



### Do you have a blended family?

That is where one or more parents have been married before and there is offspring.

This can complicate inheritance. Talk to an estate planning attorney about how to protect each family member's inheritance today.

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# The Planning for Life Newsletter

Charity Anastasio, Attorney at Law, PLLC

Visit us at [www.anastasiolaw.com](http://www.anastasiolaw.com).

## LIVING TRUSTS V. WILLS

*Did you know that Washington State Probate procedures are inexpensive and fairly simple?*

Many states have complicated and expensive probate laws that have driven people to get living trusts to avoid the cumbersome probate system. Washingtonians are fortunate that the laws governing probate have been revised to maximize efficiency and simplify the procedure.

*Some folks will still want a living trust though.*

A trust is a different mechanism from a Last Will and Testament for transferring your assets to your heirs. It is wise to consider a living trust if you own real property in another state, to avoid an ancillary probate in that state (it would cost more and, depending on where your personal

representative resides, be cumbersome for him or her to do).

Another reason individuals seek a Living Trust instead of a Will is because it is private. Probate is a Court Proceeding and, once a Will is submitted for Probate, it becomes a Public Record. For this reason people who seek to keep their bequests private will choose to do so with a Living Trust.

Lastly, going with a Living Trust can be complicating, and it is crucial to get all assets into the trust. Any assets not included in the trust will be probated, obviating the purpose of avoiding probate costs.

## CHARITY ANASTASIO, ATTORNEY AT LAW, PLLC

### GRAND OPENING NOVEMBER 15, 2008

After the birth of her son, Benjamin Peter, Charity Anastasio decided to go into private practice in her area of specialization: estate planning. She looks forward to working with you to creatively and affordably plan for life. Our office is conveniently located at 12510 128th Lane NE, Kirkland, Washington 98034.

Charity Anastasio's practice areas are Estate Planning and Elder Law, including wills, trusts, power of attorneys, probate, & more.

Call 206-257-0082 or email [charity@anastasiolaw.com](mailto:charity@anastasiolaw.com) for more information. We are ready to serve you.

## GRANDPARENTS RAISING GRANDCHILDREN GET HUGE DISCOUNTS WITH CHARITY ANASTASIO, ATTORNEY AT LAW

*An interview with Charity Anastasio, about grandparents raising grandchildren and estate planning:*

**Q:** Why are you giving grandparents raising grandchildren a discount?

**A:** For two big reasons. First, they deserve it! Grandparents who step in to raise a grandchild or children are especially selfless and dedicated to their families and I admire that. Second, they need an estate plan more than many of us.

**Q:** Why do they need an estate plan more than most?

**A:** Intestate succession, which is the way the law distributes our property in the absence of a valid will, has a higher probability of not following the grandparents' wishes. Intestate succession generally says that all property goes to a surviving spouse, and if no spouse survives, to the children (or their children, if not surviving). This may go against what the grandparent wants. For example, say Grandma Hettie's daughter passed away and Hettie is raising her deceased daughter's three boys. Besides a deceased daughter, Hettie has two living sons and no husband. If Hettie doesn't have a will, law dictates that each son will get one third and the three boys of her daughter will split their mother's third three ways. If Hettie's two sons are well established businessmen and don't "need" her inheritance, she may wish to have her three grandchildren get more than one third of a one third. With a will, Hettie can give each relative whatever share she wants. This example will not fit everyone, but it illustrates how the State's defaults don't work for everyone's circumstances, especially grandparents' who are raising grandchildren. This is one of hundreds of ways the law may not do what a grandparent raising grandchildren would want.

**Q:** Many grandparents who raise their grandchildren don't have much property. Doesn't that make a will unimportant?

**A:** Not at all. Wills are also used to choose a guardian for one's children, so if the grandparent



has adopted or is the legal guardian of their grandchildren, this is the way that they can have a say in who will take care of the child if they pass away. If they do not do this, a court may have to decide custody, which could cost money and go against what the grandparent would have wanted.

**Q:** Do grandparents raising grandchildren need anything besides a will in their estate plan?

**A:** It is a good possibility that a grandparent would want financial and health care power of attorneys, a health care directive, and HIPPA waiver also. These documents all authorize a designated person or people to make decisions, if the grandparent wasn't able to. They can be very helpful in avoiding expensive guardianship hearings in the future, and give the grandparent an opportunity to decide, instead of the court deciding for her or him.

**Q:** What kind of a discount will a grandparent raising a grandchild or grandchildren get with Charity Anastasio?

**A:** I am offering everything at half price. That means that the first hour of consultation is free, instead of just the first half hour. Also, all estate planning documents are at fair and reasonable flat fees before discount. Here, the fair flat fee will be slashed in half as well.

*For more information call 206-257-0082 or email [charity@anastasiolaw.com](mailto:charity@anastasiolaw.com).*