

Make sure you get your end of life planning done

Who will inherit your property when you pass away? Who would make medical decisions for you if you were unable? Who would take care of your financial affairs if you developed Alzheimer or were otherwise unable to manage your financial affairs? Would you want measures to be taken that only serve to prolong your life?

Each of these end of life issues are things that we all must come to terms with and with proper planning we can make things easier for our friends and family. By having four simple documents, a "testamentary will", a "financial power of attorney", a "health care power of attorney" and a "living will" prepared, you can usually have a plan in place to deal with each of these issues.

A testamentary will (or more commonly known as just a "will") is a legal document that directs to

whom you wish to leave your property at your death. If you die without a testamentary will, then the laws of the state of your residence at death determine who receives your property. The testamentary will provides for who will not only receive your real property, your house and land, but also your personal property, such as furniture, photographs, and your clothing. A financial power of attorney is a legal document in which you give someone (such as your spouse, child, or friend, the legal authority) to take certain actions for you. This person is known as your "attorney-in fact." These actions are considered under law to be your actions. You decide how much or how little authority to give your attorney-in-fact.

Senior Moments

By: David Richardson

You may give your attorney-in-fact the ability to manage your financial affairs from things such as your bank accounts to the purchase or sale of property. You decide when you want your attorney-in-fact to start having the authority to act on your behalf, whether it is at the time you sign the document or only after you are no longer able to manage your affairs. A health care power of attorney, on the other hand, is a legal document that gives someone else, of your own choice, the power to make medical decisions for you if you are not competent or if

you are unable to communicate your wishes. This person is only able to make medical decisions for you once a physician has determined that you are not competent or unable to communicate your wishes. If you do not have a financial power of attorney and a health care power of attorney in place, it is likely that if you were to become incompetent or unable to manage your affairs that a court proceeding called a guardianship would need to take place.

Finally, a living will is a legal document that expresses your wishes concerning whether you would want measures taken to simply prolong your life. This document also expresses your wishes as to whether you would want to receive artificial nutrition (food through a tube) and/or artificial hydration (water through a tube).

Anyone interested in

having a testamentary will and financial power of attorney prepared should always ensure that they are speaking with an attorney licensed in the State of North Carolina. A health care power of attorney and a living will may also be prepared by an attorney or your health care provider may provide you with these documents.

If you are age 60 or older and a resident of Robeson or Scotland Counties you may contact Legal Aid of North Carolina

(LANC)-Pembroke at 800-554-7852 to have an appointment scheduled to have one or more of these documents prepared for you for free. LANC-Pembroke is also currently holding periodic will and advance directive clinics for Scotland County residents at Scotland Place Senior Center, appointments are required and limited

and may be made by calling the LANC-Pembroke Office at 800-554-7852. The next clinic is scheduled for July 9, 2009.

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