



JUPITER LAW CENTER prepares, reviews and revises a host of Estate Planning Documents to best serve its clients needs, including Wills, Trusts, Living Wills, Durable Powers of Attorney and Health Care Surrogates. These documents are very important and protect you and your loved ones by designating certain people to act at a person's incapacity and/or death. If you haven't completed your Estate Planning, feel free to contact us to make an appointment to discuss why it is so essential that you do so, before an emergency occurs.

Below are a few interesting facts about Estate Planning:

- Oral WILLS are not recognized. WILLS must be in writing and witnessed with a number of prescribed formalities.
- A WILL which is not properly executed and witnessed [even if it signed by the Testator (male) or Testatrix (female)] will not be recognized by the Court.
- A WILL must be signed at the end of the document by the Testator (male) or Testatrix (female), in the presence of two (2) witnesses, who must sign in the Testator's/Testatrix' presence and in the presence of each other.
- The fact that a maker of a WILL was very old, ill, had a failing memory or was a habitual drug user or drinker does not mean that he/she lacked the mental capacity to comprehend the nature of his/her act in signing the WILL - so his/her Will very well might be valid in spite of all of the foregoing negative issues.
- You may DISINHERIT a Child or Children. You may try to disinherit a Spouse, but he/she may claim a statutory Elective Share in the Estate which entitles the Spouse to a percentage of the Estate (which varies depending upon whether there are minor children who also survive the Decedent).
- A DURABLE POWER OF ATTORNEY is a very important document which authorizes an Attorney-in-Fact to act for you in the event you are incapacitated.
- A typical POWER OF ATTORNEY automatically is revoked if one becomes physically or mentally incapacitated. But a DURABLE POWER OF ATTORNEY remains effective even after incapacity - and may help to avoid the need for expensive GUARDIANSHIP PROCEEDINGS.
- STEPCHILDREN do not have any inheritance rights (except from their Natural Parents) unless they are actually adopted by their Step-Parent.