



Providing Peace of Mind by Solving Problems with Integrity & Compassion in the following areas:

ESTATE & BUSINESS PLANNING • FAMILY LAW • REAL ESTATE

IT'S THE LAW!

HAPPY NATIONAL "MAKE A WILL MONTH!"

It's true! August is Make a Will Month. You know what else is true? According to a recent survey, 64% of Americans *don't* have a *Will*. If you are one of those 64%, or if you have one but it's outdated, maybe this Newsletter will be the impetus you need to finally move forward.

If the reason you've not moved forward is because you don't think you need one, because you don't have enough 'stuff'; your family knows who will get what, you're going to live forever (i.e., you don't want to think about dying because then it will happen), etc., then perhaps this Newsletter will enlighten you.

All adults should have a Will because:

1. It specifies your wishes regarding the distribution of your assets after your death. And, perhaps more importantly, it stipulates your wishes regarding the care of your children/grandchildren and the investment of their inheritance. Whether you have few assets or many, if you have children/grandchildren, you need to plan for them. It also identifies who will manage your assets until their distribution is complete.

2. It gives peace of mind to you and your family. At the risk of being repetitive, it doesn't matter what the size is of your 'Estate' (the legal term for your 'stuff'). You own things. Vehicles, clothing, books, collectibles, furniture, bank accounts, IRAs, 401ks, perhaps a home. Creating a *Will* and identifying *who gets what* reduces the chance of family strife after you're gone. It also saves your family from having to figure out if the Limoges porcelain collection should go to your eldest child or the best friend who always coveted them, or if the baseball cards should be given to your niece in Naples or your nephew in New Smyrna Beach. A *Will* allows you to name a legal guardian for minor children and even provides the opportunity to choose who should care for your pets.

3. A Will provides a legacy that lasts after you're gone. Yes, even after you are gone, you can continue to create a positive impact. Your *Will* reduces the chance for confusion and arguments since your wishes are clearly identified in writing, with witnesses. It provides a last loving conversation with family and friends. It also allows you to benefit your favorite charity. Leaving a gift for a nonprofit in your *Will* costs nothing during your lifetime, but offers the chance for a legacy for years to come.

And, if you already have a *Will*, but tucked it in a drawer years ago, just found it and realize it is the complete opposite of the way you want it, it may be time to revisit the topic. Typically, we advise our clients that they should review their *Wills* every two to three years or whenever they experience a major life event – marriage, divorce, the birth of children/grandchildren, the loss of a trusted family member, a move to another state and more. If you don't change your *Will*, your current desires may not be captured and executed. Remember, a *Will* is a document that represents a moment in time. Times change and your *Will* needs to reflect those changes.

For any questions about creating, or updating your Will, call us - we would welcome the chance to have this "Make a Will Month" your best one yet.



What are "Living Documents" and why are they important?



In addition to having a *Will*, *Living Documents* are critical to proper planning. A *Durable Power of Attorney* allows a trusted individual of your choosing to serve as your Attorney-in-Fact ("AIF") to make financial decisions

on your behalf if you are incapacitated. A *Health Care Surrogate* names a trusted individual to make medical decisions. Often, but not always, the same person is tasked with both responsibilities. When drafting or updating your *Will*, be sure to discuss the need for an up-to-date *Durable Power of Attorney* and *Health Care Surrogate*, too.

Our Office



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ESTATE & BUSINESS PLANNING

Wills & Trusts • Powers of Attorney • Health Care Surrogates • Living Wills • Probate Estates • Succession Planning • Contracts & Purchase/Sale Agreements

FAMILY LAW

Divorce/Paternity • Child Support & Timesharing • Alimony • Property Distribution • Modifications • Collaborative Law • Pre/Post Nuptial Agreements

REAL ESTATE

Community Association Law • Residential & Commercial Transactions • Deeds • Closings



Attorney Adam S. Gumson of JUPITER LAW CENTER graduated from *Duke University (1988)* and the *University of Florida College of Law (1991 with Honors)*. In addition to preparing and reviewing Contracts, he primarily handles matters involving *Estate and Business Planning (including Wills, Trusts, Durable Powers of Attorney, Health Care Surrogates, Living Wills, Succession Planning, Contracts & Purchase/Sale Agreements)*, *Probate Estates*, *Family Law (Divorce, Custody, Alimony, Timesharing, Same-Sex relationships, Pre/Postnuptial Agreements, Modification actions and Collaborative Law)* and *Real Estate (Community Association, Residential/ Commercial Transactions, Deeds, Closings)*. He is married and resides in Jupiter with his wife and three children.

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