



ADAM S. GUMSON, ESQ.

IT'S THE LAW!

DID YOU KNOW THAT, IN FLORIDA...

A **WILL** must be signed by the **TESTATOR/TESTATRIX** (the male/female who signs the Will) in front of two witnesses. In some circumstances, it may be signed by someone other than the Testator/Testatrix (i.e., if blind, illiterate or physically unable to sign by him/herself), but only if it is clear that the Testator/Testatrix has mental capacity and has directed the other person to sign on his/her behalf.

Unlike a **DISCRETIONARY SUPPORT TRUST**, a **SPECIAL NEEDS TRUST (“SNT”)** ensures money will be used solely for the *Special Needs* beneficiary and not interfere with access to governmental benefits. Whether it is a 1ST party SNT (funded by the beneficiary) or 3RD party SNT (funded by someone else for the beneficiary’s benefit) determines how the assets are distributed at the death of the *Special Needs* beneficiary. Either option ensures that the funds shall be used for the beneficiary during his/her lifetime without jeopardizing any benefits or risking the loss of the assets because of outside forces.

PROBATE is the Court-supervised procedure for marshalling/liquidating a deceased person’s assets, paying debts and taxes, and distributing the assets to the person’s beneficiaries. **LIVING REVOCABLE TRUSTS** are popular because they help avoid Probate.

JUPITER LAW CENTER is a private neighborhood law firm located in the RiverPlace Professional Center, 1003 W. Indiantown Road, Suite 210, Jupiter, FL. (561) 744 - 4600, jupiterlawcenter.com. The firm provides peace of mind by solving problems with integrity and compassion in the areas of Estate 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 & Time Sharing, Alimony, Property Distribution, Modifications, Collaborative Law, Pre/Post Nuptial Agreements*) and Real Estate (*Community Association Law, Residential & Commercial Transactions, Deeds, Closings*).