

**Attorney Timothy P. Crawford, CPA, CELA\*, CAP\*\***  
wanted to share this information with you.

## **Steps to Take in Advance of Death or Disability**

Greater Milwaukee Area Offices in Brookfield, Glendale, Milwaukee & Racine

*Your Asset Protection Law Firm*

840 Lake Avenue, Suite 200

Racine, WI 53403

Toll Free: (888) 634-6675

(262) 634-6659

E-mail: [tpc@tpcelderlaw.com](mailto:tpc@tpcelderlaw.com)

Website: [www.TpcLaw.com](http://www.TpcLaw.com)

No one wants to face the fact that our loved ones will not be with us forever. Facing our own mortality is frightening as well. Although none of us wants to contemplate a time when we or a loved one might become disabled or die, it is important to be prepared. There are many steps families can take in advance of death or disability to avoid future conflicts or uncertainties:

- Don't be afraid to start the conversation. Whether you are a parent talking to your children, a husband talking to a wife, or an adult child talking to an aging parent, bringing up the topic of death and disability can be difficult, but it is an important conversation to have. A study by The Hartford found that parents were more willing to discuss estate planning issues than their children.
- Make sure you or your loved ones have done estate planning. All estate plans should include, at minimum, two important estate planning instruments: a durable power of attorney and a will. The first is for managing property during your lifetime, in case you are unable to do so yourself. The second is for the management and distribution of property after death. Revocable (or "living") trusts can also help you avoid probate and manage your estate both during your life and after you're gone. In addition, you or your loved ones should consult with an estate planning professional about the best way to minimize estate taxes.
- Plan for the worst. You and your loved ones need to be prepared in the event that one of you becomes disabled and will no longer be able to make your own decisions. The durable power of attorney mentioned above is an important instrument. You will also need a health care power of attorney which gives someone else the medical authority to communicate your wishes about medical treatment.
- Make sure you or your loved ones draw up a list to help your executors carry out your estate plans. The list should contain information on the location of assets, such as bank accounts, property, stocks, and bonds; the location, keys, and

passwords to any safe deposit boxes; the identity of important professionals who might have information about your estate; and the location of important records, such as loan, insurance, and tax documents. The list can also contain things you want done immediately after you die, such as calling relatives or notifying employers.

- Determine you or your loved ones' wishes regarding funeral arrangements. You may want to pay for your funeral ahead of time to take the burden off of family, but you need to be careful and shop around. If you can't make arrangements ahead of time, put your wishes in writing so the whole family knows what you want.
- Figure out who is going to get what personal property and heirlooms. Preparation and planning in advance can avoid family squabbles after you or your loved ones die.

**“Those Who Plan Ahead Win.  
Those Who Don’t Plan Ahead Lose.”**

This article is not intended as legal advice. It is basic information. I would recommend that you call Attorney Timothy P. Crawford for a free conference to discuss your situation in more detail. Attorney Timothy P. Crawford can be reached toll-free at 1-888-634-6675. When you call in, please mention the fact that you have read this article.

\*Attorney Timothy P. Crawford is a Board Certified Elder Law Attorney(CELA). He has been Board Certified by the National Elder Law Foundation which has been approved as the Sole Certifying Organization for Elder Law Attorneys by the American Bar Association.

\*\*Timothy P. Crawford was invited to join the Council of Advanced Practitioners of the National Academy of Elder Law Attorneys (NAELA) in August of 2005. The Council of Advanced Practitioners (CAP) is a small group of premier elder law attorneys, all of whom have been members of NAELA for at least 10 years, are certified as elder law attorneys by the National Elder Law Foundation, and are AV rated the top in the nation by Martindale Hubbell. A Service that provides an independent rating of the quality of attorneys.

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Nursing Home Care Costs”**

“A majority of text has come from an article prepared by Attorney Howard S. Krooks, friend of Attorney Timothy P. Crawford, is used here with permission.”