intent.** Write a separate document explaining your reasoning (not legally binding but persuasive).
 - **Why:** This memo can be used in court to show your intent if the will is challenged
- **Review every 3-5 years.** Update your will periodically to show your current wishes.
 - **Why:** Outdated wills are more challengeable; recent updates show your current intent

Revocable Living Trust

What it is/why you need it: A trust is similar to a will but with additional benefits. It allows you to avoid probate (the court process that can take months and cost thousands), maintain privacy, and specify exactly how your assets are distributed. A trust is especially useful for polyamorous families because it's more private than a will (which becomes public record) and can be more specific about your wishes.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent): Detailed recitals explaining your intent

- **Why are you creating this trust?** What are your values?
 - **Why:** Detailed explanations show your reasoning and make the trust harder to challenge
- **Successor trustees named:** Who manages the trust if you can't?
 - **Why:** Without naming successors, courts will appoint someone (usually biological family)
- **Detailed distribution instructions:** Who gets what and when?
 - **Why:** Specific instructions prevent disputes and ensure your wishes are followed

- **Contingency plans:** What happens if a beneficiary dies before you? What if someone can't manage money?
 - **Why:** Contingency plans prevent disputes and ensure your wishes are followed even if circumstances change
- **Backup trustees:** Name multiple people in case your first choice can't serve.
 - **Why:** Backup trustees ensure the trust can be managed even if your first choice is unavailable
- **Specific asset descriptions:** List exactly which assets go into the trust.
 - **Why:** Specific descriptions prevent disputes about what's included

How to Make It Less Contestable:

- **Use an attorney-drafted trust. Hire a lawyer;** DIY trusts are frequently challenged.
 - **Why:** Attorney-drafted trusts are presumed valid; courts recognize professional legal work
- **Include detailed recitals of intent.** Explain your reasoning and values in detail.
 - **Why:** Detailed explanations show your thinking was sound and reduce claims of undue influence
- **Get a physician letter confirming competency.** Have your doctor confirm you're of sound mind.
 - **Why:** Medical documentation defeats claims that you were mentally incapacitated
- **Film video of yourself signing and explaining.** Record yourself explaining the trust and why it matters.
 - **Why:** Video is powerful evidence of your mental state and genuine wishes
- **Notarize:** Have a notary public witness your signature.
 - **Why:** Notarization creates an official record.
- **Include 2-3 disinterested witnesses.** Have people who don't benefit from the trust sign as witnesses.
 - **Why:** Disinterested witnesses are credible; beneficiary witnesses look suspicious
- **Avoid undue influence:** Don't let beneficiaries be present during drafting.
 - **Why:** If beneficiaries are present, it looks like they pressured you; excluding them shows the trust is your genuine wish
- **Use a neutral third-party trustee.** Consider hiring a professional fiduciary to manage the trust.
 - **Why:** A neutral trustee is harder to challenge; it shows the trust is impartial
- **Update regularly:** Review and amend the trust as circumstances change.
 - **Why:** Recent updates show your ongoing commitment to the arrangement
- **Use clear, specific language.** Avoid vague terms; be explicit about what you want.
 - **Why:** Specific language prevents disputes; vague language is often challenged

Beneficiary Designations

(on retirement accounts, life insurance, bank accounts, investment accounts)

What it is/why you need it: Beneficiary designations are forms that specify who receives money from your retirement accounts, life insurance, and bank accounts when you die. These are separate from your will and can sometimes override it. If you don't update them, your ex-spouse or biological family might get your money instead of your partners.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Full legal names of beneficiaries:** Use exact legal names; nicknames or informal names create confusion
- **Relationship to you:** Specify how each person relates to you (e.g., "partner," "spouse," "friend").
 - **Why:** This documents your recognition of your polyamorous family
- **Percentage or amount for each:** How much does each person get?
 - **Why:** Specific percentages prevent disputes about who gets what
- **Contingent beneficiaries:** Who gets the money if your primary beneficiary dies before you?
 - **Why:** Contingent beneficiaries ensure your money goes where you want even if circumstances change
- **Clear instructions:** Make sure the form is filled out completely and clearly

How to Make It Less Contestable:

- **Update annually:** Review beneficiary designations every year.
 - **Why:** Regular updates show your current wishes; outdated designations are more challengeable
- **Keep copies of all designations.** Store copies in your files.
 - **Why:** You need proof of what you designated; copies show you took this seriously
- **Ensure consistency with will/trust:** Make sure beneficiary designations match your will and trust.
 - **Why:** Inconsistencies create disputes; consistency shows your wishes are clear
- **Document your reasoning:** Keep a note explaining why you chose each beneficiary.
 - **Why:** Documentation shows your reasoning was sound and reduces claims of undue influence
- **Notify beneficiaries:** Tell your partners who you've designated as beneficiaries.
 - **Why:** Notification shows your wishes are genuine and not secret

Executor or Personal Representative Designation

What it is/why you need it: Your executor is the person who manages your estate after you die. They handle your will, distribute your assets, pay your debts, and carry out your wishes. If you don't name an executor, courts will appoint one—usually a biological family member, not someone from your polyamorous family.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Primary executor name:** Who do you want to manage your estate?
- **Backup executors:** Who should do it if your first choice can't?
 - **Why:** Backup executors ensure your estate can be managed even if your first choice is unavailable
- **Their authority and responsibilities:** What exactly can they do? Compensation (if any)
- **Will they be paid for their work?**
- **Specific instructions:** Any special requests or considerations?

How to Make It Less Contestable:

- **Choose someone you trust completely.** Pick someone who will honor your wishes.
 - **Why:** Your executor has enormous power; trust is essential.
- Consider a professional fiduciary. You can hire a professional to manage your estate.
 - **Why:** A professional executor is neutral and harder to challenge
- Give detailed written instructions. Write out exactly what you want your executor to do.
 - **Why:** Detailed instructions prevent disputes and ensure your wishes are followed
- **Notarize the designation:** Have a notary public witness your signature.
 - **Why:** Notarization creates an official record
- **Brief executor on your wishes before you die.** Talk to them about your values and preferences.
 - **Why:** Personal communication ensures they understand your intent. Include in will and trust
- **Name the same executor in both documents.**
 - **Why:** Consistency shows your wishes are clear

FAMILY & CUSTODY

Parenting Agreement (also called Co-Parenting Agreement or Custody Agreement)

What it is/why you need it: A parenting agreement is a legal document that establishes rights and responsibilities for children in multi-parent households. It specifies who has custody, who makes decisions, who pays for what, and what happens if a parent dies or leaves. Without this, courts will make decisions based on state law, which may not reflect your family's wishes.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent): Custody and guardianship arrangements

- **Who has primary custody?** Who has visitation?
 - **Why:** Clear custody arrangements prevent disputes and ensure children's stability
- **Decision-making authority:** Who decides about medical care, education, religion?
 - **Why:** Clear decision-making authority prevents conflicts and ensures consistent parenting
- **Financial support amounts and responsibilities:** Who pays for what?
 - **Why:** Clear financial arrangements prevent disputes and ensure children's needs are met
- **Visitation schedules:** When does each parent spend time with the child?
 - **Why:** Clear schedules prevent confusion and ensure all parents have meaningful time with the child
- **What happens if a parent dies or leaves?** Who takes over if someone can't parent anymore?
 - **Why:** Contingency plans ensure children are cared for even if circumstances change
- **Dispute resolution procedures:** How will conflicts be resolved?
 - **Why:** Clear procedures prevent costly litigation

How to Make It Less Contestable:

- **Seek court approval if possible; have** a judge approve the agreement.
 - **Why:** Court approval is the strongest protection; it makes the agreement legally binding
- **Have all legal parents sign.** Every person claiming parental rights must agree.
 - **Why:** All parties signing shows consensus and prevents later challenges
- **Notarize with multiple witnesses:** Have a notary public and 2-3 witnesses present.
 - **Why:** Notarization and witnesses create an official record that's hard to challenge
- **Frame everything around the child's best interest.** Show how this arrangement benefits the child.
 - **Why:** Courts prioritize children's welfare; showing the arrangement serves the child's interest makes it stronger
- **Include detailed provisions. Be specific about every aspect of parenting.**

- **Why:** Specific provisions prevent disputes and ensure your wishes are followed
- **Add contingency plans:** What if someone dies? What if someone wants to leave?
 - **Why:** Contingency plans ensure the agreement works even if circumstances change
- **Use a professional mediator to draft:** Have a family mediator help create the agreement.
 - **Why:** Professional mediation shows the agreement is fair and not one-sided
- **Include evidence that arrangement benefits child:** Provide documentation showing why this arrangement is good for the child.
 - **Why:** Evidence strengthens the agreement and makes it harder to challenge
- **Update as child grows:** Revise the agreement as the child gets older and circumstances change.
 - **Why:** Updated agreements show your ongoing commitment to the arrangement
- **Avoid appearance of commodification:** Don't make it sound transactional; focus on care and commitment.
 - **Why:** Courts are concerned about children being treated as property; focusing on love and commitment makes the agreement stronger

Second-Parent Adoption

What it is/why you need it: Second-parent adoption is a legal process where a non-biological parent becomes a legal parent through the court system. This is the **STRONGEST** way to establish parental rights for non-biological parents in a polyamorous family. After adoption, the non-biological parent has all the legal rights and responsibilities of a biological parent.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Consent from all legal parents:** Everyone with parental rights must consent to the adoption.
 - **Why:** Consent shows all parties agree; without it, the adoption can be challenged
- **Court petition:** A formal request to the court asking for adoption
- **Home study** (if required): An investigation of your home and family situation.
 - **Why:** Home studies ensure the child's safety and welfare
- **Background checks:** Criminal background checks for the adoptive parent.
 - **Why:** Background checks ensure the adoptive parent is safe. Finalization documents: Court orders making the adoption official

How to Make It Less Contestable:

- **Use a family law attorney.** Hire a lawyer experienced in adoption and LGBTQ+ families.
 - **Why:** Attorneys know the legal requirements and can ensure proper procedure
- **Follow all court procedures exactly.** Don't skip steps or take shortcuts.
 - **Why:** Improper procedure can invalidate the adoption

- **Complete all required documentation.** Provide everything the court asks for.
 - **Why:** Missing documentation can delay or prevent the adoption
- **Attend all hearings:** Show up in court when required.
 - **Why:** Your presence shows commitment and ensures the court understands your family
- **Obtain final adoption decree:** Get the official court order.
 - **Why:** The final decree is proof of legal parenthood
- **Update birth certificate:** Have the child's birth certificate amended to show the new parent.
 - **Why:** Updated birth certificates ensure the adoption is recognized everywhere

Guardianship Designation (in your will or separate document)

What it is/why you need it: A guardianship designation specifies who should raise your children if you die. Without this, courts will decide, and they might choose someone you wouldn't want. A guardianship designation ensures your children go to people you trust.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Primary guardian:** Who should raise your children if you die?
- **Backup guardians:** Who should do it if your first choice can't?
 - **Why:** Backup guardians ensure your children are cared for even if your first choice is unavailable
- **Financial guardian** (if different): Who should manage the child's money?
 - **Why:** Sometimes the person best at raising children isn't the best at managing money; naming separate guardians allows for this
- **Specific instructions for the child's upbringing:** What values do you want instilled? What's important to you?
 - **Why:** Specific instructions help guardians honor your wishes
- **Values/beliefs to instill:** What do you want your child to learn and believe?
 - **Why:** This helps guardians understand your parenting philosophy
- **Contact with biological family** (if any): Should the child maintain contact with biological relatives?
 - **Why:** This ensures the child's relationships are preserved if that's what you want
- **Financial provisions:** How much money should be available for the child's care?
 - **Why:** Financial provisions ensure the child's needs are met

How to Make It Less Contestable:

- **Have all parents agree and sign.** If there are multiple parents, everyone should agree.
 - **Why:** Agreement shows consensus and prevents challenges

- **Notarize:** Have a notary public witness your signature.
 - **Why:** Notarization creates an official record
- **File with will/trust:** Include the guardianship designation in your will or trust.
 - **Why:** Filing ensures the court knows about your wishes
- **Brief designated guardians:** Talk to them about your wishes and make sure they agree.
 - **Why:** Communication ensures they're willing and understand your expectations
- **Get their written consent:** Have guardians sign a document agreeing to serve.
 - **Why:** Written consent shows they're willing and committed
- **Update if circumstances change:** If your relationship with a guardian changes, update the designation.
 - **Why:** Outdated designations may not reflect your current wishes
- **Consider naming co-guardians.** You can name multiple people to raise your child together.
 - **Why:** Co-guardians can share responsibilities and provide additional support

School Emergency Contact Form

What it is/why you need it: Schools maintain emergency contact forms that specify who to call if a child is injured. Without proper forms, schools might only contact biological family, excluding your polyamorous family members. This form ensures schools know how to contact all your family members.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **All parents/guardians listed: Include every parent in your polyamorous family.**
 - **Why:** This ensures all parents are contacted in emergencies
- **Relationships clearly stated:** Specify how each person relates to the child (e.g., "mother," "father," "parent," "co-parent").
 - **Why:** Clear relationships help schools understand your family structure
- **Who can pick up the child:** Specify which adults are authorized to pick up the child from school.
 - **Why:** This prevents unauthorized people from taking the child
- **Who cannot pick up the child:** If there's someone who shouldn't have access (e.g., estranged ex), specify this.
 - **Why:** Explicit exclusions prevent problems
- **Medical authorization for each adult:** Who can authorize medical treatment?
 - **Why:** Clear authorization ensures medical decisions can be made quickly
- **Custody documentation:** Provide proof of custody/guardianship.
 - **Why:** Schools need proof that all listed adults have legal authority

How to Make It Less Contestable:

- **File with school annually.** Update the form every school year.
 - **Why:** Regular updates ensure the information is current
- **Provide custody documents to school:** Give the school copies of adoption papers, guardianship designations, or court orders.
 - **Why:** Documentation proves your legal authority
- **Ensure all parents are listed on enrollment forms.** Make sure all parents are listed on the school's enrollment paperwork.
 - **Why:** This creates an official record of your family structure
- **Brief the school about family structure.** Talk to the school about your polyamorous family.
 - **Why:** Communication helps schools understand and respect your family
- **Update if custody changes.** If guardianship changes, update the forms immediately.
 - **Why:** Outdated forms don't reflect your current family

Medical Authorization for Children

What it is/why you need it: This document authorizes non-biological parents to make medical decisions for children. Without this, hospitals might refuse to let non-biological parents authorize treatment, even if the biological parent is unavailable.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Which adults can authorize medical treatment?** Who can make medical decisions?
 - **Why:** Clear authorization ensures medical decisions can be made quickly
- **Specific medical conditions and treatments:** Are there particular conditions or treatments you want to authorize?
 - **Why:** Specific authorization prevents disputes
- **Hospital preferences:** Which hospitals should treat the child?
 - **Why:** Preferences ensure care is coordinated
- **Religious/cultural preferences:** Are there religious or cultural considerations for medical care?
 - **Why:** This ensures medical care respects your family's values
- **Emergency contact hierarchy:** In what order should people be contacted?
 - **Why:** A clear hierarchy ensures the right person makes decisions
- **Backup authorizers:** Who should authorize treatment if the primary person is unavailable?
 - **Why:** Backup authorizers ensure decisions can be made even if the primary person is unavailable

How to Make It Less Contestable:

- **Notarize:** Have a notary public witness your signature.
 - **Why:** Notarization creates an official record
- **Have all legal parents sign.** If there are multiple parents, they should all sign.
 - **Why:** All parents signing shows consensus
- **Give copies to child's doctor and school.** Ensure medical providers have the authorization
 - **Why:** Providers only honor authorizations they have on file. Include in school records
- **Make sure the school has a copy.**
 - **Why:** Schools need to know who can authorize medical decisions
- **Update as child grows.** Revise as the child gets older, and circumstances change.
 - **Why:** Updated authorizations reflect your current wishes

Passport/Travel Authorization

What it is/why you need it: If you're traveling with children, you need documentation showing you have permission from all parents. This prevents one parent from claiming the child was kidnapped. It's especially important for polyamorous families where not all parents may be biologically related.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Consent for child to travel with each parent:** Each parent should consent to the child traveling with the other parent.
 - **Why:** Consent prevents accusations of kidnapping
- **Custody documentation:** Proof of custody/guardianship.
 - **Why:** Documentation proves legal authority
- **Contact information for other parents:** How can other parents be reached?
 - **Why:** Contact information allows verification of consent
- **Medical authorization while traveling:** Who can authorize medical treatment while traveling?
 - **Why:** This ensures medical decisions can be made quickly if needed

How to Make It Less Contestable:

- **Notarize:** Have a notary public witness the signatures.
 - **Why:** Notarization creates an official record
- **Carry originals when traveling.** Don't rely on copies.
 - **Why:** Airlines and border agents want original documents
- **Provide to airlines if needed.** If asked, provide the authorization.
 - **Why:** Airlines may ask for proof of custody before allowing travel
- **Update if custody changes.** If guardianship changes, update the authorization.

- **Why:** Outdated authorizations don't reflect your current family

Digital Estate Plan

What it is/why you need it:

Your online presence and accounts need to be handled after you die. This includes social media, email, cloud storage, online banking, cryptocurrency, websites, and digital photos. Without a plan, your digital life will be lost or controlled by tech companies.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Social media accounts** (Facebook, Instagram, etc.) What should happen to your social media?
 - **Why:** You need to decide if accounts should be memorialized, deleted, or transferred
- **What** should happen to your email?
 - **Why:** Your email may contain important documents and personal communications
- **Cloud storage (photos, documents):** What should happen to your cloud storage?
 - **Why:** Your cloud storage may contain important documents and memories
- **Online banking:** Who should have access to your online banking?
 - **Why:** Your family needs access to pay bills and manage finances
- **Cryptocurrency:** Where are your crypto assets? How do people access them?
 - **Why:** Cryptocurrency is valuable and needs to be managed
- **Websites/blogs:** What should happen to your websites or blogs?
 - **Why:** You need to decide if they should be maintained, archived, or deleted
- **Online businesses:** What should happen to your online business?
 - **Why:** Online businesses may be valuable and need to be managed
- **Digital photos/videos:** What should happen to your digital media?
 - **Why:** Your digital media contains memories and may be valuable
- **Username and passwords** (stored securely): How do people access your accounts?
 - **Why:** Your family needs access to manage your digital estate
- **Instructions for each account** (delete, memorialize, transfer). What specifically should happen to each account?
 - **Why:** Clear instructions ensure your wishes are followed

How to Make It Less Contestable:

- **Use a digital executor or trusted partner.** Designate someone to manage your digital estate.
 - **Why:** A designated executor ensures your wishes are followed
- **Store passwords in a secure password manager.** Use a password manager like LastPass or 1Password.

- **Why:** Password managers are secure and can be shared with your executor
- **Leave detailed instructions for each account.** Write out exactly what should happen to each account.
 - **Why:** Detailed instructions ensure your wishes are followed
- **Update annually:** Review and update your digital estate plan every year.
 - **Why:** Regular updates ensure the plan is current
- **Consider services** like Legacy Locker or similar. Use services designed to manage digital estates.
 - **Why:** These services are designed to handle digital assets securely

EMPLOYMENT & WORKPLACE

Workplace Emergency Contact Form

What it is/why you need it: Your employer needs to know who to contact if you're injured at work. Without proper forms, employers might only contact biological family, excluding your polyamorous family members. Since polyamorous adults can face workplace discrimination, this form must balance transparency with discretion about the nature of your relationships.

What to Include and why (all subjects are state-dependent):

- **All partners as emergency contacts:** You can list all of your partners, but you should not mention that they are romantic partners.
 - **Why:** This ensures all family members are contacted, but does not risk workplace discrimination
- **Relationships clearly stated:** Use neutral descriptors like "emergency contact," "household member," or "designated family".
 - **Why:** Protects you from discrimination while clearly identifying who should be contacted
- **Phone numbers and addresses:** How can they be reached?
 - **Why:** Your employer needs contact information in order of contact preference
- **Who should be called first?**
 - **Why:** Clear order ensures the right person is contacted first
- **Do not update more than annually**
 - **Why:** Frequent updates raise red flags with HR and invite unnecessary questions
- **Provide copies to HR and your direct manager.** Make sure your employer has the form.
 - **Why:** Your employer needs the form to contact people.

How to Make It Less Contestable:

- **Use a clear, professional format and**
 - Use the standard emergency contact form provided by your employer
 - Keep language neutral and businesslike
 - Avoid any language that suggests non-traditional family structures
- **Include a directive statement**
 - Write: *"In case of emergency, please contact ALL listed individuals"*
 - This makes clear that all people should be notified, not just the first one
- **Submit it properly**
 - Provide copies to both HR and your direct manager
 - Keep a copy for your records
 - File it with your employment documents

- **Don't volunteer information**
 - If asked about relationships, keep answers brief and factual
 - Example: *"They're all important people in my life and household"*
 - Do not elaborate or correct assumptions about relationship types
- **Maintain consistency**
 - Update only once annually, even if partners change
 - If a partner leaves, replace them on the next annual review
 - Frequent changes invite scrutiny and gossip

Workplace Safety Plan

What it is/why you need it: If there's conflict in your polyamorous family, your workplace should know. A safety plan ensures your workplace can protect you if needed.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Who is authorized to pick you up?** Who can pick you up from work?
 - **Why:** This prevents unauthorized people from taking you
- **Who is NOT authorized to contact you?** Who should not be allowed to contact you at work?
 - **Why:** This protects you from unwanted contact
- **Safe meeting places:** Where can you go if you need to escape?
 - **Why:** You need safe places to go
- **Code words for emergencies:** What word or phrase signals an emergency?
 - **Why:** Code words allow you to signal for help discreetly
- **Security procedures:** What security measures should your workplace take?
 - **Why:** Security procedures protect you

How to Make It Less Contestable:

- **Inform HR and security in writing.** Provide written documentation of your safety plan.
 - **Why:** Written documentation creates an official record
- **Update if relationships change:** If your family situation changes, update your safety plan.
 - **Why:** Outdated plans may not protect you
- **Brief your manager/colleagues:** Talk to people at work about your situation.
 - **Why:** Communication helps your workplace understand and protect you
- **Keep emergency contacts updated.** Make sure your workplace has current contact information.
 - **Why:** Your workplace needs current information to help you

Legal Document Authorization

What it is/why you need it: Lawyers and courts need to know who to contact about legal matters. This document authorizes specific people to receive legal notices and represent you in legal matters.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Who can receive legal notices?** Who should receive legal documents?
 - **Why:** You need someone to receive legal documents
- **Who can be contacted about lawsuits?** Who should be contacted if you're sued?

CNM Families Legal Protections Checklist

This document is educational material only and is NOT legal advice. Laws vary significantly by state and jurisdiction. Some protections may not be available in your state. You MUST consult with a licensed attorney in your state before taking any legal action.

- **Why:** You need someone to receive notice of lawsuits
- **Who can authorize legal representation?** Who can hire a lawyer on your behalf?
 - **Why:** You need someone to make legal decisions for you
- **Preferred contact methods:** How should people be contacted?
 - **Why:** You need to specify how to reach people
- **Backup contacts:** Who should be contacted if the primary person is unavailable?
 - **Why:** You need backup contacts

How to Make It Less Contestable:

- **File with your lawyer.** Give a copy to your attorney.
 - **Why:** Your lawyer needs to know who to contact
- **Notarize:** Have a notary public witness your signature.
 - **Why:** Notarization creates an official record
- **Update if address changes:** If your address changes, update the authorization.
 - **Why:** Your lawyer needs current contact information
- **Provide to relevant institutions:** Give copies to anyone who might need to contact you legally.
 - **Why:** Relevant parties need the authorization

INSURANCE & BENEFITS

Life Insurance Beneficiary Designation Form

What it is/why you need it: Life insurance beneficiary designations specify who receives the insurance payout when you die. If you don't update them, your ex-spouse or biological family might get the money instead of your partners.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Beneficiary names and percentages:** Who gets the money? How much?
 - **Why:** Specific designations ensure the money goes where you want
- **Contingent beneficiaries:** Who gets the money if your primary beneficiary dies before you?
 - **Why:** Contingent beneficiaries ensure the money goes where you want even if circumstances change
- **Policy numbers:** Which policies are you updating?
 - **Why:** Policy numbers ensure you're updating the right policies
- **Insurer contact information:** How do you contact the insurance company?
 - **Why:** Your beneficiaries need to know who to contact to claim the insurance

How to Make It Less Contestable:

- **Review annually:** Check your beneficiary designations every year.
 - **Why:** Regular reviews ensure your designations are current
- **Keep copies of beneficiary forms.** Store copies in your files.
 - **Why:** You need proof of what you designated
- **Ensure consistency with will/trust:** Make sure beneficiary designations match your will and trust.
 - **Why:** Inconsistencies create disputes
- **Document your reasoning:** Keep a note explaining why you chose each beneficiary.
 - **Why:** Documentation shows your reasoning was sound
- **Notify beneficiaries:** Tell your partners they're designated as beneficiaries.
 - **Why:** Notification shows your wishes are genuine

Health Insurance Documentation and Beneficiary Designations

What it is/why you need it: Health insurance ensures your family has access to medical care. Explore coverage options and make sure all family members are covered.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Primary insurance holder:** Whose name is the policy in?
 - **Why:** You need to know who the policyholder is
- **Covered family members:** Who is covered by the policy?
 - **Why:** You need to know who has coverage
- **Coverage details:** What does the policy cover?
 - **Why:** You need to understand what's covered
- **Emergency contacts:** Who should be contacted about the policy?
 - **Why:** Your partners need to know who to contact
- **Claim procedures:** How do you file a claim?
 - **Why:** Your partners need to know how to file claims

How to Make It Less Contestable:

- **Keep current policy documents.** Store copies of your insurance documents.
 - **Why:** You need proof of coverage
- **Update if coverage changes:** If coverage changes, update your records.
 - **Why:** Outdated information is useless
- **Ensure all partners have access to information.** Make sure all family members know about the coverage.
 - **Why:** Your partners need to know they're covered

- **Document coverage for all family members.** Keep records showing who's covered.
 - **Why:** Documentation proves coverage exists

Disability Insurance Policy and Beneficiary Designations

What it is/why you need it: Disability insurance replaces your income if you can't work due to illness or injury. This protects your family's financial security.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Coverage amount:** How much income will be replaced?
 - **Why:** You need to know how much income you'll receive
- **Waiting period:** How long before benefits start?
 - **Why:** You need to plan for the waiting period
- **Benefit duration:** How long will benefits last?
 - **Why:** You need to know how long you'll receive benefits
- **Beneficiary designation:** Who should receive the benefits?
 - **Why:** If you can't manage the money, someone else may need to
- **Claim procedures:** How do you file a claim?
 - **Why:** You need to know how to access benefits

How to Make It Less Contestable:

- **Keep policy documents:** Store copies of your insurance documents.
 - **Why:** You need proof of coverage
 - **Update beneficiaries if needed:** Make sure your beneficiary designation is current.
 - Why:** Outdated designations may not reflect your wishes
- **Document coverage:** Keep records showing you have disability insurance.
 - **Why:** Documentation proves coverage exists
- **Ensure family knows about policy.** Tell your partners about your disability insurance.
 - **Why:** Your partners need to know about this income source

Workplace Benefits: Beneficiary Designations and Emergency Contact Forms

What it is/why you need it: Your workplace likely offers benefits like life insurance, retirement accounts, and health insurance. You need to ensure your partners are designated as beneficiaries and listed as emergency contacts.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Life insurance beneficiary designations:** Who gets the life insurance payout?
 - **Why:** Clear designations ensure the money goes where you want. 401(k)/retirement account beneficiaries
- **Who gets your retirement savings?**
 - **Why:** Clear designations ensure your retirement savings go where you want
- **Health insurance emergency contacts:** Who should be contacted about your health insurance?
 - **Why:** Your partners need to know who to contact
- **Disability insurance contacts:** Who should be contacted about disability insurance?
 - **Why:** Your partners need to know who to contact. Paid leave/bereavement leave designations
- **Who should receive your paid leave if you die?**
 - **Why:** Some employers allow unused paid leave to be transferred

How to Make It Less Contestable:

- **Review beneficiary forms annually.** Check your designations every year.
 - **Why:** Regular reviews ensure your designations are current
- **Keep copies at home and with partners** Store copies in multiple locations.
 - **Why:** Multiple copies ensure the information is available
- **Notify HR of any changes immediately.** Update your employer when circumstances change.
 - **Why:** Immediate notification ensures your designations are current
- **Document that you've made designations** Keep records showing you've updated your beneficiaries.
 - **Why:** Documentation proves you made intentional choices

FINANCIAL & PROPERTY

Domestic Partnership Agreement or Cohabitation Agreement

What it is/why you need it: This agreement formalizes your financial and legal relationships. It clarifies who owns what property, how debts are handled, what happens if the relationship ends, and financial support obligations. Without this, if a relationship ends, you may have no legal claim to shared assets.

What to Include and why (all subjects are state-dependent): (all subjects are state-dependent):

- **Who owns what property?** Is property separate or shared?
 - **Why:** Clear ownership prevents disputes if the relationship ends

CNM Families Legal Protections Checklist

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- **How debts are handled:** Who is responsible for what debts?
 - **Why:** Clear debt responsibility prevents one person from being stuck with another's debts
- **What happens if the relationship ends?** How are assets divided?
 - **Why:** Clear exit terms prevent costly litigation
- **Financial support obligations:** Does anyone owe financial support to anyone else?
 - **Why:** Clear support obligations prevent disputes
- **Decision-making authority:** Who decides about major financial decisions?
 - **Why:** Clear authority prevents conflicts
- **Dispute resolution procedures:** How will conflicts be resolved?
 - **Why:** Clear procedures prevent costly litigation

How to Make It Less Contestable:

- **Full disclosure by both parties:** Everyone must disclose all assets, debts, and income.
 - **Why:** Full disclosure shows the agreement is fair and based on complete information
- **Each person has independent legal counsel.** Each person should have their own lawyer review it.
 - **Why:** Independent counsel shows the agreement is fair and not coerced
- **Signed acknowledgment of legal review.** Include a statement that each person had the opportunity to consult an attorney.
 - **Why:** Acknowledgment shows the agreement is fair and each person understands it
- **Fair and reasonable terms.** Extremely one-sided agreements are more likely to be challenged.
 - **Why:** Fairness makes the agreement stronger
- **Notarization:** Have signatures notarized.
 - **Why:** Notarization creates an official record
- **Specific language:** Define terms clearly (e.g., "separate property," "community property," "joint property").
 - **Why:** Specific language prevents disputes about what the agreement means
- **Mutual benefit (consideration):** Ensure there's mutual benefit, not just one person giving.
 - **Why:** Mutual benefit shows the agreement is fair
- **Dated with 1-2 witnesses:** Include date and witnesses.
 - **Why:** Dating and witnesses create an official record
- **Regular updates:** Amend the agreement as circumstances change.
 - **Why:** Updated agreements reflect your current situation
- **Avoid appearance of coercion:** Don't sign under pressure; document that both parties agreed freely.

CNM Families Legal Protections Checklist

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- **Why:** Showing freedom from coercion makes the agreement stronger
- **Include mediation/arbitration clauses:** Add procedures for resolving disputes without litigation.
- **Why:** Dispute resolution clauses prevent costly court battles

Account Access List (inventory of all financial accounts)

What it is/why you need it: This document lists all your financial accounts, including account numbers and contact information. Your partners need to know where your money is so they can access it if something happens to you.

What to Include and why (all subjects are state-dependent):

- **Bank account names and numbers:** Which banks? What accounts?
 - **Why:** Your partners need to know where to find your money
- **Investment accounts:** stocks, bonds, mutual funds, etc.
 - **Why:** Your partners need to know about all your assets
- **Retirement accounts:** 401(k), IRA, pension, etc.
 - **Why:** Retirement accounts are often the largest assets
- **Credit cards:** Which credit cards do you have?
 - **Why:** Your partners need to know about debts and payment obligations
- **Loans:** Car loans, personal loans, etc.
 - **Why:** Your partners need to know about debts
- **Insurance policies:** Life insurance, disability insurance, etc.
 - **Why:** Your partners need to know about insurance coverage
- **Safe deposit boxes:** Where are they? What's in them?
 - **Why:** Your partners need to know about valuables
- **Online account usernames** (stored securely): How do you access online accounts?
 - **Why:** Your partners may need to access accounts online
- **Account passwords** (stored securely, separately): How do you access accounts?
 - **Why:** Your partners may need to access accounts, but passwords should be stored separately for security

How to Make It Less Contestable:

- **Store in a fireproof safe.** Keep the list in a safe place.
 - **Why:** A fireproof safe protects the list from damage
- **Give copies to your financial power of attorney.** Whoever has your financial power of attorney needs this list.
 - **Why:** Your financial agent needs to know where your money is
- **Update when accounts change:** Add new accounts and remove closed accounts.

- **Why:** Outdated lists are useless
- **Use a password manager and share access securely.** Store passwords in a secure password manager.
 - **Why:** Password managers are more secure than written lists
- **Include account contact numbers.** How do you contact each financial institution?
 - **Why:** Your partners need to know who to call

Debt Responsibility Document

What it is/why you need it:

This document clarifies who is responsible for what debts. It specifies which debts are individual responsibility, and which are shared. Without this, if a relationship ends or someone dies, the other person might be stuck with debts they didn't incur.

What to Include and why (all subjects are state-dependent):

- **Personal debts** (each person's responsibility): Which debts belong to which person?
 - **Why:** Clear responsibility prevents one person from being stuck with another's debts
- **Joint debts** (shared responsibility): Which debts are shared?
 - **Why:** Clear responsibility prevents disputes
- **Mortgage/rent** (who pays if someone dies): If someone dies, who pays the mortgage?
 - **Why:** Clear responsibility ensures the home isn't lost
- **Credit cards** (individual vs. joint): Which credit cards are individual and which are joint?
 - **Why:** Clear responsibility prevents disputes
- **Student loans:** Who is responsible for student loans?
 - **Why:** Student loans are often significant debts
- **Medical debt:** Who is responsible for medical bills?
 - **Why:** Medical debt can be substantial
- **What happens if someone can't pay?** What if someone becomes unable to pay their debts?
 - **Why:** Contingency plans ensure debts are handled even if circumstances change

How to Make It Less Contestable:

- **Have all parties sign.** Everyone responsible for debts should agree.
 - **Why:** All parties signing shows consensus
- **Notarize:** Have signatures notarized.
 - **Why:** Notarization creates an official record
- **Give copies to creditors:** Provide copies to banks, credit card companies, etc.
 - **Why:** Creditors need to know who is responsible
- **Update if debts change:** Add new debts and remove paid-off debts.
 - **Why:** Outdated agreements don't reflect your current situation

- **Reference in will/trust:** Mention the debt agreement in your will or trust.
 - **Why:** This ensures your wishes about debt are followed

Tenancy/Ownership Documentation or Deed

What it is/why you need it: This document clarifies who owns or rents your home and what happens if someone leaves or dies. Without this, disputes can arise about who owns the house, who can stay, and what happens if someone wants to leave.

What to Include and why (all subjects are state-dependent):

- **Who is on the lease/deed?** Who legally owns or rents the home?
 - **Why:** Clear ownership prevents disputes
- **Each person's ownership percentage:** If multiple people own the home, what percentage does each own?
 - **Why:** Clear percentages prevent disputes if someone leaves or dies
- **Right of survivorship (if applicable):** If one owner dies, does their share go to the other owners?
 - **Why:** Clear survivorship rights prevent disputes
- **What happens if someone dies:** Who gets the house? Who can stay?
 - **Why:** Clear succession prevents disputes
- **What happens if someone leaves:** Can they sell their share? Do they have to buy out the others?
 - **Why:** Clear exit terms prevent disputes
- **Rent/mortgage payment responsibility:** Who pays what?
 - **Why:** Clear payment responsibility prevents disputes
- **Maintenance responsibility:** Who is responsible for repairs and maintenance?
 - **Why:** Clear responsibility prevents disputes

How to Make It Less Contestable:

- **Have all parties sign:** Everyone with ownership or tenancy rights should sign.
 - **Why:** All parties signing shows consensus
- **Notarize:** Have signatures notarized.
 - **Why:** Notarization creates an official record
- **Record with county if applicable:** If the document affects property ownership, record it with the county.
 - **Why:** Recording creates an official public record
- **Update if ownership changes:** If someone buys out another person, update the document.
 - **Why:** Updated documents reflect your current situation
- **Reference in will/trust:** Mention the ownership agreement in your will or trust.
 - **Why:** This ensures your wishes about the home are followed

Home Access Authorization

What it is/why you need it: This document authorizes specific people to access your home in emergencies. If you're hospitalized, someone needs to get into your home to care for pets, water plants, get important documents, etc.

What to Include and why (all subjects are state-dependent):

- **Who has keys?** Who should have keys to your home in an emergency?
 - **Why:** Clear authorization prevents unauthorized access
- **Who can enter in emergencies:** Who can enter if you're hospitalized?
 - **Why:** Clear authorization ensures your home is cared for
- **Where spare keys are kept:** Where can emergency contacts find spare keys?
 - **Why:** Your partners need to know how to access your home
- **Alarm codes:** What's the alarm code?
 - **Why:** Your partners need to know the alarm code to avoid triggering it
- **Safe combination:** What's the combination to your safe?
 - **Why:** Your partners may need to access important documents
- **Who can authorize entry?** Who can give permission for others to enter?
 - **Why:** Clear authorization prevents unauthorized access

How to Make It Less Contestable:

- **Keep a secure copy with your healthcare proxy.** Give a copy to whoever has your healthcare power of attorney.
 - **Why:** Your healthcare proxy may need to access your home
- **Update if locks change.** If you change locks, update the authorization.
 - **Why:** Outdated codes and keys won't work
- **Provide to all partners:** Make sure all your partners have the information.
 - **Why:** Your partners need to know how to access your home
- **Include in emergency contact information.** Reference this document in your emergency contact materials.
 - **Why:** This ensures people know where to find the information

PROFESSIONAL ORGANIZATION RESOURCES

Organizations Supporting Non-Traditional Family Legal Protections

American Bar Association (ABA)

- **Family Law Section:** Provides resources on estate planning and family law

Sources: [American Bar Association - Family Law Section](#), [American Bar Association - Family Law Resources](#), [American Bar Association - Estate Planning for Families](#)

- **Real Property, Trust & Estate Law Section:** Estate planning guidance

Sources: [American Bar Association - Real Property, Trust & Estate Law](#), [American Bar Association - Estate Planning Resources](#), [American Bar Association - Probate Resources](#)

LGBTQ+ Legal Organizations

Lambda Legal - Litigation, advocacy, and resources for LGBTQ+ families

Sources: [Lambda Legal - Home](#), [Lambda Legal - Family Law](#), [Lambda Legal - Legal Resources](#)

- Specializes in: Second-parent adoption, healthcare proxies, marriage equality, family law

National Center for Lesbian Rights (NCLR) - Legal advocacy and resources

Sources: [NCLR - Home](#), [NCLR - Family Law](#), [NCLR - Multi-Parent Families](#)

- Specializes in: Multi-parent families, adoption, custody, relationship recognition

American Civil Liberties Union (ACLU) - LGBTQ+ Rights Project - Legal resources and litigation

Sources: [ACLU - LGBTQ+ Rights](#), [ACLU - LGBTQ+ Parenting](#), [ACLU - Family Law](#)

- Specializes in: Parenting rights, family law, custody

KAP Professionals Directory - Find poly-aware attorneys in your state.

- Sources: [KAP Professionals - Attorney Directory](#), [KAP Professionals - How to Find a Poly-Aware Professional](#), [KAP Professionals - Resources](#)

Polyamory & Kink-Aware Professionals

KAP (Kink and Polyamory Aware Professionals) - Directory of poly-aware attorneys, therapists, and professionals

Sources: [KAP Professionals - Home](#), [KAP Professionals - Find a Professional](#), [KAP Professionals - Resources](#)

- Provides: Attorney directory, professional resources, community support

More Than Two - Polyamory education and resources

Sources: [More Than Two - Home](#), [More Than Two - Polyamory Resources](#), [More Than Two - Legal Resources](#)

- Provides: Relationship education, community resources, legal information

Elder Law & Healthcare Decision-Making

National Center on Law & Elder Rights (NCLER) - Resources on guardianship, healthcare decisions, and elder law

Sources: [NCLER - Home](#), [NCLER - Guardianship Resources](#), [NCLER - Healthcare Decision-Making](#)

- Provides: Guardianship resources, healthcare proxy information, elder law guidance

CaringInfo.org - End-of-life planning resources

Sources: [CaringInfo.org - Home](#), [CaringInfo.org - Advance Directives](#), [CaringInfo.org - Healthcare Proxy](#)

- Provides: State-specific advance directive forms, healthcare proxy information

National Hospice and Palliative Care Organization (NHPCO) - Healthcare decision-making resources

Sources: [NHPCO - Home](#), [NHPCO - Patients and Caregivers](#), [NHPCO - Planning Resources](#)

State Bar Associations

Every state has a bar association that provides legal resources and attorney referrals.

Sources: [American Bar Association - Find Your State Bar](#), [National Organization of Bar Counsel - State Bars](#), [State Bar Associations Directory](#)

Search: "[Your State] Bar Association" to find your state's resources

STATE COMPARISON CHART: MULTI-PARENT & DOMESTIC PARTNERSHIP

Key Takeaways

- ✓ **Only 8 states/jurisdictions** explicitly recognize more than two legal parents
- ✗ **42 states** strictly enforce the "Rule of Two" and do NOT recognize multiple parents
- ✓ **Some states** recognize domestic partnerships but not multiple parents
- ⚠ **Federal law** only recognizes marriage between two people (1 U.S.C. § 7)

States with Explicit Multi-Parent Recognition

State	Multiple Parents Allowed?	Legal Basis	Domestic Partnership Recognition
California	✓ YES (3+)	Family Code § 7612(c) - "Three Parent Law"	✓ YES - Registered Domestic Partnerships
Louisiana	✓ YES (Limited)	Civil Code Art. 870 - Multiple fatherhood in certain cases	✗ NO
Oregon	✓ YES (Case-by-case)	Court recognition in individual cases	✓ YES - Domestic partnerships recognized
Washington	✓ YES (Case-by-case)	Court recognition in individual cases	✓ YES - Domestic partnerships recognized
Massachusetts	✓ YES (Case-by-case)	Court recognition in individual cases	✓ YES - Domestic partnerships recognized

CNM Families Legal Protections Checklist

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State	Multiple Parents Allowed?	Legal Basis	Domestic Partnership Recognition
Alaska	✓ YES (Case-by-case)	Court recognition in individual cases	✗ NO
Delaware	✓ YES (De facto parents)	Court recognition of "de facto parents"	✓ YES - Domestic partnerships recognized
District of Columbia	✓ YES (De facto parents)	Court recognition of "de facto parents"	✓ YES - Domestic partnerships recognized

Sources for Multi-Parent Recognition:

[Sacramento Law Group - California's Three Parent Law](#), [Justia - California Allows Children to Have More Than Two Legal Parents](#), [UC Davis Law Faculty Blog - The Next Normal: States Will Recognize Multiparent Families](#), [Louisiana Civil Code - Article 870](#)

States with NO Multi-Parent Recognition (Enforce "Rule of Two")

State	Multiple Parents?	Domestic Partnership?	Notes
Texas	✗ NO	✗ NO	Strictly enforces two-parent model
Florida	✗ NO	✗ NO	Strictly enforces two-parent model
Georgia	✗ NO	✗ NO	Strictly enforces two-parent model
Ohio	✗ NO	✗ NO	Strictly enforces two-parent model
Pennsylvania	✗ NO	✗ NO	Strictly enforces two-parent model

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State	Multiple Parents?	Domestic Partnership?	Notes
New York	✗ NO	✓ YES	Recognizes domestic partnerships but not multiple parents
Illinois	✗ NO	✓ YES	Recognizes domestic partnerships but not multiple parents
Colorado	✗ NO	✓ YES	Recognizes domestic partnerships but not multiple parents

Sources for "Rule of Two" Enforcement:

[Woodnnick Law - Three-Parent Birth Certificates](#), [North Carolina Divorce Lawyers Blog - Three or More Parents, Part 2: Legal Parenthood](#), [FindLaw - State Family Law](#), [American Bar Association - Family Law by State](#)

States with Domestic Partnership Recognition (But NOT Multiple Parents)

State	Domestic Partnership Type	Legal Recognition Level
New York	Domestic Partnership	Limited recognition
Illinois	Domestic Partnership	Limited recognition
Colorado	Domestic Partnership	Limited recognition
Nevada	Domestic Partnership	Limited recognition
Hawaii	Reciprocal Beneficiary	Limited recognition

Sources for Domestic Partnership Recognition:

[Lambda Legal - Domestic Partnership](#), [NCLR - Domestic Partnership Rights](#), [Human Rights Campaign - Domestic Partnership](#), [National Center for Lesbian Rights - Domestic Partnership](#)

How to Find Your State's Official Forms

How to Use This Chart

1. **Find your state** in the chart below
 - **Visit your state's Secretary of State website** to find official power of attorney and advance directive forms. [Link to each state's Department of Health.](#)
 - **List of state-specific [Power of Attorney Forms](#).**
 - **Contact your state bar association** for attorney referrals and legal resources. [Link to each state's bar association.](#)
2. **Use CaringInfo.org** to download your state's official advance directive forms like statutory medical powers of attorney or living wills, you can download state-specific PDFs via [CaringInfo Advance Directives](#).
3. **Search [KAP Professionals](#)** to find a poly-aware attorney in your state.
4. **Consult with a licensed attorney** in your state before creating any legal documents.

⚠ IMPORTANT: Each state has different requirements for notarization, witness requirements, and document format. Always use your state's official forms and consult with a state-licensed attorney.

State	Secretary of State/Courts	Bar Association	Advance Directive Resources	Healthcare Proxy Resources
Alabama	Alabama Secretary of State	Alabama State Bar	CaringInfo - Alabama Advance Directives	Alabama Department of Health
Alaska	Alaska Secretary of State	Alaska Bar Association	CaringInfo - Alaska Advance Directives	Alaska Court System
Arizona	Arizona Secretary of State	State Bar of Arizona	CaringInfo - Arizona	Arizona Court Rules

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State	Secretary of State/Courts	Bar Association	Advance Directive Resources	Healthcare Proxy Resources
			Advance Directives	
Arkansas	Arkansas Secretary of State	Arkansas Bar Association	CaringInfo - Arkansas Advance Directives	Arkansas Courts
California	California Secretary of State	State Bar of California	California Probate Code § 4629	California Department of Public Health
Colorado	Colorado Secretary of State	Colorado Bar Association	CaringInfo - Colorado Advance Directives	Colorado Courts
Connecticut	Connecticut Secretary of State	Connecticut Bar Association	CaringInfo - Connecticut Advance Directives	Connecticut Judicial Branch
Delaware	Delaware Secretary of State	Delaware State Bar	CaringInfo - Delaware Advance Directives	Delaware Courts
Florida	Florida Secretary of State	Florida Bar	Florida Statutes § 765.101	Florida Courts
Georgia	Georgia Secretary of State	State Bar of Georgia	CaringInfo - Georgia Advance Directives	Georgia Courts

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State	Secretary of State/Courts	Bar Association	Advance Directive Resources	Healthcare Proxy Resources
Hawaii	Hawaii Secretary of State	Hawaii State Bar	CaringInfo - Hawaii Advance Directives	Hawaii Courts
Idaho	Idaho Secretary of State	Idaho State Bar	CaringInfo - Idaho Advance Directives	Idaho Courts
Illinois	Illinois Secretary of State	Illinois State Bar Association	Illinois Power of Attorney Act	Illinois Courts
Indiana	Indiana Secretary of State	Indiana State Bar Association	CaringInfo - Indiana Advance Directives	Indiana Courts
Iowa	Iowa Secretary of State	Iowa State Bar Association	CaringInfo - Iowa Advance Directives	Iowa Courts
Kansas	Kansas Secretary of State	Kansas Bar Association	CaringInfo - Kansas Advance Directives	Kansas Courts
Kentucky	Kentucky Secretary of State	Kentucky Bar Association	CaringInfo - Kentucky Advance Directives	Kentucky Courts
Louisiana	Louisiana Secretary of State	Louisiana State Bar Association	Louisiana Civil Code - Articles 870-873	Louisiana Courts

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Maine	Maine Secretary of State	Maine State Bar Association	CaringInfo - Maine Advance Directives	Maine Courts
Maryland	Maryland Secretary of State	Maryland State Bar Association	CaringInfo - Maryland Advance Directives	Maryland Courts
Massachusetts	Massachusetts Secretary of State	Massachusetts Bar Association	CaringInfo - Massachusetts Advance Directives	Massachusetts Courts
Michigan	Michigan Secretary of State	State Bar of Michigan	Michigan Compiled Laws § 556	Michigan Courts
Minnesota	Minnesota Secretary of State	Minnesota State Bar Association	CaringInfo - Minnesota Advance Directives	Minnesota Courts
Mississippi	Mississippi Secretary of State	Mississippi State Bar	CaringInfo - Mississippi Advance Directives	Mississippi Courts
Missouri	Missouri Secretary of State	Missouri Bar	CaringInfo - Missouri Advance Directives	Missouri Courts
Montana	Montana Secretary of State	State Bar of Montana	CaringInfo - Montana	Montana Courts

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State	Secretary of State/Courts	Bar Association	Advance Directive Resources	Healthcare Proxy Resources
			Advance Directives	
Nebraska	Nebraska Secretary of State	Nebraska State Bar Association	CaringInfo - Nebraska Advance Directives	Nebraska Courts
Nevada	Nevada Secretary of State	State Bar of Nevada	CaringInfo - Nevada Advance Directives	Nevada Courts
New Hampshire	New Hampshire Secretary of State	New Hampshire Bar Association	CaringInfo - New Hampshire Advance Directives	New Hampshire Courts
New Jersey	New Jersey Secretary of State	New Jersey State Bar Association	CaringInfo - New Jersey Advance Directives	New Jersey Courts
New Mexico	New Mexico Secretary of State	State Bar of New Mexico	CaringInfo - New Mexico Advance Directives	New Mexico Courts
New York	New York Secretary of State	New York State Bar Association	New York State Department of Health - Healthcare Proxy	New York Courts

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State	Secretary of State/Courts	Bar Association	Advance Directive Resources	Healthcare Proxy Resources
North Carolina	North Carolina Secretary of State	North Carolina State Bar	CaringInfo - North Carolina Advance Directives	North Carolina Courts
North Dakota	North Dakota Secretary of State	State Bar Association of North Dakota	CaringInfo - North Dakota Advance Directives	North Dakota Courts
Ohio	Ohio Secretary of State	Ohio State Bar Association	CaringInfo - Ohio Advance Directives	Ohio Courts
Oklahoma	Oklahoma Secretary of State	Oklahoma Bar Association	CaringInfo - Oklahoma Advance Directives	Oklahoma Courts
Oregon	Oregon Secretary of State	Oregon State Bar	CaringInfo - Oregon Advance Directives	Oregon Courts
Pennsylvania	Pennsylvania Secretary of State	Pennsylvania Bar Association	CaringInfo - Pennsylvania Advance Directives	Pennsylvania Courts
Rhode Island	Rhode Island Secretary of State	Rhode Island Bar Association	CaringInfo - Rhode Island Advance Directives	Rhode Island Courts
South Carolina	South Carolina Secretary of State	South Carolina Bar	CaringInfo - South Carolina	South Carolina Courts

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State	Secretary of State/Courts	Bar Association	Advance Directive Resources	Healthcare Proxy Resources
			Advance Directives	
South Dakota	South Dakota Secretary of State	State Bar of South Dakota	CaringInfo - South Dakota Advance Directives	South Dakota Courts
Tennessee	Tennessee Secretary of State	Tennessee Bar Association	CaringInfo - Tennessee Advance Directives	Tennessee Courts
Texas	Texas Secretary of State	State Bar of Texas	Texas Health & Safety Code § 166.001	Texas Courts
Utah	Utah Secretary of State	Utah State Bar	CaringInfo - Utah Advance Directives	Utah Courts
Vermont	Vermont Secretary of State	Vermont Bar Association	CaringInfo - Vermont Advance Directives	Vermont Courts
Virginia	Virginia Secretary of State	Virginia State Bar	Virginia Code § 54.1-2981	Virginia Courts
Washington	Washington Secretary of State	Washington State Bar Association	CaringInfo - Washington Advance Directives	Washington Courts

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State	Secretary of State/Courts	Bar Association	Advance Directive Resources	Healthcare Proxy Resources
West Virginia	West Virginia Secretary of State	West Virginia State Bar	CaringInfo - West Virginia Advance Directives	West Virginia Courts
Wisconsin	Wisconsin Secretary of State	State Bar of Wisconsin	CaringInfo - Wisconsin Advance Directives	Wisconsin Courts
Wyoming	Wyoming Secretary of State	Wyoming State Bar	CaringInfo - Wyoming Advance Directives	Wyoming Courts

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National Resources for Official Forms (All States)

CaringInfo.org - State-by-State Advance Directive Forms

Sources: [CaringInfo - Advance Directives by State](#), [CaringInfo - Healthcare Proxy Resources](#), [CaringInfo - Living Will Information](#)

- Provides free, state-specific advance directive forms for all 50 states
- Includes living wills, healthcare proxies, and HIPAA authorizations
- Updated regularly to reflect current state laws

National Notary Association - State-Specific Form Requirements

Sources: [National Notary Association - State Requirements](#), [National Notary Association - Notary Laws by State](#), [National Notary Association - Power of Attorney Resources](#)

- Provides state-specific notarization requirements
- Lists witness requirements for each state
- Explains state variations in power of attorney laws

American Bar Association - Estate Planning Resources

Sources: [American Bar Association - Estate Planning](#), [American Bar Association - Find Your State Bar](#), [American Bar Association - State Bar Directory](#)

- Links to all state bar associations
- Provides estate planning resources by state
- Connects to state-specific legal information

Justia - 50-State Advance Directive Forms Survey

Sources: [Justia - Advance Directives Legal Forms: 50-State Survey](#), [Justia - Estate Planning Forms by State](#), [Justia - Power of Attorney Forms](#)

- Comprehensive 50-state survey of advance directive requirements
- Links to official state forms
- Explains state-specific legal requirements

AARP - Free Printable Advance Directives

Sources: [AARP - Free Printable Advance Directives](#), [AARP - Healthcare Decision-Making](#), [AARP - Estate Planning Resources](#)

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- Provides free advance directive forms for all states
- Includes instructions for each state
- Explains healthcare decision-making laws by state

National Hospice and Palliative Care Organization (NHPCO)

Sources: [NHPCO - State-Specific Advance Directives](#), [NHPCO - Patients and Caregivers](#), [NHPCO - Planning Resources](#)

- Provides state-specific end-of-life planning resources
- Includes advance directive forms and instructions
- Explains state variations in healthcare decision-making

LGBTQ+-Specific Legal Resources (All States)

Lambda Legal - Legal Documents for LGBTQ+ Families

Sources: [Lambda Legal - Home](#), [Lambda Legal - Family Law](#), [Lambda Legal - Legal Resources](#)

- Provides LGBTQ+-specific legal resources
- Includes state-by-state legal information
- Specializes in family law for non-traditional families

National Center for Lesbian Rights (NCLR) - Family Law Resources

Sources: [NCLR - Home](#), [NCLR - Family Law](#), [NCLR - Multi-Parent Families](#)

- Provides state-specific family law information
- Specializes in multi-parent families and adoption
- Includes resources for all 50 states

KAP Professionals Directory - Find Poly-Aware Professionals in Your State

Sources: [KAP Professionals - Home](#), [KAP Professionals - Find a Professional](#), [KAP Professionals - Attorney Directory](#)

- Directory of poly-aware attorneys in all 50 states
- Includes therapists, mediators, and other professionals
- Searchable by state and specialty

American Civil Liberties Union (ACLU) - LGBTQ+ Rights

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Sources: [ACLU - LGBTQ+ Rights](#), [ACLU - LGBTQ+ Parenting](#), [ACLU - State-by-State Legal Information](#)

- Provides state-by-state LGBTQ+ legal information
- Includes resources on family law and parenting rights
- Available for all 50 states

PREPARING FOR YOUR ATTORNEY MEETING

BEFORE YOU SCHEDULE: INITIAL PREPARATION

Step 1: Find the Right Attorney (2-4 weeks before meeting)

Search KAP Professionals Directory

Sources: [KAP Professionals - Find a Professional](#), [KAP Professionals - Attorney Directory](#), [KAP Professionals - How to Choose an Attorney](#)

- Search by state and specialty
- Look for attorneys experienced with polyamorous families
- Check reviews and experience level
- If you don't find someone, reach out to us at NCSFreedom@NCSFreedom.org, we may be able to help.

Search Your State Bar Association

Sources: [American Bar Association - Find Your State Bar](#), [State Bar Directory](#)

- Search for "family law" or "estate planning" attorneys
- Look for LGBTQ+-friendly attorneys
- Check for experience with non-traditional families

Contact Lambda Legal or NCLR for Referrals

Sources: [Lambda Legal - Find Legal Help](#), [NCLR - Find Legal Help](#), [American Civil Liberties Union - Find Legal Help](#)

- Ask for attorney referrals in your state
- Request attorneys experienced with polyamorous families
- Ask about sliding scale fees or legal aid options

Interview Multiple Attorneys (1-2 weeks before meeting)

Before scheduling a full consultation, do brief phone interviews:

- **Question:** "Are you experienced with polyamorous or non-traditional families?"
- **Question:** "Have you worked with clients in multi-parent households?"
- **Question:** "What are your fees, and do you offer free initial consultations?"
- **Question:** "How familiar are you with [your state]'s laws on [your specific concern]?"
- **Question:** "Can you help me create documents that reflect my family structure?"

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DOCUMENTS TO GATHER (2-3 weeks before meeting)

Personal Identification & Basic Information

For each person in your polyamorous family:

- ☐ Full legal name (as it appears on government ID)
- ☐ Date of birth
- ☐ Social Security number
- ☐ Current address
- ☐ Phone number and email
- ☐ Driver's license or passport copy
- ☐ Marriage certificate (if any members are married)
- ☐ Divorce decrees (if applicable)
- ☐ Adoption papers (if applicable)

Why this matters: Your attorney needs exact legal names and identifying information to create accurate documents. Name errors can invalidate legal documents.

Family Structure Documentation

Create a family tree or diagram showing:

- ☐ Who is in your polyamorous family (names, relationships)
- ☐ How long each relationship has existed
- ☐ Who lives together and who doesn't
- ☐ Any children and their biological/legal parents
- ☐ Any previous marriages or relationships
- ☐ Any custody arrangements from previous relationships
- ☐ Any guardianship arrangements already in place

Why this matters: Your attorney needs to understand your exact family structure to create appropriate legal documents. This prevents confusion and ensures all family members are properly protected.

Example format:

Copy

Partner A (Legal Name): [Name]

- Relationship to me: [Primary partner]
- Years together: [X years]
- Living situation: [Lives with me]
- Children: [Yes/No - if yes, names and ages]
- Custody status: [Biological parent/Adoptive parent/No legal status]

Partner B (Legal Name): [Name]

- Relationship to me: [Secondary partner]
- Years together: [X years]
- Living situation: [Lives with me/Separate residence]
- Children: [Yes/No - if yes, names and ages]
- Custody status: [Biological parent/Adoptive parent/No legal status]

Financial Information

Bank Accounts & Savings:

- ☐ List of all bank accounts (checking, savings, money market)
- ☐ Account numbers
- ☐ Current balances (approximate)
- ☐ Who owns each account (individual vs. joint)
- ☐ Current beneficiary designations

Retirement Accounts:

- ☐ 401(k) or 403(b) accounts
- ☐ IRA accounts (Traditional, Roth, SEP, etc.)
- ☐ Pension plans
- ☐ Account numbers and approximate balances
- ☐ Current beneficiary designations

Investment Accounts:

- ☐ Brokerage accounts
- ☐ Stock portfolios
- ☐ Mutual funds
- ☐ Cryptocurrency holdings (if applicable)
- ☐ Account numbers and approximate values

Life Insurance:

- ☐ Policy numbers
- ☐ Coverage amounts
- ☐ Current beneficiary designations
- ☐ Employer-provided life insurance
- ☐ Personal life insurance policies

Disability Insurance:

- ☐ Policy numbers
- ☐ Coverage amounts
- ☐ Beneficiary designations
- ☐ Employer-provided disability insurance

Health Insurance:

- ☐ Policy numbers

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- ☐ Coverage details
- ☐ Who is covered
- ☐ Employer-provided or private

Income Information:

- ☐ Annual salary/income for each family member
- ☐ Self-employment income (if applicable)
- ☐ Rental income (if applicable)
- ☐ Investment income
- ☐ Government benefits (Social Security, disability, etc.)

Why this matters: Your attorney needs to understand your financial situation to create appropriate beneficiary designations, financial powers of attorney, and estate plans. This ensures your partners are protected financially if something happens to you.

Debt Information

Credit Cards:

- ☐ List of all credit cards
- ☐ Account numbers
- ☐ Current balances
- ☐ Who is responsible (individual vs. joint)

Loans:

- ☐ Car loans (vehicle, lender, balance)
- ☐ Personal loans
- ☐ Student loans
- ☐ Medical debt
- ☐ Mortgage (if applicable)

Other Debts:

- ☐ Business loans
- ☐ Family loans
- ☐ Any other outstanding debts

Why this matters: Your attorney needs to understand your debts to create appropriate documents that specify who is responsible for what. This prevents your partners from being stuck with your debts.

Property & Asset Information

Real Estate:

- ☐ Property address
- ☐ Deed or title document
- ☐ Current market value (approximate)
- ☐ Mortgage information (if applicable)

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- ☐ Who owns the property (individual vs. joint)
- ☐ Right of survivorship (if applicable)

Vehicles:

- ☐ Make, model, year
- ☐ Vehicle identification number (VIN)
- ☐ Current value (approximate)
- ☐ Who owns the vehicle
- ☐ Loan information (if applicable)

Personal Property of Significant Value:

- ☐ Jewelry
- ☐ Art or collectibles
- ☐ Heirlooms
- ☐ Electronics
- ☐ Anything else of significant monetary or sentimental value

Business Interests:

- ☐ Business name and type
- ☐ Ownership percentage
- ☐ Business value (approximate)
- ☐ Any business partners or co-owners
- ☐ Business structure (LLC, S-corp, partnership, etc.)

Digital Assets:

- ☐ Social media accounts
- ☐ Email accounts
- ☐ Cloud storage accounts
- ☐ Online banking
- ☐ Cryptocurrency
- ☐ Websites or blogs
- ☐ Online businesses
- ☐ Digital photos/videos

Why this matters: Your attorney needs to know what assets you own so they can create appropriate wills, trusts, and beneficiary designations. This ensures your assets go to the right people.

Sources: [American Bar Association - Asset Inventory](#), [Nolo - Asset Inventory Worksheet](#)

Healthcare & Medical Information

Current Medical Conditions:

- ☐ List of all chronic conditions
- ☐ Current medications and dosages
- ☐ Allergies and reactions

- ☐ Previous surgeries
- ☐ Mental health history (if relevant)
- ☐ Substance use history (if relevant)

Healthcare Providers:

- ☐ Primary care physician name and contact
- ☐ Specialists (cardiologist, therapist, etc.)
- ☐ Hospital preferences
- ☐ Pharmacy information

Healthcare Insurance:

- ☐ Insurance provider and policy number
- ☐ Coverage details
- ☐ Employer-provided or private

End-of-Life Preferences:

- ☐ Do you want life support?
- ☐ Do you want CPR?
- ☐ Do you want organ donation?
- ☐ Religious or cultural preferences for end-of-life care
- ☐ Funeral preferences (burial vs. cremation)
- ☐ Any other end-of-life wishes

Why this matters: Your attorney needs to understand your healthcare situation and preferences to create appropriate healthcare proxies, advance directives, and HIPAA authorizations. This ensures your partners can make medical decisions aligned with your wishes.

Children & Guardianship Information

For each child:

- ☐ Full legal name
- ☐ Date of birth
- ☐ Social Security number
- ☐ Biological parents (names and contact info)
- ☐ Current legal custody arrangement
- ☐ Who the child currently lives with
- ☐ Current guardians (if any)
- ☐ Any custody orders from courts
- ☐ Any child support arrangements

Guardianship Preferences:

- ☐ Who do you want to raise your children if you die?
- ☐ Who is your backup choice?
- ☐ Who do you NOT want to raise your children?
- ☐ Do you want guardians to be together or separate?

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- ☐ Financial provisions for guardians
- ☐ Any specific instructions for raising the children

School Information:

- ☐ School name and address
- ☐ Grade level
- ☐ Any special needs or accommodations
- ☐ Emergency contact information on file

Why this matters: Your attorney needs to understand your children's situation and your guardianship preferences to create appropriate guardianship designations, parenting agreements, and medical authorizations. This ensures people you trust care for your children.

Existing Legal Documents

Bring copies of any existing documents:

- ☐ Current will or trust
- ☐ Power of attorney documents
- ☐ Healthcare proxies or advance directives
- ☐ HIPAA authorizations
- ☐ Parenting agreements or custody orders
- ☐ Adoption papers
- ☐ Marriage certificates
- ☐ Divorce decrees
- ☐ Cohabitation or domestic partnership agreements
- ☐ Deed or property documents
- ☐ Beneficiary designation forms
- ☐ Any other legal documents

Why this matters: Your attorney needs to review existing documents to understand what's already in place and what needs to be updated or created. This prevents duplication and ensures consistency across all documents.

INFORMATION TO ORGANIZE & BRING

Create a Family Information Packet. Before your meeting, organize all information into categories:

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Folder 1: Personal Information

- Identification documents
- Birth certificates
- Social Security cards (copies)
- Driver's licenses (copies)

Folder 2: Family Structure

- Family tree or diagram
- Relationship timeline
- Photos of family together (optional but helpful)
- Explanation of family dynamics

Folder 3: Financial Information

- Bank account statements
- Retirement account statements
- Investment account statements
- Life insurance policies
- Disability insurance policies
- Health insurance information
- Income documentation
- Tax returns (last 2-3 years)

Folder 4: Debt Information

- Credit card statements
- Loan documents
- Mortgage documents
- Any other debt documentation

Folder 5: Property & Assets

- Deed or title documents
- Vehicle titles
- Business documents

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- Digital asset inventory
- Valuable personal property list

Folder 6: Healthcare Information

- Medical records summary
- Medication list
- Allergy information
- Healthcare provider contact information
- Healthcare insurance information
- End-of-life preferences (written out)

Folder 7: Children & Guardianship

- Birth certificates for children
- Custody orders (if any)
- School information
- Guardianship preferences (written out)

Folder 8: Existing Legal Documents

- Current will or trust
- Power of attorney documents
- Healthcare proxies
- Any other legal documents

Why this matters: Organizing information before your meeting saves time and money. Your attorney can focus on creating documents rather than gathering information. This also shows you're serious and prepared, which helps build trust.

QUESTIONS TO ASK YOUR ATTORNEY

Initial Questions About the Attorney

- ☐ How many years have you been practicing family law?
- ☐ How many clients have you worked with in polyamorous or non-traditional families?
- ☐ Are you familiar with [your state]'s laws on [your specific concern]?
- ☐ What is your experience with multi-parent families?

CNM Families Legal Protections Checklist

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- ☐ Have you worked with clients on healthcare proxies for non-traditional families?
- ☐ Are you LGBTQ+-friendly and affirming of non-traditional families?
- ☐ What is your approach to polyamorous family legal planning?

Why this matters: You need to ensure your attorney understands polyamorous families and won't judge you. If they seem uncomfortable or unfamiliar, consider finding a different attorney.

Questions About Fees & Costs

- ☐ What is your hourly rate?
- ☐ Do you offer flat fees for specific documents?
- ☐ What is your estimated cost for [specific documents you need]?
- ☐ Do you require a retainer? If so, how much?
- ☐ What is included in your fee?
- ☐ Are there additional costs (filing fees, notarization, etc.)?
- ☐ Do you offer payment plans?
- ☐ Do you offer sliding scale fees based on income?
- ☐ Are there any free initial consultations?

Why ask: Legal fees can be expensive. Understanding costs upfront prevents surprises and helps you budget. Some attorneys offer payment plans or sliding scale fees for low-income clients.

Questions About Your Specific Situation

About Multi-Parent Families:

- ☐ Does [your state] recognize multiple parents?
- ☐ If not, what options do we have to protect all parents' rights?
- ☐ Can we use second-parent adoption?
- ☐ Can we use parenting agreements?
- ☐ What are the limitations in [your state]?
- ☐ What happens if we move to a different state?

About Healthcare Decisions:

- ☐ Can I designate multiple people as healthcare proxies?

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- ☐ How do I ensure my partners have access to my medical information?
- ☐ What documents do I need for hospital visitation rights?
- ☐ How do I protect my partners' authority if my biological family objects?
- ☐ What happens if my healthcare proxy and my biological family disagree?

About Estate Planning:

- ☐ Do I need a will, a trust, or both?
- ☐ How do I ensure my partners inherit my assets?
- ☐ How do I exclude biological family members (if desired)?
- ☐ What are beneficiary designations and how do they work?
- ☐ Can I leave assets to all my partners?
- ☐ What happens if one partner dies before me?

About Children & Guardianship:

- ☐ Can I have more than two legal parents for my children?
- ☐ What options do we have for protecting all parents' rights?
- ☐ Can we use second-parent adoption?
- ☐ Can we use parenting agreements?
- ☐ Who should be the legal guardian if I die?
- ☐ How do I ensure all parents have custody rights?

About Domestic Partnerships:

- ☐ Does [your state] recognize domestic partnerships?
- ☐ What benefits do domestic partnerships provide?
- ☐ How do we establish a domestic partnership?
- ☐ What is the difference between a domestic partnership and a cohabitation agreement?

About Financial Protections:

- ☐ How do I protect my partners' financial interests?
- ☐ What is a cohabitation agreement and do we need one?

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- ☐ How do I handle joint property ownership?
- ☐ What happens to shared property if a relationship ends?
- ☐ How do I protect my partners if I die?

Why ask? These questions ensure your attorney understands your specific situation and can create appropriate documents. Different states have different laws, so state-specific questions are important.

Questions About Document Creation

- ☐ What documents do I need for my specific situation?
- ☐ How long will it take to create these documents?
- ☐ Will you use state-approved forms or custom documents?
- ☐ How many times can I revise documents before finalizing?
- ☐ Do you include notarization and witnessing in your fee?
- ☐ How many copies will you provide?
- ☐ How should I store these documents?
- ☐ Who should I give copies to?
- ☐ When should I update these documents?
- ☐ How will you help me if documents are challenged?

Why ask these questions? Understanding the document creation process helps you know what to expect and ensures you get what you need.

Questions About Potential Challenges

- ☐ What could go wrong with my documents?
- ☐ How might biological family challenge my documents?
- ☐ What evidence makes documents harder to challenge?
- ☐ Should I film a video explaining my wishes?
- ☐ Should I get a physician letter confirming competency?
- ☐ What if my family situation changes?
- ☐ What if I move to a different state?
- ☐ What if one of my partners dies?
- ☐ What if one of my partners wants to leave?
- ☐ How do I protect my documents if they're challenged?

Why ask these questions? Understanding potential challenges helps you prepare and strengthen your documents. This is especially important for polyamorous families, which may face more challenges than traditional families.

WHAT TO BRING TO YOUR MEETING

Physical Documents to Bring

In a folder or binder:

- ☐ All identification documents (copies)
- ☐ All existing legal documents
- ☐ Financial statements and account information
- ☐ Property documents
- ☐ Healthcare information
- ☐ Children's information
- ☐ Family tree or diagram
- ☐ Written list of questions
- ☐ Notes about your family structure and preferences

Why? Organizing and keeping documents accessible helps your attorney understand your situation quickly. This saves time and money.

Information to Have Ready

- ☐ List of all family members (names, dates of birth, relationships)
- ☐ List of all assets and debts
- ☐ List of all healthcare providers
- ☐ List of all financial accounts
- ☐ Your end-of-life preferences
- ☐ Your guardianship preferences (for children)
- ☐ Your estate distribution preferences
- ☐ Any concerns or fears about your family's legal protection

Why? Being prepared saves you money, shows respect for your attorney's time, and allows them to focus on helping you rather than gathering information.

Technology/Tools to Bring

- ☐ Notebook and pen for taking notes
- ☐ Phone or tablet for accessing digital documents
- ☐ List of questions (written or digital)
- ☐ Calendar for scheduling follow-up appointments

Why? Taking notes helps you remember what your attorney said. Having your calendar helps you schedule follow-up meetings.

WHAT NOT TO DO BEFORE MEETING

✗ **DON'T Create Documents Yourself**

Why: DIY documents often don't comply with state law and can be invalidated. Your attorney can create proper documents that will hold up in court.

✗ **DON'T Sign Any Documents Without Attorney Review**

Why: Signing documents without legal review can create problems. Your attorney needs to review everything before you sign.

✗ **DON'T Make Major Changes to Your Will or Trust**

Why: Handwritten changes to legal documents are often invalid. Wait for your attorney to make proper amendments.

✗ **DON'T Discuss Your Plans with Biological Family**

Why: Biological family may try to interfere or claim undue influence. Keep your legal planning private until documents are finalized.

✗ **DON'T Assume Your Current Documents Are Valid**

Why: Documents created in another state or years ago may not be valid in your current state. Your attorney needs to review them.

✗ **DON'T Delay Getting Legal Protection**

Why: If something happens to you before you have proper documents, your biological family will make decisions, not your partners. Don't wait.

✗ **DON'T Assume Your Verbal Agreements Are Legally Binding**

Why: Verbal agreements are usually not enforceable. Everything needs to be in writing and properly executed.

✗ **DON'T Share Sensitive Information on Unsecured Platforms**

Why: Your personal and financial information is sensitive. Don't email it to your attorney unless they have a secure system. Ask about secure file transfer options.

DURING YOUR MEETING

Tips for a Productive Meeting

Before the meeting starts:

- ☐ Arrive 10-15 minutes early
- ☐ Bring all documents organized in folders
- ☐ Have your list of questions ready
- ☐ Bring pen and notebook for notes

During the meeting:

- ☐ Be honest and open about your family structure
- ☐ Don't minimize or hide information
- ☐ Ask questions if you don't understand something
- ☐ Take notes on what your attorney says
- ☐ Discuss your concerns and fears
- ☐ Ask about next steps and timeline
- ☐ Ask about costs and fees (if not already discussed)

After the meeting:

- ☐ Ask when you'll hear back from your attorney
- ☐ Ask about the next steps
- ☐ Ask when documents will be ready
- ☐ Get contact information for follow-up questions
- ☐ Schedule follow-up appointments if needed

Why this matters: Being organized, honest, and engaged helps your attorney help you. This leads to better documents and better legal protection for your family.

AFTER YOUR MEETING

Follow-Up Steps

- ☐ Review all documents your attorney provides
- ☐ Ask questions about anything you don't understand
- ☐ Make sure all names and information are correct
- ☐ Sign documents in front of a notary (as required)
- ☐ Get copies of all signed documents
- ☐ Distribute copies to relevant parties (doctors, hospitals, banks, etc.)
- ☐ Store originals in a safe place
- ☐ Tell your partners where documents are stored
- ☐ Schedule regular reviews (every 3-5 years)

Why this matters: Following up ensures your documents are correct, properly executed, and accessible when you need them. This protects your family.

CHECKLIST: AM I READY FOR MY ATTORNEY MEETING?

Before you schedule your meeting, check off these items:

Personal & Family Information:

- ☐ Full legal names for all family members
- ☐ Dates of birth for all family members
- ☐ Family tree or diagram showing relationships
- ☐ Timeline of relationships
- ☐ Information about children (if any)

Financial Information:

- ☐ List of all bank accounts
- ☐ List of all retirement accounts
- ☐ List of all investment accounts
- ☐ Life insurance information
- ☐ Disability insurance information
- ☐ Income information for all family members
- ☐ List of all debts

Property & Assets:

- ☐ Real estate information
- ☐ Vehicle information
- ☐ Business information (if applicable)
- ☐ Digital asset inventory
- ☐ Valuable personal property list

Healthcare Information:

- ☐ Medical conditions and medications
- ☐ Healthcare providers
- ☐ Healthcare insurance information
- ☐ End-of-life preferences (written)

Children & Guardianship:

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- ☐ Children's information (if applicable)
- ☐ Guardianship preferences (written)
- ☐ School information (if applicable)

Existing Documents:

- ☐ Current will or trust (if any)
- ☐ Power of attorney documents (if any)
- ☐ Healthcare proxies (if any)
- ☐ Any other legal documents

Questions & Preferences:

- ☐ List of questions for your attorney
- ☐ Written description of your family structure
- ☐ Written explanation of your concerns
- ☐ Written estate distribution preferences
- ☐ Written end-of-life preferences
- ☐ Written guardianship preferences (if applicable)

Attorney Selection:

- ☐ Found attorney through KAP, state bar, or referral
- ☐ Interviewed attorney about experience with polyamorous families
- ☐ Discussed fees and costs
- ☐ Confirmed attorney is LGBTQ+-friendly
- ☐ Scheduled initial consultation

If you've checked off most of these items, you're ready for your attorney meeting!