

Dear Client:

Since 1978, the Law Offices of Doroshow, Pasquale, Krawitz & Bhaya has protected our clients' rights, treating each client with compassion, dignity and respect. Over 50,000 clients have trusted us to help solve their legal problems. The highest honor we can receive is your recommendation to family and friends.

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Law Offices

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**WILLS,
POWERS OF ATTORNEY,
ADVANCED HEALTH
CARE DIRECTIVES
AND PROBATE**

KNOW YOUR RIGHTS

Qs & As

Wills & Estates

Does Doroshow Pasquale Krawitz & Bhaya prepare Wills and related documents?

YES! In addition to simple Wills, the firm prepares Codicils (changes to an existing Will), Advanced Healthcare Directives, and Durable Powers of Attorney.

What is a simple Will?

A simple Will describes how you want your assets distributed after your death and allows you to name who you would like to be your personal representative and handle the distribution. During your free initial consultation at Doroshow, Pasquale, Krawitz & Bhaya, your attorney will discuss with you whether a simple Will, as compared to advanced trusts or estate planning, is appropriate for you and your assets.

Why have a Will?

In addition to giving you a say in how your belongings are distributed after death and appointing a representative to administer your estate, a Will is your last message to loved ones. A Will is especially important for parents of minor children, as it tells the Court who you want to raise your children in your absence.

What happens if I don't have a Will?

If you do not have a Will, your belongings will be distributed according to a formula set up by Delaware law, which in some circumstances may include giving your assets to the State itself. In addition, you have no control over who is appointed as your personal representative for the administration of your estate.

What is a Durable Power of Attorney?

This document gives a person of your choice, your Agent, the authority to act on your behalf with third parties. It can be effective either immediately or only upon your incapacitation, and you choose the situations in which the Agent can act.

Why have a Durable Power of Attorney?

If you have a friend or family member who helps organize your affairs, or if you can envision a time when that help becomes necessary, you need a Durable Power of Attorney. Common circumstances include managing bank accounts, paying household bills, signing Court documents, and interacting with insurance companies or admission staff at nursing home facilities.

What is an Advanced Healthcare Directive?

An Advanced Healthcare Directive does three things:

- 1) States whether you want specific life saving measures (CPR, feeding tubes, etc.) used in case of terminal illness or coma;
- 2) Names an Agent to make healthcare decisions for you if you are unable; and
- 3) States whether you would like your organs to be donated.

Why have an Advanced Healthcare Directive?

A Directive ensures that medical service providers carry out your specific healthcare wishes. It also allows you to choose an Agent to direct your healthcare decisions if you are unable to do so. Having a Directive relieves your loved ones from the enormous burden of anticipating your wishes while dealing with the stress of your illness or injury.

What is Probate?

Probate is the process of administering an estate by distributing assets and paying the deceased's final expenses. If the decedent had a Will naming a personal representative, that person is responsible for opening the estate with the Register of Wills to begin the process.

If the decedent has not named a personal representative, any person with an interest in the estate can petition the Court to be named the personal representative, and the Court will select that person according to statute. Once officially appointed, the personal representative collects the assets, files an Inventory, and completes and files an Accounting to show that the debts of the estate, including medical bills, funeral expenses, and taxes, have been paid. It generally takes one year to complete full Probate.

In some instances full Probate is not necessary, which our attorney will discuss with you during your consultation. Our office can help with every step of the process, including determining whether full Probate is needed, answering your questions about making an orderly distribution of assets, filing appropriate forms, and closing the estate.

When should I have these documents drawn up?

NOW! It's a quick and easy way to avoid a lot of hassle and expense down the road. Early planning is crucial. As with any legal document, the person signing the documents must have the capacity to understand what they are signing. Many times a person does not take steps to obtain these documents until it is too late, and loved ones are unable to help them with day-to-day issues.

Does your firm handle other areas of law?

Yes. We handle personal injury, workers' compensation, Social Security disability, bankruptcy, real estate, and family law. Please contact one of our statewide offices to schedule an initial consultation.

Disclaimer: The above is basic information about your rights and should not be considered legal advice. Please seek the advice of an attorney.

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