



Law Offices of
J. Baron Groshon

Estate Planning

Estate planning is about getting the right legal documents in place to plan for the possibility of mental incapacity and inevitable death. Because most people do not wish to confront the thought of a serious illness, incapacity, or even death, it is easy to procrastinate and avoid addressing estate planning issues. However, by timely addressing these issues, you ensure that your own wishes are honored in regards to the future health and well-being of both yourself and your loved ones. In addition, you can avoid family conflict and uncertainty by engaging in timely estate planning that is customized to meet your personal needs and desires. A comprehensive estate plan may include one or more documents, including a will, a trust, a durable power of attorney, a health care power of attorney, and a living will or a desire for a natural death.

We can help you get the peace of mind that comes with knowing that when something happens to you, your family will be protected and your wishes known by preparing your estate planning documents.

Wills

A properly executed will allows you to create and implement a carefully-considered plan for the disposition of your property upon your passing. Your will can be customized to ensure that your wishes are honored and that the needs of your loved ones are addressed at the time of your death and thereafter. In addition, if you have minor children, you can include a provision in your will that names a guardian of your children until they reach the age of majority. By naming a guardian for your minor children, you can select which of your family members or friends best shares your values and should therefore be entrusted with the personal and financial care of your minor children.

Trusts

Testamentary trusts are often included in a will for the purpose of selecting a responsible individual who is able to manage your property for the benefit of your minor children upon your passing and until your children become responsible enough to manage their own property. A testamentary trust gives you the ability to ensure the health and well-being of your children while you protect their inheritance by placing restrictions on when your children are able to gain full control over the trust funds. A properly drafted testamentary trust will also allow you to protect your children's inheritance from their creditors.

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Durable Power of Attorney

A power of attorney is an estate planning tool that allows you to grant authority to another person, who is referred to as your "attorney-in-fact," to make decisions on your behalf regarding your personal and financial affairs. A durable power of attorney remains effective even if you become mentally incompetent after the execution of the durable power of attorney. A durable power of attorney can be used to authorize another individual to act on your behalf and do anything from paying your bills or filing your income tax returns to buying or selling property on your behalf. A durable power of attorney can be customized to give your attorney-in-fact as little or as much authority that you wish to convey to this individual to act on your behalf.

Health Care Power of Attorney

A health care power of attorney is similar to a durable power of attorney, but the authority that is granted in this document is limited to the authority to make health care decisions on your behalf, if you are not able to make these health care decisions yourself. A health care power of attorney is especially worthwhile if you have concerns that your family members may not agree on the most-appropriate health care treatments in the event that your medical condition prevents you from making these health care decisions. In addition, a health care power of attorney can be customized to allow you to name multiple individuals who are authorized to make health care decisions on your behalf in the order that you specify in the health care power of attorney.

Living Will

A living will is an estate planning document that will allow you to direct your health care provider to refrain from undertaking extraordinary measures to prolong your life if you become terminally ill and your medical condition is irreversible. Living wills can also be customized to specify under what circumstances you do not wish to be kept alive by machines or by artificial nutrition or artificial hydration.