

# *Estate Planning Considerations*

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# *Advance Directive for Health Care*

If I am in any condition that I initialed in Section (6) above and I can no longer communicate my treatment preferences after reasonable and appropriate efforts have been made to communicate with me about my treatment preferences, then:

(A) \_\_\_\_\_ (Initials) Try to extend my life for as long as possible, using all medications, machines, or other medical procedures that in reasonable medical judgment could keep me alive. If I am unable to take nutrition or fluids by mouth, then I want to receive nutrition or fluids by tube or other medical means.

OR

(B) \_\_\_\_\_ (Initials) Allow my natural death to occur. I do not want any medications, machines, or other medical procedures that in reasonable medical judgment could keep me alive but cannot cure me. I do not want to receive nutrition or fluids by tube or other medical means except as needed to provide pain medication.

# *Advance Directive for Health Care*

(C) \_\_\_\_\_ (Initials) I do not want any medications, machines, or other medical procedures that in reasonable medical judgment could keep me alive but cannot cure me, except as follows:

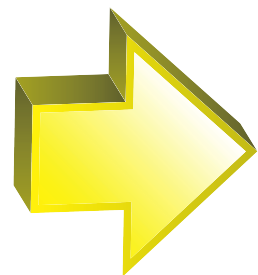
*[Initial each statement that you want to apply to option (C).]*

\_\_\_\_\_ (Initials) If I am unable to take nutrition by mouth, I want to receive nutrition by tube or other medical means.

\_\_\_\_\_ (Initials) If I am unable to take fluids by mouth, I want to receive fluids by tube or other medical means.

\_\_\_\_\_ (Initials) If I need assistance to breathe, I want to have a ventilator used.

\_\_\_\_\_ (Initials) If my heart or pulse has stopped, I want to have cardiopulmonary resuscitation (CPR) used.



# *Health Insurance Portability and Accountability Act (HIPAA)*

## **Complete an Authorization Now**

Who can medical providers release protected information to if you are unable to give authorization due to incapacity/death?

# *Comprehensive Estate Planning Considerations*

## **Blended Families**

Typically want to provide for spouse and children from a previous marriage

## **Families with Minor Children/Special Needs Beneficiaries**

Certain classes of beneficiaries will require additional protections and privacy

## **A Family in Conflict**

Probate of a Will could potentially lead to a will contest/litigation



# *Comprehensive Planning Tools*

**SHOULD BE CONSIDERED  
WHEN A LAST WILL AND  
TESTAMENT ISN'T ENOUGH**

Most common tool is a revocable living trust, but other trusts can be used including irrevocable trusts, special needs trusts, asset protection trusts, etc.

## **REVOCABLE LIVING TRUSTS**

Perfect tool when your objective is to avoid probate. Can also be used to protect beneficiaries.

## **IRREVOCABLE/ASSET PROTECTION TRUSTS**

Assets funded to this trust avoid probate, but these entities offer asset protection to you during your lifetime.

# *Features of a Revocable Living Trust*

## **Avoids Probate**

If properly funded, all assets of trust will avoid court oversight

## **Harder to Contest**

Because their private nature, RLTs are harder to contest

## **Keeps Distributions Private**

Necessary if beneficiaries are minors or those with special needs

## **Allows for Flexibility**

Trust can be named as beneficiary for assets (ex. life insurance)



# *Keep the Conversation Going*

## **CONTACT US**

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