
LEGAL INFORMATION YOU CAN USE

The Future Planning Issue

Be Informed! Be Empowered!



Attorney John A. Suda, owner of the John Suda Law Firm

Contact me at:

Website: JohnSudaLaw.com
Office phone: 585-687-8529
Office Fax: 585-486-1248
Email: john@johnsudalaw.com

FIRST THINGS FIRST!

Yes, the website Home Page mug shot is scary to some folks! Some people say it is stern, yet others think it shows what a *New York* attorney is *supposed* to look like.

If you spent much of your day butting heads with opposing attorneys, dealing with (sometime) cranky judges, and trying to get service from (sometime) pointy-headed bureaucrats you might end up looking like this, too!

However, people and clients who know me consider me an easy going, casual guy and easy to get along with. Probably, most importantly, they consider me to be a very good explainer of the law and an even better *problem-solver*.

In this issue:

- 1 Are you adequately **prepared for a major disability or sickness?** Have you **provided properly for your survivors** when that time comes?
2. **Special considerations** in a Last Will and Testament
3. Have you **prepared for a nursing home stay** and who/how the \$10,600/ month costs are paid?

What can YOU do:

-Check your records to see if you have *all* of these documents prepared and safely stored. Make sure to **review them and update them** as necessary.

What the JOHN SUDA LAW FIRM can do for you:

-If you want your existing documents **reviewed for continued effectiveness** my firm will do that for you quickly and at **low cost**.

-We can **update existing documents** as necessary or **draft a fresh set** for those who have none.

Special Considerations in a Will

- Have you considered and prepared for **income tax consequences** as well as estate tax consequences in your will/estate plan?
- Bequeathing property to a beneficiary who is on social services may result in that person **losing their eligibility** for those services and ending up worse than if they were not a beneficiary at all.



- You can make a special low cost, low administration trust to benefit **your beloved pets** who survive you.
- If you have potential beneficiaries who are **improvident** (s.g., addicted to gambling, alcohol, drugs etc.) you probably do not want to bequeath assets to them directly. There are ways to do this safely and effectively.

What can YOU do:

- **Review your will** with these and other considerations in mind and determine whether the provisions that you have are satisfactory.
- Decide on a strategy** to deal with potential problem issues with a legal professional.
- Make sure to have these issues addressed **in advance of any need.**

What the JOHN SUDA LAW FIRM can do for you:

- Analyze all of your options in a **comprehensive, systematic way.** (I don't just do a "will," I do a comprehensive *mini-estate plan* to consider *all* the relevant elements of your situation.)
- Draft the Best Plan and set of documents** for YOU.

Be Informed! Be Empowered!

Planning for a Nursing Home Stay

Current estimates are that 35% of Americans age 65 in 2005 will receive some nursing home care in their lifetime, 18% will live in a nursing home for at least one year, and 5% for at least five years.

Women, with longer life expectancy and higher rates of disability and widowhood, are more likely than men to need nursing home care, and especially likely to need lengthy stays.

Nursing Home Considerations

-Costs: an average of \$10,600 per month in Monroe County New York

-Payment: who will pay for it—you, your relatives, Medicaid?

-Quality: inspect a large sample of nursing homes yourself and find significant variations in quality



-Location:- being able to select your own home means living close to friends and relatives.

Be Informed! Be Empowered!

What can YOU do:

1. **Plan for your long-term health and living arrangements** even if you prove lucky enough never to lead a nursing home stay.
2. **Inspect and investigate in advance** local nursing homes which you may prefer in the event that you may need acute nursing care.
3. Determine **how you may pay for any such care**, like with savings, long-term care insurance, or Medicaid eligibility.
4. Make *sure* to **know the rules**, especially the transfer rules, for Medicaid eligibility. Under the worst circumstances, you can make illegal transfers and end up with acute nursing home needs and no way to pay for them. That may mean living out on the street!

What the JOHN SUDA LAW FIRM can do for you:

1. Evaluate your entire personal and financial circumstances to **prepare you for any long-term care needs**.
2. **Assist you in implementing** legal transfer of assets or other similar planning well in advance of any long-term care needs.

John Suda Law Firm

Helping problem solve for consumers, families, workers, and small businesses for over 30 years!