

# Legally Prepared for Each and Every Day

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**T**oday is a good day. By reading this article, you will think about legal protection for you and your loved ones. You are one step closer to creating legal preparation for each stage of your life.

Legal preparation is a recognition that life changes without warning. Taming a crisis requires teamwork and legal authority. Establishing legal documents which appoint agents to manage your legal and medical rights must be done while you have legal capacity. Legal preparation includes protecting yourself and your loved ones during your life, incapacity, death and during the lives of your heirs.

During life, three key documents hold our legal and medical rights. The first document, a Power of Attorney (POA), is the lifetime powerhouse. Your designated agents in your chosen order handle your legal and financial affairs during your incapacity. A POA is very powerful and should be carefully drafted to give you the protection you deserve. Having a POA is a good way to avoid a legal conservator being appointed over your estate during your incapacity. The POA ends with death.

The second document, the Advance Medical Directive (AMD), is another lifetime powerhouse. The AMD gives legal authority to your chosen agents to make medical decisions while you are incapacitated, passing away or making an anatomical donation. It is important to make this document accessible to your agents for emergencies. Sentara provides access to the US Living Will Directory just for that purpose. The AMD also ends upon death.

The third document, A Revocable Living Trust (RLT), allows successor trustees to manage and protect your trust assets for your benefit during your incapacity. This



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keeps your assets working for you. It allows your Trustee to help you, your spouse and your family while you are living but incapable of managing your own trust affairs.

Upon your passing, the POA and AMD end. The RLT does not. To determine legal ownership of your assets after you pass away, people use either a Will or the RLT. There is a big difference between these two documents. With a will, you send your family to court (probate) to settle your estate. With a Revocable Living Trust, estate administration usually occurs without any court intervention. A probated Will is open to all of the public. An RLT remains private and does not have court intervention or deadlines. Which system fits the goals of your family?

Legal preparation comes in all shapes and sizes. Make sure you are prepared before life presents a crisis.

Plan now. Be legally prepared.

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*The information contained in this article does not constitute legal advice.*