



Inclusive Estate Planning Considerations for All Families

Every family that sits in our conference room describes a unique set of goals for their estate plan to accomplish. Sure, lots of families have goals that appear similar like taking care of the people they love; providing for minor children; supporting their favorite charity or religious organization; sheltering their assets from long-term care costs. The differences are in the details.

Estate planning is essential for every adult. Clients from the LGBTQIA+ community might share commonalities that influence their decision to put a thorough estate plan in place.

1. Desiring a more thorough plan for incapacity.

Advance Health Care Directives allow the creator of the document to name an Agent(s) that they trust to make medical decisions if they cannot make those decisions for themselves. The document also allows the creator to describe their wishes for life sustaining treatment and organ donation.

Against good advice, some families forgo this tool, believing that during an emergency, healthcare professionals will give their spouse or partner authority to make those decisions. While this practice may occur sometimes, it is not consistent across all practitioners and healthcare organizations. A legally binding document would leave no question in the practitioner's mind about who should be stepping in to confirm the patient's wishes.

A thorough and up to date Power of Attorney would establish the same decision-making power for legal and financial needs.

2. Planning for blended families and assets.

Some long-term couples come into their current partnership with children from prior relationships and well-established assets. There are several approaches to planning that could fit a blended family's goals.

Some couples might consider creating separate plans and maintaining separate assets allowing them to provide some or all assets to the surviving spouse or partner, or to skip each other entirely and leave everything to their own children or other beneficiaries.

A THOROUGH AND UP TO DATE POWER OF ATTORNEY WOULD ESTABLISH THE SAME DECISION MAKING POWER FOR LEGAL AND FINANCIAL NEEDS.

Other couples might prefer to create a joint plan and trust each other to carry it out, oftentimes leaving the surviving spouse or partner access to the joint assets upon the first death, and the responsibility to maintain the deceased spouse's or partner's wishes.

Alternately, some couples choose to create a joint plan and lock in the details at the passing of the first spouse or partner. This option allows a couple to have joint assets without the risk that their beneficiaries are disinherited by the surviving spouse.

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3. Addressing long-term care needs and their associated costs.

A thorough estate plan can help a family prepare for the possibility of long-term care needs in the future. Planning also exists to help families who have a current need for long-term care and have not yet done any pre-planning. In both cases, families realize how devastating the monthly costs of long-term care can be and wish to shelter their savings from being depleted on those services.

The strategies that an experienced elder law and estate planning firm would recommend in this area sometimes depend on a person's marital status. It's not uncommon for long-term couples to be unmarried, yet still structure their finances in a joint manner. Discussing these details would outline opportunities to maximize the amount of assets that can be sheltered, specific to a person or couple's marital and financial preferences.

4. Building a relationship with welcoming practitioners.

Selecting professionals to build trusting relationships with can feel like a challenge in any industry, and for a variety of reasons. Among reasons like our personality, our interests, and our political beliefs, sometimes our lifestyle can feel like a barrier to connecting with a professional.

Consider approaching this perceived barrier as you would any other. If there is a sense that a professional's beliefs limit them from supporting you thoroughly, continue interviewing other experienced professionals in that industry. Don't allow the practices of one professional to represent the whole profession.

When you select a professional, he or she should be someone that you feel comfortable sharing with. A client's willingness to discuss the details of their lives allows experienced professionals to spot all opportunities for planning.

Choose estate planning professionals who have experience with your individual goals and concerns. The difference is in the details.

BELLA'S BRIEF

The Office from a Dog's Perspective



The vague use of the pronoun "they" really will get my hackles up. The American English language is confusing as it is, and "they" just comes across as a troublemaker. "They" pokes fun at grammar critics because of its dual plurality, which I don't mind. They could add a little non-binary education to their scholarly wisdom. It is the use of "they" as an indiscriminate source of information that

I take issue with. I just heard this from one of the guests in our office, "My dad needs nursing home care and they said we would lose the house." Who is "they?" I'd really like to sniff them out for causing so many problems and angst. So "they" say, knowledge is power, but one must consider whether there is evidence-based proof to support the information being shared. Otherwise, "they" is used with uncertainty and, in my example, isn't accurate. Bottom line, consider the source!

xxo Bella 

**Our team is celebrating the 8-year anniversary of opening our Lewes "home."
CHEERS!**

TIME OUT — STAFF PROFILE

Taylor N. Fletcher
Legal Assistant

ON THE CLOCK: Taylor joined the Procino-Wells & Woodland team as the Lewes office Legal Assistant in 2022. Taylor was born and raised in Sussex County and graduated from Sussex Tech High School in 2016. Taylor's experience in the legal industry has helped prepare her to serve the firm's clients and provide them with a welcoming experience.

OFF THE CLOCK: Taylor is now rooted in Lincoln with her husband, Jacob, and yellow lab, Remy. Spending time with family and friends, reading, and relaxing by the pool are a few of her favorite things!



UPCOMING EVENTS

- 16** Elder Law Workshop
5:30 - 7:00 pm
Nov CAMP Rehoboth Community Center
- 24*** Offices Closed
Thanksgiving Day
Nov *Also closed November 25th
- 8** CARES Member Exclusive Trustee School
3:30 - 5:30 pm
Dec via GoToWebinar
- 24*** Offices Closed
Holiday Break
Dec *Closed through January 1st
- 6*** Three Part Elder Law Series
9:00 - 10:00 am
Jan via GoToWebinar
*Also on January 13th and 20th

*Advance registration is required for all events.
For more details or to register for one or more of these events,
please visit our website or contact Meagan at MLS@pwwlaw.com.*

LEGAL MUMBO JUMBO

Legal Language in Layman's Terms

PRO RATA

A designation for a beneficiary's inheritance meaning that if the named beneficiary is deceased before the inheritance is distributed, then that beneficiary's portion is divided equally among other named beneficiaries within the Will or Trust.

A note from the attorneys...

From comfy sweaters to pumpkin spice lattes to football, we love fall! It reminds us to be grateful. As the pace of our post-pandemic world quickens and time continues to fly by, we're thankful for many things, especially our clients. We've served thousands of families in our community over the years. Thank you for those relationships and for trusting us with your planning. Happy Thanksgiving,

Michele & Owen

PWW FRIDGE-WORTHY

Our “fridge” is full of things to be thankful for...



The new Mr. & Mrs. Banning.
A favorite image from
Samantha’s Maine wedding.



Trooper Connor J. Cooper’s
Graduation from the Maryland
State Police Academy.



Introducing
Liam Jack McCreary
born May 5th to parents
Matt and Laura McCreary.



Before



After

Team = 1, Leadership = 0



Coach John Wells celebrates his 200th win coaching the Sussex Central Football team. John coaches two Sussex Central sports and has been coaching within IRSD for 38 years.

Introducing
Banks Nolan Cooper
born September 23rd to parents
Connor and Mindi Cooper.



OFF THE CLOCK

We would like to thank our featured referrer of the month:



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302-853-8679
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Georgetown, DE 19947

Procino-Wells & Woodland, LLC is a proud member of:



This newsletter is intended for informational purposes only and does not constitute legal advice. For legal advice, consult a licensed attorney. The examples used are simplified for ease of understanding and illustration of general concepts.