



EXPERT CONTRIBUTOR

# ESTATE PLANNING ISN'T SPOOKY

## NOT PLANNING IS TERRIFYING



By Carina Lyn Roselli

Estate planning may seem like the scariest and most morbid thing you must confront as an adult – but it shouldn't send chills down your spine. On the contrary, estate planning is empowering for you and your family and allows you to live confidently with the peace of mind that things will be taken care of if you are unexpectedly incapacitated or die. Not planning, incomplete planning, and incorrect planning should terrify you!

### Empowerment Through Life Planning

Turning 18 years old changes the legal landscape. As a legal "adult" everyone over the age of 18 should have at least the life planning tools of a traditional estate plan empowering your loved ones to provide for and protect you if you become incapacitated.

#### You need:

- General Durable Power of Attorney to permit your chosen Agent(s) to take care of the administrative and financial aspects of your life
- Healthcare Power of Attorney to permit your chosen Agent(s) to make medical decisions on your behalf
- Living Will to ensure your wishes are known and followed regarding whether doctors should take extreme medical measures and/or keep you on life support
- HIPAA Authorization to allow your family members and Agent(s) access to your medical status, treatment information, and healthcare records.
- (A Trust may also be a good idea.)

The terrifying truth is, if you become incapacitated without these estate planning tools in place, your loved ones will find themselves standing by your hospital bed helplessly uninformed and unable to make decisions on your behalf.

### Peace of Mind Through Death Planning

Death planning is also very empowering and provides you and your loved ones much peace of mind. By making your wishes known and putting the right estate planning tools in place, you control the outcome, which can prevent the horrific consequences often caused by unprepared death.

#### With death planning tools:

- Parents can designate Guardians for your minor or disabled children, so they're raised by someone who shares your values and parenting style and know your wishes for your children's care and raising (rather than having your children placed in foster care until a judge picks someone you may not have wanted raising your children, and who you may not even know)
- Homeowners can make sure your property is kept available to or seamlessly transferred to one or more designated beneficiaries (rather than windfalling on your young adult children's heads or being given to those you never intended)
- Business owners can ensure the enterprise you've worked so hard to build stays within your family (rather than being dissolved or sold off to the highest bidder)
- Pet owners can ensure your beloved fur babies are placed in the forever care of people you and your pets know and trust (rather than having your pet find themselves at a kill shelter)

### LIFE, LEGACY & ESTATE PLANNING



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### EQUINE LEGAL & BUSINESS SERVICES





- Horse owners can ensure your equines are taken care of until they can be distributed to the people/places of your choosing (rather than having your horses go through probate and sold off to an unknown fate)
- Gun owners can ensure your firearms are kept safe and transferred properly to the appropriate beneficiaries (rather than having your spouse commit an accidental felony transfer)
- So much more.

### Estate Planning Horror Stories

Legal disputes over estate plans — Wills, Trusts, or the lack thereof — are common. These conflicts can cause harm to family relationships and be financially burdensome if not devastating. Disputes among the “rich and famous” make foreboding headlines we can all learn from:

- Prince died without even a Will, leaving a mess of lawsuits and hefty legal fees for his family
- Michael Jackson set up trusts for his children but never funded them, resulting in multiple probate court battles
- James Gandolfini didn’t finish his estate planning, causing millions of dollars in avoidable taxes
- Whitney Houston failed to update her Will, which upset her youngest daughter’s inheritance
- Kobe Bryant failed to update his trust, which accidentally excluded his youngest daughter
- Anthony Bourdain failed to update his Will after separating from his wife (but not divorcing her), which left all of his personal possessions to her
- Robin Williams left all of his “memorabilia” and “collectibles” to his children, so his wife was denied from keeping most sentimental items from their life together

Horror stories like this aren’t limited to wealthy celebrities. Many of us know someone who has experienced — or have ourselves suffered — family disputes due to the lack of or failure of an estate plan.

### Horror Prevention

Estate planning can be morbid, confusing and intimidating, but not having a plan should terrify you. An attorney who specializes in estate planning can help prevent the horrors caused by not planning, incomplete planning, or incorrect planning.

Don’t be spooked! You’re not alone if you’re not sure where to begin. Just visit my website at [www.clrlaw.pro](http://www.clrlaw.pro) and shoot me a note to get started.



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