



*Providing Peace of Mind by Solving Problems with Integrity & Compassion*



# IT'S THE LAW!

*Adam S. Gumson, Attorney at Law*

## **FAMILY LAW**

Divorce/Paternity • Child Support & Timesharing • Alimony • Property Distribution • Modifications

## **ESTATE PLANNING**

Wills • Trusts • Powers of Attorney • Health Care Surrogates • Living Wills • Probate Estates

**JUPITER LAW CENTER** was founded in 1988 and, over the years, has handled a wide variety of legal matters, including Family Law, Estate Planning, Real Estate, Contracts, Personal Injury, Corporations, Immigration Litigation and Criminal Law. In 2008, the firm relocated from Chasewood Plaza to Jupiter Creek Professional Center (behind Water's Edge Dermatology) and shifted its focus to handling primarily Family Law and Estate Planning matters. One focus that has not changed, however, is the firm's commitment to being accessible and giving solid, practical legal advice with a personal touch.



If you have a child going to or in college, you may want to speak to us about him/her signing a Durable Power of Attorney and Health Care Surrogate so that you have the authority to act for him/her in the event he/she is incapacitated. Otherwise, you may be prevented from accessing his/her bank accounts to make payments, speaking with school officials or dealing with any health-related situations.



## HAPPY ANNIVERSARY!

*How the Same-Sex Marriage Decision May Affect You (Even If You Are Not Gay)*

June 26, 2016 marks the one year anniversary of *Obergefell v. Hodges*, the landmark Supreme Court decision (commonly referred to as the decision that killed the Defense of Marriage Act ["DOMA"]) which legalized same-sex marriage in every state. Members/supporters of the gay/lesbian community and civil rights activists greeted the news with cheers of victory, celebrating the social and legal changes bound to occur in its wake. And, almost one year later, its legal repercussions continue to evolve.

Below is a quick overview of some of the legal changes which resulted from the ruling, and how such changes might impact you or people you know:



**Property/Divorce.** Same-sex spouses can now own property as Tenants-By-The-Entireties, an important legal term which affords survivorship rights and creditor protection to both spouses. Likewise, same-sex couples can now avail themselves of the Court system for claims in Divorce (including Alimony and Attorney's Fees).

**Estate Planning/Probate/Financial Decisions.** Same-sex spouses can now serve as their spouse's Personal Representatives, Guardian and/or Adoptive Parents, inherit under intestacy laws, elect against their spouse's Will, or file an action for wrongful death of their spouse.

**Medical Decisions.** Prior to *Obergefell*, same-sex married couples did not qualify as their spouse's next-of-kin in states that did not recognize their marriages, leading to sometimes conflicting choice of law issues depending on where the couple lived. Today, the law recognizes and honors the wishes of same-sex married couples both during and at the end of one spouse's life.

**Employment.** Same-sex spouses are now entitled to Payroll, Insurance and Retirement benefits. Small business owners with gay or lesbian employees are urged to review their Personnel records (and perhaps contact insurance agents, accountants and financial advisors) to update all records accordingly and so as to be able to offer same-sex spouses the same benefits that heterosexual couples enjoy. Employers should take particular note of the Family and Medical Leave Act policies because more employees may qualify for bereavement and other types of familial leave. Additionally, owners of pass-through entities may now be able to deduct the cost of same-sex spousal benefits.

**Housing.** On July 1, 2016, a bill passed in April will take effect, prohibiting housing discrimination against same-sex couples throughout the State of Florida. Any landlords who have previously denied housing to same-sex couples will face legal consequences if they continue to do so.

It's a new world. **JUPITER LAW CENTER** is proud to represent ALL families, regardless of sexual orientation, and would be pleased to answer any and all questions you may have as to how the new laws affect your rights and obligations.

Attorney Adam S. Gumson of **JUPITER LAW CENTER** graduated from Duke University and University of Florida College of Law (with Honors). In addition to preparing and reviewing Contracts, he primarily handles matters involving Family Law (including Divorce, Paternity, Alimony, Child Support and Timesharing, Property Distribution and Modifications), Estate Planning (including Wills, Trusts, Durable Powers of Attorney, Health Care Surrogates and Living Wills) and Probate Estates. He is married and resides in Jupiter with his wife and three children.

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