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PREPARE NOW! Your complete source for information about estate planning for your family

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WHO'S GOT THE POWER? (DEMYSTIFYING THE "POWER OF ATTORNEY")

Each week we complete many transactions to benefit our families. We may withdraw money from our bank account to pay for our child's swim class and groceries for the week. We choose the stocks for our retirement plan. We go pick up medical records to take to our specialist. We send a check to help our child who is "broke" and away at college. We pick up the rent check from our tenant. We do our taxes. We cash that big tax refund check! Who could do all these things for you if you were incapacitated from a serious accident or developed a sudden illness? Generally, unless you own all your assets jointly with another person, the answer is no one. However if you have an "attorney in fact," someone can do these things for you.

What is an "attorney in fact"? Well it is not your family attorney or just any lawyer you know! Actually, your "attorney in fact" can be anyone you want, for example your spouse or a close friend. You appoint an "attorney in fact" through a power of attorney. People often complete a power of attorney, an 8-10 page legal document, as part of their estate plan. With a power of attorney executed, your "attorney in fact" can literally step into your shoes and complete your daily transactions should you become incapacitated. The "attorney in fact" simply presents the document whenever they are completing a transaction pursuant to your power of attorney. The powers you can give your attorney in fact are numerous: banking, dealing with real estate, gifting, accessing records and many, many more.

You can make your power of attorney "durable" or "springing". A durable power of attorney can be used at anytime, even when you are not disabled. A durable power of attorney makes using the power of attorney very easy. You do not need to get any other documentation in place. You just need to give the document to the person you have chosen as your attorney in fact. If you feel uncomfortable giving someone this power upfront, a springing power of attorney can only be used when there is documented proof from your physician proving you are incapacitated. While this gives you additional security that the power of attorney will not be

used unless you are incapacitated, it creates an added hurdle that you may not want your attorney in fact to have to go through.

Either a Durable or a Springing Power of Attorney will help your family should you ever become incapacitated. It helps your family get through what can be a very difficult time without having to resort to the courts to have a guardian or conservator appointed to deal with your property. This process can be time-consuming and expensive – mainly legal expenses to navigate the courts. So take the time to give your family the power! Execute a Power of Attorney to ensure your family is protected from the unexpected.

For more information on this or other estate planning topics, please visit us at www.dwa-law.com.

UPCOMING SPEAKING ENGAGEMENTS

David W. Adams will be speaking at the multi-chamber event Business-Forward Expo at the Town Hall in Arlington, Massachusetts on June 1, 2006. He will be giving a presentation on ***Protecting your Business and Family through Effective Estate Planning***. For more information, visit their website at <http://www.business-forward.com/index.htm>.

Angela E. Christoffel will be speaking on ***Protecting your Family with an Estate Plan*** at the Chelmsford Mother's Club on June 21, 2006 at 7 pm. The Club meets at the All Saints Episcopal Church, 10 Billerica Road, Chelmsford, Massachusetts.

THE LEGAL "DEAL" OF THE SUMMER - \$250 OFF AN ESTATE PLAN

We find that the month of August can be quite slow for us given vacations and end of summer plans. It is also, however, a great time to knock out your estate plan before the busy fall is upon us. To offer a little incentive, we are offering \$250 off any estate plan if you are able to complete your questionnaire and get it to us by July 31 and schedule an initial meeting sometime in August. This will keep us busy during a traditionally "slow" time and provide some incentive to get something done that you may have put off for some time!

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