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5 THINGS PARENTS OF YOUNG CHILDREN Should be Asking

Starting a family

marks the beginning of one of the most exciting times of your life. Parenting brings new adventures as you welcome your baby into your life and home. As a new parent, you naturally want to ensure your children's futures in every way. For many new parents, infancy is a time for celebrating new life, and making a Will is the last thing on their minds. For others, the process of bringing new life into the world sparks intense feelings of wanting control and needing organization. Regardless of where you fall on that spectrum, you might be struggling to figure out what steps you need to take to protect your children's futures should the unthinkable happen. Here are some questions you should ask in order to ensure your new family is protected.

1 I don't have an "Estate," SO WHY WOULD I NEED AN ESTATE PLAN?

You do not need to own a large vista on the hills overlooking the Pacific Ocean to have an estate. An estate is simply a fancy word to describe everything you own - your money, property, and personal belongings are all part of your estate. An Estate Plan helps you determine what will happen to these things.

However, a complete Estate Plan goes far beyond dispersion of your assets and belongings. An effective Estate Plan also includes important areas such as caring for your family, making health care decisions, avoiding probate and estate taxes, protecting your assets, and addressing specific concerns for distributions.

2 Who will take care of my children IF I AM UNABLE?

Guardian selection takes place in a properly drafted and signed Will. As a parent, you probably put much thought into caring for your children - finding the best doctors, the healthiest foods, and the best schools for them. But if you are like many parents with young children, you will probably avoid deciding who would care for your children if you were unable. Selecting a guardian is one of the toughest decisions a parent makes, but it is also one of the most important. So what are some factors you should consider when selecting a guardian?

EMOTIONAL STABILITY:
Perhaps the most important quality parents look for in a guardian for their children is the guardian's capacity to love their children. Does the guardian have the time and energy to give your children what they need?

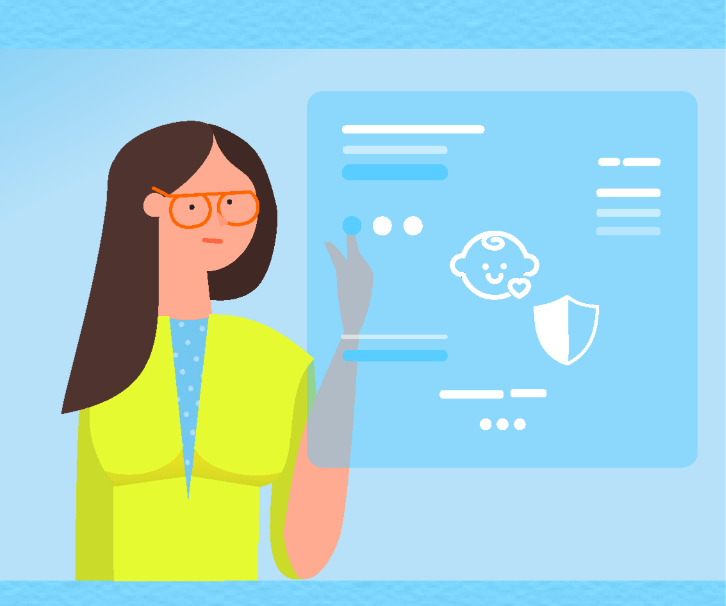
WILLINGNESS TO ACT AS GUARDIAN:
Simply listing your choice in your Will is not enough to ensure that your children will end up in the household you request. You must discuss with the guardian his/her willingness to act as guardian.

VALUES AND RELIGION:
Do you want your children raised with certain values, traditions, or religion? If so, seek out those people who already share these traits with your family.

ACCESS TO OTHER FAMILY MEMBERS:
Is your choice of guardian near other family members with whom you would like your children to stay in close contact?

FINANCIAL STABILITY:
Does your choice of guardian have the financial means to take on the responsibility of caring for other children, or does your estate provide for financial support?

ONE PERSON VERSUS A COUPLE:
Would you be comfortable with either co-guardian acting separately?
If not, it might be best to only choose one person as the guardian instead of the couple as co-guardians.



What happens if I can't decide WHO TO NAME AS GUARDIAN FOR MY CHILDREN?

While it is common, and understandable, to struggle with the guardianship decision, it is important that you do so. If a guardian for your children is needed, and you have not made your preferences known in a legally-binding manner, any interested person may petition the court for guardianship. A judge, who will only have the information provided to him/her in court proceedings, will ultimately make the decision based upon what he/she feels is in the best interest for your children. So, even though this is an extremely difficult decision to make, it is best that you make your choice clear so that a stranger does not make the decision for you. Of course, if your circumstances changes, you can always revise your Will and change your selection of guardian.

3 DO I NEED A WILL OR A TRUST?

The short answer is, "Yes." If you have minor children, you need a Will, and possibly a Revocable Living Trust. The Will is the legally-recognized document where you name guardians for your children, so it is an integral part of protecting your family's future. However, a Will only goes into effect after your death and does not cover incapacity.

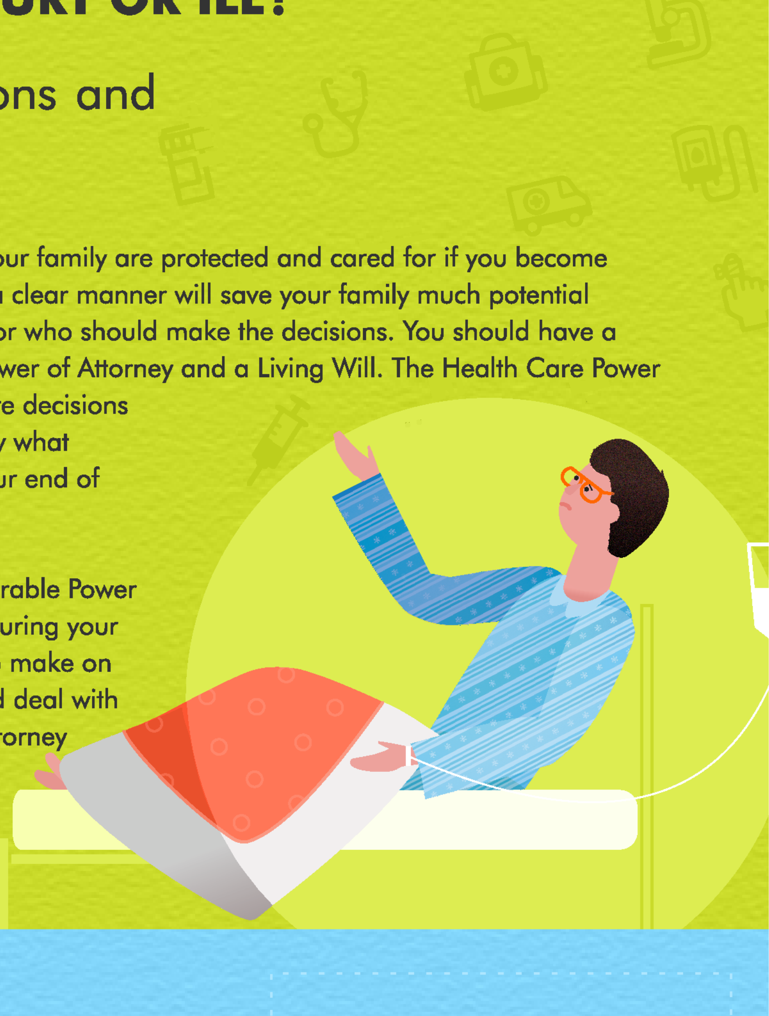
You probably don't want your children getting a hold of their entire inheritance on their 18th birthdays. Among other things, a Revocable Living Trust can protect your children from potential creditors and allow you to detail the ages at which your children may receive money (while still being cared for in the interim). In a nutshell, a Revocable Living Trust ensures that your children and finances are cared for to your specifications during your incapacity and/or after your death. It also allows for greater privacy and, if properly funded, can help your family avoid probate.

4 WHAT HAPPENS IF I GET HURT OR ILL?

Who will make my medical decisions and care for my finances if I can't?

There are several steps you can take to make sure you and your family are protected and cared for if you become incapacitated. First, documenting your health care wishes in a clear manner will save your family much potential turmoil and grief from having to guess what you might want or who should make the decisions. You should have a Health Care Directive in place that includes a Health Care Power of Attorney and a Living Will. The Health Care Power of Attorney documents who you want to make your health care decisions for you if you are unable. Your Living Will is where you specify what treatments and procedures you authorize - you also make your end of life care treatment decisions in this document.

Second, a financial Power of Attorney (sometimes called a Durable Power of Attorney) is used to specify who will handle your finances during your incapacity and what financial decisions they are authorized to make on your behalf. This means they will be able to pay your bills and deal with financial institutions on your behalf. The financial Power of Attorney is normally coordinated with your Revocable Living Trust (if you have one), often having the same person is listed as in charge in both places.



5 SHOULD MY CHILDREN BE BENEFICIARIES of my retirement plan or life insurance policy?

It is important to keep your beneficiary designations up to date and coordinate them with the rest of your estate plan. Many people choose to list their spouse first, followed by their children. While this may seem like a good idea, it is not the best way to protect your children's futures. Children under 18 are unable to inherit directly, so any money left to them will be placed in a custodial account. Once they turn 18, the money becomes theirs outright, which does not protect them against their youthfulness or potential creditors. It is best to leave the money to your properly-drafted Revocable Living Trust. It will then be managed following the guidelines and protections you built into your Trust.

These are *just some of the questions to consider* throughout the process.

You should find a *trusted attorney* who specializes in **Estate and Trust Planning** to help you prepare and properly execute the appropriate documents for your plan.

Meet Lisa

I am happy to guide you through the steps necessary *to protect you and your family*.

Contact me today to schedule your free 30-minute consultation so we can discuss further your specific estate planning needs.

Free 30-minute Consultation

ABOUT LISA

I chose **Estate Planning** as the focus of my practice because I believe that taking the necessary steps to ensure the continued well-being of you and your family helps to create a harmonious environment that can last for generations to come. I appreciate and understand the challenges you may face when considering your estate planning, and I work to guide you through the process. My goal is for you to achieve the peace of mind that comes from knowing you have protected and provided for yourself and your family.

Having been raised in the Phoenix area, I chose this community to raise my own family and build my legal practice. I focus my practice on Estate Planning and Small Business services, and I am a member of the State Bars of Arizona and California.