

Transcription Estate Planning Course:

Introduction and disclaimer:

Good morning, my name is Sarah Pheral.

I do want to talk to you a little bit about the nature of the information I'm giving to you today. It is just for information, I'm not telling you what you should be doing with your personal situation. You know, we all have things going on in our lives and sometimes something that works for most people is, it's not a great idea, you know, for me individually because of my situation. So just realize that.

And for those of you watching the video at home, please remember the laws may have changed since we videotaped this so don't rely on this too heavily.

Why should I care?

Alright I want to talk about estate planning today. When we talk about your estate, we're talking about everything that you own. So that's everything from property, like a house, to personal property, like your furniture, jewelry or clothing, your vehicles those sorts of things, to life insurance policies, bank accounts, retirement accounts, anything that you have any kind of financial accounts. That's all part of your estate.

And when we talk about estate planning a lot of folks are like, "Well why, why should I care, right?" Well if you don't have a plan our state has laws in place that say what happens when we don't have these documents and sometimes those plans work well for most people and sometimes they don't. Sometimes it's not what people would have wanted. So, it's important to kind of understand that.

So there are two pieces. Everybody likes to think about wills and talk about wills but the reality of 21st century America is most of us do not die like that [snaps]. Most of us, it takes a while. We have accidents, things happen, we slowly get ill over time. So, sometimes these documents are most important because we're in some sort of state of disability or incapacity. We're not able to manage our own finances, we're not able to tell the doctors how we want to be treated and cared for. So some of the documents deal with those kinds of things and if you don't have those documents in place the court might have to appoint someone to do those things for you. It may not be who you would have wanted doing those things.

Now at death certainly, if you don't have a will the state does have laws about how property will pass, and who gets to do the administration, and have senior property, and all those things. And, again it may not be what you would want. A lot of people don't realize if you're married and you have adult children when you die, depending if you have assets that go through probate, those assets will get split between your spouse and your children and most people typically want everything to go to their spouse first. So you just kind of have to understand that, you know, if you don't have these documents that might not go the way you would want.

The other thing you have to know is that, you know, if you have children, minor children, and both parents die, again, a court will have to step in here.

And I want to say, whatever you care about, no judgment. It doesn't matter to me. Perhaps you just want to be cremated and have your ashes shot into space, or you want to, you know, end up on the body farm in Tennessee where they're doing science experiments, maybe you care about everything going to your children and taking care of your children. Whatever you care about is fine, and the whole point of having these documents is to make sure that, whatever you care about, the things that you value, the things that you want to make sure that those things happen, that people know what you want and they can get it done.

What is an estate plan?

So what is an estate plan? An estate plan is a series of documents, it's not just a will, and these documents provide instructions and declarations regarding your care if you're incapacitated and includes instructions about how your assets are to be distributed upon your death.

So there are lots of estate planning documents that we might use, just different tools. There could be a will, there could be a trust, there could be a medical power of attorney, there are be advanced medical directives, there can also be a financial power of attorney, and there's a document called a disposition of last remains declaration, it's what we use to tell people, you know I want to be buried or cremated and I want this kind of service or nothing at all or whatever.

Medical power of attorney

The first is the medical power attorney. And, frankly, this might be the most important for a lot of people.

So a medical power of attorney appoints an agent and it says, "If I can't make medical decisions for myself, this is the person that I want to make medical decisions for me." This person is going to tell the doctors what I want based on whatever is going on.

These are used more frequently than living wills if you have heard of living, we will talk more about it, but Colorado a living will is a little bit useless platform. And that means you need to make all medical decisions and if it becomes necessary they can make residential decisions so if someone is very ill and, perhaps, they need to be placed in a nursing home or a long-term rehabilitation center or something of that nature, that medical agent can make those decisions and say, "yeah we're going to put them here in this place, I just think this is a good fit for them."

If you do not have this document and it's not clear and people are fighting they may have to go to court and petition to have guardian appointed. So they may have to go to court and petition to have guardian appointed. So if there's no medical agent we need a court-appointed guardian.

And the only thing you know like, if try and do this on your own, just make sure that there's a HIPPA release. Because that person obviously needs to access your medical information to be able to make medical decisions for you.

Again, for most people this is the most important document, medically speaking, especially to have. You can make your agent have very broad power, or you can give them limited power, you can put instructions in, in your document.

I do highly recommend that you communicate with your agent and you let them know, "Hey you're my medical agent and here's what I care about, here's what I want." Because the whole point of this is they're supposed to be your agent, they're supposed to do for you what you would do if you were able to do it. And if something goes awry and you're like, "oh we don't get along anymore, never mind," you can change or revoke this document at any time if you have one and you need to change it.

Living will:

Many folks have heard of a living will, living wills and all of these documents, actually, are different state to state. So if somebody, you know, if your friend Susie from Texas says, "Well I've got this and my lawyer said, you know I need to have this, and do it this way." Well that may be a great idea in Texas, but we don't live in Texas and Colorado's laws are different than Texas laws when it comes to all these matters. So that's important to understand.

And in Colorado a living will is a very specific document it only works in two situations. The first situation is you have a terminal illness and you cannot make decisions for yourself, you're incapacitated for some reason. The second situation is you are in a persistent vegetative state if you remember Terry Schiavo this is where living wills came from and became popular. Terry Schiavo was in a persistent vegetative state, her husband wanted to take her off of the artificial nutrition her parents didn't want that it became a big lawsuit. So this document says, you know, allows you to say, "if I'm in either of these situations I do or I do not want artificial hydration, water, nutrition, feeding tubes, I do or do not want artificial respiration, breathing tubes."

Now the problem with this document is it requires doctors to be willing to say this person is either terminal or in a persistent vegetative state and they have to put it in writing and doctors don't like to do that because things aren't always clear to them and they don't want to be liable for saying that something is happening and then it doesn't turn out that they were right. So it can be difficult to get those doctors determinations if for some reason there's no family, there's no medical agent they have to wait two days before they will use the living will trying to find those people.

But it does allow you to give very clear directions about those things. Now, you can do the same thing in a medical power of attorney you can say, "Hey if I'm a vegetable, don't keep me on life-support," you know, and those kinds of things. You can tell your medical agent that. So a medical agent, the agent under medical power of attorney, can do all of these things if you just let them know that that's what you want. So you don't necessarily have to have this document if you have your medical power of attorney, and that agent that you've explained things to, and you can have a successor agent who can step in if first agent it's not available or able to do what they need to do.

Other advanced medical directives:

There are other medical, advanced medical directives, that you can have. And a lot are other medical, advanced medical directives, that you can have. And a lot of people, especially as they get older, they want to have these in place.

So again CPR, cardiopulmonary resuscitation, is what CPR stands for, and that's when someone is not breathing, they may not have a pulse. So, first responders, or people on the scene, will do you mouth-to-mouth or use a breathing tube and the squeezey thing, to help that person breathe. They will do chest compressions, they can do electric shocks, trying to get your heart going again.

And I can tell you that, as we get older, especially, a lot of people do not want CPR done. It is very traumatic, typically lots of bones are broken and it can be a very hard thing to come back from. So a lot of my clients, especially into their 80s and 90s, are just like, "you know what, if that's the case, just let it be, because I'm not coming back from that I don't want to go through it."

So if that's the case, there are a few things that they can do. There are orders that are doctor orders that you can have in your medical charts, and various facilities. But, there are also ambulatory orders that you can actually have your doctor fill out and you can take with you.

So the important thing is just to make sure that these things are somewhere where first responders would see them. So if you're at home you want it on the refrigerator, that's where first responders go, they go to the refrigerator to see what's on there. Okay, if you're in your car, you might have a copy in your, you know, glove box or something. And it's difficult, because first responders, the default is if you need treatment we're going to treat you unless someone tells us otherwise, or unless we know, we see an order or something like that. So that's kind of the hard part of these advanced medical directives is the logistics of getting that information.

And you may have seen like articles like a guy shows up at the emergency room, he's got "do-not-resuscitate" tattooed across his chest and, honestly, the doctors are confused. They don't know what to do, they freak out because they're like, "Do we rely on this? Is this a joke? Did he lose a bet? Like, what do we do?" You know, and so sometimes people will be like, yeah, "I'm just going to get the tattoo," and, honestly, that just creates more confusion. It would be much better to have medical agents show up and say, "Don't resuscitate, let them die, they don't want this."

In Colorado, we have a wonderful form called a MOST form. It's "medical orders for scope of treatment." The reason I like this form is if you feel very strongly about receiving or not receiving certain kinds of treatment, the MOST form has several topics that it goes over. It goes over CPR, do you want CPR or not? But it also goes over those living will questions: Do you want artificial hydration and nutrition? Do you want other life-sustaining procedures like breathing tubes? And that sort of thing. And it is a doctor's order, so if you have that form and the doctors know that you have that form, they, they will know exactly what you do and do not want. So I really like that a lot.

And if you ever are in a room, and you see a "AND" it means allow natural death. And that means that that patient said, "I don't want any," sometimes we call them heroics, "but I don't want any life-saving, you know sorts of things, done to me." And it's important to understand what these things mean because sometimes things are wrong. So it's important to know if you walk into, say, grandma's room and it says AND on your chart you're like, "Hey grandma you don't want CPR?" And grandma says "Yeah,

I want CPR!" You can say, "Excuse me. Why is this here? She wants CPR, she wants to be resuscitated. So, it's good to know these things because you can advocate for your loved ones as well.

General Power of Attorney

Alright, so the other big document that we use while we're alive for incapacity and that sort of thing is, it's a general power of attorney. It's for financial matters, it's for property, money, bills all those kinds of thing.

So a few terms, standing versus springing. When you have a power of attorney you can say I want it effective now, you can say I want it effective if this thing happens, if I'm incapacitated, or whatever. I will tell you that, usually, if you trust the person that you are appointing as your agent, especially if it's your spouse, I typically will advise my clients to make it effective immediately. Because, otherwise, they have to go and get a doctor to say that you're incapacitated and guess what? Another thing doctors don't like to do is say that you're so incapacitated you can't handle your own finances. They don't like to do and it's just something, you know, your agent has to jump through hoops, it causes delays, they may miss bill payments and that kind of thing if it takes a while to get your power of attorney working.

The principal is the person who's creating the document, who is an appointed agent. Durable just means that the document will keep working even if you become incapacitated. And that seems weird to us because that's what we use this document for. But it used to be back in the day that, you know, if you had an agent working for you the default was, if something happens to me, agent, you stop working because I can no longer make sure you're doing what I want you to be doing. But in this day and age we don't really operate like that anymore, so this document we want it to be durable, that's what we use it for.

Again if it's effective immediately, if you become incapacitated because of some accident or some illness, your agent can immediately step in, make financial decisions, manage your affairs for you, if you have a standing power of attorney. But again just beware because if you're, you know, naming a friend or, you know, even a child who maybe has some money issues, there are risks of fraud and theft and some things like that so you really have to think about, you know, how do I want to manage this?

Again, whoever's writing this document, you can give your agent a lot of authority. They can handle everything they can do anything they want. Or, you can give them some limited authority, perhaps you just want them to pay bills and manage your income and your bill pay and you don't want them selling assets or anything like that. So you can limit things, again, I typically will advise my clients to give their agents as broad a power as they feel comfortable with because, in the event that you become so sick that you can't manage your assets anymore, you don't know what may be going on they may be trying to get you some kind of public benefits like Medicaid, they may have to do things so that they can qualify you for Medicaid. You have no idea what they're trying to accomplish so the more power you give them the more likely it is that they'll be able to do anything that they need to do to take care of you.

Again this document, like all of the living documents, it's good until the principle dies. So if I am my mom's agent under her power of attorney, and she dies I can't use that document anymore to write checks, pay bills, those kinds of things. This document dies with her. She can also revoke it at any time,

okay? And once an agent is told, "Hey, this power of attorney is revoked." It's over, shouldn't be doing anything.

And it's important to understand that, especially when we're looking at the financial power of attorney, in the financial documents, these people are considered fiduciaries which means they have a lot of responsibilities legally. They cannot commingle assets, which means like I can't take, if I'm agent for my mom, I can't take my mom's money and put it in my bank account, okay? I can't take my money and put in her bank account. I have to keep records, I have to make those records available to certain people, if I suspect abuse I have to report that. Like, there are all these rules that these people have to follow, okay? So if you know someone who's acting as an agent under a financial power of attorney for someone, and you know that they're doing stuff that they shouldn't be, you can do something about that, okay? And sometimes that becomes a criminal investigation with charges and I know of people being on the stand and judges taking away car keys and things like that because, you know. Some agent bought a vehicle with mom's money and she was like, "Yeah you got those keys on you? Hand them over," you know. So a lot of consequences can happen for people who abuse this, this fiduciary relationship this agent relationship and the power that they have over somebody else's assets.

What happens if you don't have a power of attorney?

So what if there are no powers of attorney? The problem here is, if there are gray areas, it's really hard because you've got to be, you've got to have somebody who's clearly incapacitated or in need of protection before a court will make an appointment. So, if it's a gray area, no dice, okay?

One thing I see a lot of is mental health. People who have mental health issues, if they don't have these powers of attorney in place, and they go down a mental health rabbit hole, it's really hard to get a court to appoint a conservator or guardian. In those circumstances it's really hard to show that person is incapacitated, okay? So it can be really great to have these documents especially for those gray areas.

But, if you don't have the documents we've got to show, in court, this person is incapacitated or in need of protection and for the medical and personal decisions the court may appoint a guardian to make those decisions and for the financial, in Colorado we split the two, for the financial thing they can appoint a conservator. If it's a family member one person can do both but if they are not family members you've got to have two separate people in those roles. Which is actually not a bad idea because then you've got a little bit of checks and balances and two people watching out for the principle, which is good.

The one thing I want to mention about health care if you don't have a medical power of attorney, identifying your medical agent, the law in Colorado is a little weird. Basically, whoever shows up at the hospital or whatever the case may be, basically they ask everybody to get together and choose a proxy decision-maker, okay? Now I don't know about you, but let's think about our friends and families for a moment. Who's the loudest and the pushiest person in your family who thinks that they know everything and what's best for everybody? And is that the person that you would choose to be your agent? Because, in this situation, there's a very good chance, unless somebody in your family has a spine of steel, that that person is going to be the one making decisions for you. Again, it may not be you would want. And if there is a lot of fighting again, they've got to go to court and say, "Hey judge, we want a guardian appointed." And we don't necessarily know who the first one could be. So, that's what happens if you don't have those documents.

Making your estate planning documents work:

These are just some general tips about how to make these documents work. It doesn't do any good to get these documents drafted and, you know, put them in a ziploc in the back of your freezer and not tell anybody that they're there, because they're not going to get used.

You want to choose people that you trust because they're going to be acting for you. You want you to appoint a backup for each person, if you can. So if I'm agent for my mom and something happens to me, you know, who in the document comes next?

Alright, choose people who are a good fit for the job. Think about what they're going to have to do, okay? Your medical agent needs to be willing to do whatever you would want done, even if it's hard. And that's really hard. And sometimes a spouse is not the best person because the spouse may be in a terrible head place, you know, head space, if you're very sick. And maybe you've got a child who feels exactly the way that you do about what they would want done and they would feel very comfortable

saying, "No mom said she wanted this and this is what we're going to do for her because she wants it." So you have got to think about who's willing to do it, who understands it. The financial agent, or your PR under your will, they're handling assets, they're handling money. You want somebody who's honest, somebody who's fair to everybody, somebody who keeps good records and is organized. Those are the kinds of folks you want handling those financial affairs, right?

And then, finally, I highly recommend that you tell the people that you have nominated and appointed in these documents, "Hey, you're my medical agent, you're my financial agent, you're going to be the PR on my will, you're going to be the guardian of my children." That's a big one. Let those people know what's going to happen. And let them know where the documents are. You don't just- if you don't get them copies up front, which you can do if you trust them and all that, at least let them know where they're at, make sure they can access them if they need them. It's really hard if you put everything in a safe-deposit box and they can't access that safe-deposit box and emergency happened, right? So you got to think about where things are and access.

And, again, the people named should know that they're nominated, or they're appointed, they need to know where the documents are, and they need to know what you care about, okay? Different people care about different things, if you don't tell them what you want, they don't know, they're going to make the best decisions they can, hopefully, that's the hope. You also want to have some important information about your property, your bills, and all that sort of stuff available. You know, what bills do you have? What are your account numbers? What do they do? Where's the deed to the house? Where's the title to the car? All of those kinds of things. If somebody's taking over your finances, those are the things they need to know. What income do you have? How much do you get a month? Where is it coming from? Those kinds of things, that's the stuff they need to know. Consider providing your bank with a copy of the financial power of attorney. Especially if you trust your agent, because, banks are worried about fraud and what they don't like is when, you know, John Jr. walks in and says, "Dad's incapacitated and I'm the agent under the power of attorney." And they say, "Well where's John Sr.?" "Well, he's in a home." "Well, we'd like him to come in and verify that you're the agent, that this document is, is good." "Well, he's in a home, like, he's got Alzheimer's, he doesn't even know who I am anymore," you know? So, at some point it becomes hard to walk that document in. And they'll, they'll take it if it's done properly, you might have to push on them you might need to get an attorney to write a letter. But, you know, if you, especially like if your first agent is your spouse and maybe your second agent is a child or someone that you trust with your life, you know, take a copy of the bank and say, "Hey I've got a power of attorney if they walk in and say I've been incapacitated, here's the document, do what they say, "okay? And that can be just really helpful for those folks.

Estate planning documents you need after you die:

Estate planning documents. So these are the documents that we need after someone dies, right? I'm going to talk about trusts too - but trusts are sort of a weird animal.

Disposition of last remains document:

This document, the disposition of last remains declaration, can be really helpful. Especially if you really care about what happens and, especially, if you really want something that your family doesn't really care for, okay? So you have the right and power in the state of Colorado to direct how your last remains are going to be disposed, what's going to happen.

The law provides protection from individuals who may try to impose their wishes on the situation and the declaration can talk about organ and tissue donation,

cremation, burial, or entombment, ceremonial instructions, and any special instructions that you have, okay?

Now, I highly recommend to make this document work that you keep it with the medical power of attorney. Because, if something happens to you, that document needs to be handy. All too often people put these kinds of instructions in the will, and the kids find the will three months later, tucked away somewhere in the house and they start reading through it. And they're like, "Oh! Mom wanted to be cremated. I didn't know that. Should we dig her up?" It's already done, they had to figure all that out in the first week. So if this document isn't available, if people don't know what you want, it may not happen, okay? Especially if you've already paid for something. If you've already set it up, make sure people know, like, "I've already paid for everything at this facility, and I'm going to be buried here." Or "I'm going to be cremated, I've already set it all up." Let people know and let them know where those documents are showing you already paid because that is really expensive and it's a very stressful situation for families if someone dies unexpectedly and they have to scramble trying to get money together.

And I'll tell you the, the funeral industry, it's an industry, right? There in it to make money, unfortunately, it's the state of things. So, I want you to be aware of this resource. It's called the Funeral Consumer Society of Colorado, it's very cheap to join it. I think it's \$10 for a person, for an individual, and they give you all kinds of information and they have deals with certain funeral providers so, like, you can get a cremation and a memorial service for this much money. Or, you know, you can get a burial and a funeral for this much money and they just kind of let you know all of your options.

How property passes:

Alright, so I want to talk a little bit about property, and the nature of property, and how we own property, and how property passes after we die, okay? Because this is something a lot of folks don't understand.

So there are three different ways that things pass when someone dies. Sometimes we own things as joint tenants, this is really common, especially with houses and especially with spouses, it is very common. My husband and I, we own our house as joint tenants. It is also called joint tenants with rights of survivorship and what it means is, if one of us dies, whoever survives automatically gets it, it's a function of property law. We take the death certificate to the reporting office and they take the, the deceased person's name off of the deed and now the other person just owns it outright, okay, by themselves.

You can also do a real-estate subject to a beneficiary deed. We have a beneficiary deed in Colorado, where basically go ahead and you deed your house to someone and you record the deed and that deed only becomes effective upon your death. So that's another sort of property law way that we can pass property. But it also works on things like bank accounts. If you've got two people who've owned a bank account together, you know, one of them dies, again, you just take the death certificate in to the bank they take the person's name off, whoever survives gets the whole thing. Same with vehicles and a lot of other things. So that's joint tenancy.

Contract law, if you have a life insurance policy, or if you have any kind of retirement policies, usually there's some form they give you right at the beginning. You get a new job, or you pay for some new policy. They're like alright, "Fill out this form" and you say who gets it on the event of your death and you usually try to, like, list a few key thing happens to the first people. You can also, on a bank account, you can go into your bank and say, "Hey I want to set it up as a POD account, I want to tell you in the event of my death, give whatever's in this account to this person or to these people, okay? And when you do these kinds of things, you're creating a contract with that financial institution and they have contracted and said, "Yeah, if you fill out this form, when you die this is what we'll do, okay?"

So anything in those first two columns is not a probate asset. If you have a will, your will has nothing to do with the things in those first two columns. You will not impact the things in those first two columns, okay? Anything that is not in those first two columns, anything that you own on your own, we'll talk more about it, it goes through probate, okay? Your will, if you have one, will impact those assets, okay?

How do I own things?

So, what we own, how do we own it? You can be a sole owner, I can own things by myself, I can have just my name on a bank account, or on a vehicle, or on my phone, or anything, right? During life, I can sell the asset, or I can give it away. Of course, if you have Habitat house just remember there are restrictions on sales, so you need to make sure that you understand what those restrictions on sales are.

Here's a tip, if you own something, if it's yours, or yours and your husband's, or whatever the case may be, do not add other people to the ownership of that item. People do this a lot, it is a "common tip" to get around probate, "Just put your kids on that account, put your kids on the deed to the house." The problem is you just made them owners, they can take that thing and sometimes they do. Or, they can get divorced and that thing may be counted in their divorce assets, and maybe their ex takes part of it, okay? So you are legally giving ownership of that asset when you put that name on there. And bad things happen, and they do happen, so if you are trying to do something simply make sure you understand what your options are. If you want your kid to be able to write checks for you, don't give them ownership of the account. Ask the bank to make them a signatory on the account. They can be made a signatory, and have signing authority, and write checks for you but that money is not theirs, okay? So there are ways that you can do things, but don't give them ownership unless they're a true owner, okay? And, understand, that if you give them stuff you're giving them gifts, okay? And there is such a thing in the U.S. as a gift tax, if you give a person more than, right now I think it's \$14,000, it could be subject to a gift tax, okay? So there are all these repercussions you have got to understand.

Transfers after death, I own stuff by myself, either the things I own will pass through my will, if I have a will, if I don't have a will it's going to go through probate, it's called intestacy. You just look at the probate laws, and say there's no will, what do we do now? And the laws tell us how your stuff goes, right?

But, also, I mean, you have the beneficiary deeds, the designations for life insurance policies, or retirement accounts, I can have pay on death on my bank accounts, all these sorts of things, I can do these things won't go through probate and, again, when you're dealing with the forms, the beneficiary forms, the payable on death accounts, those kind of things, make sure you keep those things up to date. Big deal, very big deal to keep it up to date, because that's a contract and they don't care what your will says, if you put in your will like, "Oh no, I really want my life insurance policy to go to Jimmy, not Susie." It doesn't matter if you don't update the form.

So again, joint tenants, joint tenants with right of survivorship. Each person owns one hundred percent at the same time, okay? I own a hundred percent of my house, my husband owns 100% of the house, we own it together, in its entirety, if one of us dies, the other one gets it. Together as owners, that's joint tenants, during life we can gift things together, we can sell things together and then at death, as I said, if owner dies the other owner just has the whole asset, okay? At the death of the last remaining owner, we go back to the last chart, now we're in this land and at that point that's when we can give things away through wills and beneficiary designations, all those kinds of things.

Tenancy in common, this is when you've got more than one owner, but they're not joint tenants. So, this is more common with siblings, or a parent-child relationships, maybe we bought a house together, or something like that, and so like, say, my mom and I bought some property together and we own it 50/50, if my mom dies, my mom gets to say what happens with her half of the property, and if I die, I get

to say what happens with my half of the property, so it doesn't necessarily automatically go to the other owner, it actually passes through my estate or however I have handled it. So each owner owns an undivided partial interest, so we're thinking about like a pie and we each have a piece. So, maybe Frank owns one half of the asset, or maybe Stu owns one quarter of the asset, or if there's no stated amount in the deed, it's usually however many owners they just divide it up, so if there are three owners, everybody gets a third, okay? So we sell that asset everybody gets their piece of the pie, okay? So, during lifetime you can transfer, you can gift, you can give away what you own, you can sell what you own, but you can only do that with your piece unless all the owners get together and agree to do it together, okay? So it just works sort of differently, after the death of one owner, like I said, the other owners still own their pieces, right? They own the same size and same fraction but at death your portion is going to pass, either through your will, or through your probate proceedings, or you may have set it up some other way to pass, okay? But you're only passing the piece you own, not the rest.

Will

And we all know what a will is, right? A will is a document that provides for the distribution of your estate when you're deceased, including your wishes for minor children, if you have minor children. It nominates a personal representative, PR, other states, they call them executors, if you've ever heard that term and that person is going to be in charge of your estate after your death. They're going to be the one kind of handling everything, moving everything around. Again, let your PR know that you have nominated them in your will and where the will is.

And for the will, we really want the original with an original signature because if we have that, in Colorado, we can do informal probate. It's much easier and simpler and cheaper than doing formal probate with a copy of the will, okay? And the will is really the only document where having the original is a big deal, okay? The rest of them, you can use copies and people should accept a copy, okay? That's, that's good.

So if there is no will, again, these intestacy laws in the state where you live are going to apply. Laws can change. Family members typically are the ones who are going to receive your assets if you have no will. Maybe that's what you want, maybe that works out just fine for you and you don't need a will. If you don't have any family, at all, if no one can find your family, your property might go to the state, it's called a escheat. Now, a lot of people think "Oh, if I don't have these documents all my stuff's going to go to the state." That's not true. Your stuff only goes to the state if these intestacy laws can't find anybody to give your stuff to, okay? So they're going to look for family. They're going to look first for a spouse, children, parents. Then they start branching out, they look for sibling, aunts and uncles, cousins, you know, and they just keep looking until they find somebody and then they're like, "Alright here's this, here's what's left." That's how that works.

And, again, just keep in mind, if you've got a spouse it could be, if you don't have wills, they may not receive all your property. Now, if you have everything set up as joint tenants you're probably fine. But, if you've got a lot of stuff that you own by yourself, and you've got adult children, your adult children are going to take a share, under the intestacy law. So, if that's not what you want, you probably do need a will. If you have living parents, they can get a share as well, depending on the situation. So, please remember all states prohibit the disinheritance of a spouse. You are not allowed to disinherit your

spouse. If you don't like them that much, you should probably consider a divorce, okay? There's no way to keep them from taking, you know, all of your property, they're going to get a cut, one way or another. By statute they have a right of election and they can demand the percentage of your estate, no matter what you say in your will, alright? Spouse and dependent children have rights, I think right now up to \$33,000, these numbers change, in cash or property with or without a will. If there's a home involved there's a small homestead exemption, it really does not cover the actual value of property of the state of Colorado, but there are things there to try to protect the family as much as possible for creditors and things like that.

In Colorado, you have to have a written will, you can't pull out your phone and do a quick video from your hospital bed, that won't work. You got to write it out at least in your hand. You can do a holographic will. You've got two types of wills, and then they require certain formalities because a will is a big deal. We want to know that you mean it, okay? So if you don't want to do the full typed will, that's fine, you can hand write but you need to be clear that you mean for it to be a will, okay? You want to say, "This is my will," or right at the top, "Will of Sara Pheral," and you want it to be a will, you want it to give away things, and talk about who you want to administer your estate. But, really it's just got to be hand written, all handwritten, and it's got to be signed and dated and, again, it's got to be clear that you want this to be your will, okay?

You can also do an all typed will, this is what lawyers like me normally do for people. We type up a will, and we get a couple of witnesses in, and maybe a notary, or I notarize a lot of my documents for my clients, and then we all sit down and we do this big execution ceremony, which sounds way more exciting than it is. And, basically, I make everybody say a bunch of stuff and then everybody signs and initials and I do my little notary stamp and that original will, you know, can be admitted to probate. And, typically, it's very hard to fight a will like that. Like, we did all the formalities, like, obviously this person really wanted this. So in Colorado you do not have to have witnesses and the notarization on a typed will, but it helps to know that, yeah, this, this was real, nobody faked it, you know. And either type of will can designate a guardian and a conservator for minor children. You can also do a separate writing for guardians. You don't necessarily have to have a will just to do a guardianship nomination.

Guardian:

Let's talk about guardians for a minute. I've got a three year old, I am married, if I were to die tomorrow, or on the way home today, or whatever, my husband, that's the biological father, with full legal rights, is going to have my kid, right? That's the way it is, even if we're divorced, that's the way it is, okay? Now, if both of us are to die, together, in a car accident or something of that sort, well, my kid's going to have to have a guardian he's three years old, right? So we, I believe, we have our, right now, my mother-in-law and father-in-law as the Guardians for our kid, okay?

But before you decide who this person is going to be, number one, probably ought to talk to them about it. It's never a wonderful surprise to find out, "What? I'm a parent now?" They named me in the will? Oh." It's, it's nice to know that that's coming. Do they agree to this responsibility? Do they have children? Are they the same age as your children? Do they get along? Will the addition of your children create some kind of burden? Do they have a home that's big enough? Is it going to need to be enlarged? Maybe they need your home to be able to take care of your children?

Your estate plans should provide the Guardians with the funds, or whatever they need, so that they can have a large enough space for children, right. Finally, there are a lot of situations where your original guardians are no longer able to serve. It's always a good idea to have those backups, those alternates, in case something happens. If my husband and I were to die tomorrow in a car accident, I am fine having my son go to my mother-in-law and my father-in-law. In ten years, that might not be the case, in ten years, their health could be in a completely different situation and raising children might not be a good idea, so at that point we've got to, you know, go to somebody else like my brother who's younger and has children or something like that, okay?

Again, if you don't have this in a legal document somewhere and something happens to both biological, both legal parents, right, legal parents a court is going to have to appoint somebody, right? And it may not be who you wanted, about, maybe you don't know who you want.

Trust

I don't typically recommend lot of trusts to people. They're a wonderful tool for a lot of things but Colorado, it's just not necessary. If you live in California, or New York, or in, in Florida, or a lot of other places, people use trusts all the time, and use them to get around probate because probate in those states is terrible. People don't want to go through, it, it's very expensive.

In Colorado, we have a wonderful simplified, inexpensive probate process and we have probate clinics at all courts and literally, people most people, if it's a simple estate most people, if they've got somebody they can figure it out. They go to the courts, to the clinic they help a little, help filling out the forms, and they just go forth and take care of it, it's not a big deal. If an attorney is involved, typically we never even go to court, we just file everything electronically. We get the orders back from the court electronically and we give them to our clients and say, "Okay go take care of the stuff," whatever you need to do, you know, we help along.

A trust is sort of an odd legal tool, okay? So we set up a trust, it's a trust agreement, it's a big written agreement. The person who creates the trust and puts property into the trust is called the settlor or the grantor. And you can actually establish a trust during your lifetime, or you can establish one in your will. I do not have personally a current trust but I do, in my will, have instructions to create a trust for my minor child because my minor child cannot own properly and should not, at this age, definitely should not be managing property, right? Somebody's got to take care of him, so, so if something happens to me, my will creates a trust and all the property goes into the trust.

There's a trustee to manage the property and the trust, for the benefit of my child, okay? So that's what trusts really do. You kind of have to identify people, you have to create the trust, you have to put all the property into the trust, you have to say this person is the trustee, if something happens to them, this person is the trustee and they're going to manage whatever's in the trust for the benefit of these beneficiaries, okay?

And they're a great tool, because they can be used for lots of things. They can be used for special needs planning, for people with disabilities, they can be used to have assets managed for minor children without court involvement and all kinds of things, and they can be very useful for disability, too. But,

again, in Colorado, avoiding probate really isn't a good enough reason to go pay for a trust, and go through all of the hassle of getting everything into the trust, okay?

You can make a revocable trust, revocable trust can be revoked, it can be ended, it can be changed. You can make changes during your lifetime. If you have a revocable trust that you create during your lifetime when you die, it becomes irrevocable. And during your lifetime you can also create an irrevocable trust. Sometimes that gets done for very specific reasons, but it's not very common. So I'm not going to go into trust a whole lot just because they're so broad, you can do so many things, they're so flexible and, really, if you think you need a trust, you really need an attorney to help you with it.

You can use it to avoid probate, you can use it to manage and hold property for a specific purpose, for example minor children, excellent purpose. Or, if I know, like maybe I just got a cancer diagnosis or some other thing that can't actually be treated, maybe I get a trust created and I put all my property into the trust and I name my trustees and I just say, "Okay, there you go guys, it's all yours," you know? And they don't have to worry with powers of attorney, necessarily, they don't have to worry with probate. A trust survives you, unlike a power of attorney. So, if you have a trust during your lifetime, when you die the trust is still there it's its' own entity, it's like a business, or a person, it just keeps going, okay?

You don't own the stuff outright, though, it's owned by the trust so you have to fund it, you have to go get the owners changed on all the deeds, and the titles, and the bank accounts and everything and everything has to be changed, it's a huge process. Like I said, it's also good to use for somebody with disability. You've got somebody that can't manage their own stuff, or maybe they're on government benefits, trusts are also used in those circumstances.

How does the probate process work?

I do you want to talk a little bit about probate and estate administration. Everybody's heard of probate, you hear a lot of rumors about probate, you hear it's bad thing. Like I've said, in Colorado it's really not that bad. It's a legal process to appoint personal representative, to pay creditors, and then to distribute any remaining property. That's really all the probate process is.

We take the will, we go to the court and we say, "Hey judge this is the will." And usually it's not even a judge, these days usually it's just the probate clerk. They look at it, they go, "Yep that looks like the will," and they accept it, okay? That's really "probate." At that point, somebody has asked to be named PR, because they're nominated in the will, or if there is no will they have standing under the law, and so they ask the court to be named the PR and the PR gets appointed by the court. The court issues some letters, and some orders and different things, and then basically, at that point, you just go and you do the administration piece. You only need to go back to court if you need something, if you need a judge's input, and if there's a fight about something, those kinds of things. So, again, Colorado probate is usually very simple, inexpensive, and administrative.

If you own property in another state, real property, land, house, that sort of thing, you will have to do an ancillary probate proceeding in that state. That's another reason a lot of folks in Colorado will do a trust. They'll do a trust just to get that out of state property put in a trust so they don't have to do that ancillary proceeding. That's another reason we use trusts. But, probate occurs whether or not there's

will so it doesn't matter if you have a will or not, if you have assets that have to go through probate, you've got to go through probate, okay?

Now, remember those three columns if everything is owned in joint tenancy, if you've got a married couple and one person dies and they've owned everything together, you're not going to need to go to probate because the spouse is just going to take everything, right?

But say I have a bunch of things that are just in my name, they're not in my husband's name. I've got bank accounts just in my name, my car is only in my name, things like that. If I die, my family is going to have to go through probate to give those assets distributed. If, if the deceased person owned any real estate that wasn't in joint tenancy, or they didn't have a beneficiary deeded, they own it outright by themselves, we have to go through probate in order to take care of that property.

If they own assets with a value of sixty six thousand dollars, that number changes occasionally, but I believe right now that \$66,000, if they own more than that in his or her own name, after expenses, you've got to go through probate. So maybe they'll own real estate but they've got a hundred grand sitting in a bank account and it's just their name on it, it's going to have to go through probate to get to that money. So, again, non-probate assets don't count toward that \$66,000. So, if they had joint tenancy in the house that doesn't count, and joint tenancy on bank accounts, or if they did payable-on-death designations, those kinds of things, again, are going outside probate.

So probate is a little complicated in places. But, there is also a small estate affidavit in Colorado. This is very useful if someone has no real estate, or they took care of the real estate some other way, and they don't have assets, you know, worth sixty six thousand dollars, then you can actually do this affidavit, and you take it to the court, and you're able to take care of things much more simply. You don't even have to go through probate, okay? So we have a lot of great sort of simplifying options in Colorado.

Quiz on probate:

Okay, quiz! Alright, audience participation. Which assets require probate to transfer? So we're thinking about that that chart with the three columns: joint tenancy, contracts, probate. So we want to know what goes in that third column.

1. Number one, we've got a car jointly titled with the spouse, does that have to go through probate? No, right. The spouse can take the death certificate to the DMV, or whatever we call it here in Colorado, and they'll just retitle the vehicle.
2. There's a bank account with the sole owner, does that require probate? Yes.
3. A bank accounts sole owner but they do have that pay on death designation, does that have to go through probate? No, that person just goes to the bank, copy of the death certificate, and the bank just processes it.
4. Bank account owned jointly with daughter, does that go through probate? No, because the daughter owns it so she just takes it, again.
5. House owned as tenants in common with spouse, does that have to go through probate? And this is terrible, when people think that they own their houses joint tenants and they find out that they don't, because and I've had this happen. I had spouses, one spouse died very unexpectedly and then they went, and they looked at the deed and they were like, "Oh, no, you

don't own this as joint tenants, you own it as tenants in common you own it as 50/50." So, now, his half of the house the husband who died, his house half of the house needed to go through probate. But they were terrified because they had all these creditors, and they were afraid if they went through probate all the creditors would show up, and they would have to sell the house to pay off all the bills and then the wife would have nowhere to live. So it's a terrible situation when this happens, so hopefully if you're in this situation you're doing it on purpose and you understand what it means, alright?

6. Next one, boat with one owner does that go through probate? Yes.
7. IRA retirement account beneficiary designation of the spouse does that go through probate? Again, you just go to that company that the IRA is with, you give them the death certificate, and do the paperwork that they ask, and then it just automatically gets processed.
8. Stock account transfer on death designation to adult children, does that go through probate? No, again it works like a pay on death with a bank account, it's the same thing. For stocks, you can do a transfer on death designation for stocks.
9. Annuity, sole owner, no beneficiary designation, will that need to go through probate? Yes, if there's any kind of survivor benefit with that annuity it's going to have to go through probate to get to the people that it needs to get to.
10. We've got a life insurance policy with a beneficiary designation form listing as beneficiaries first to my spouse and, then, second to my adult children, that will not go through probate. That's that contract with that entity so that life insurance company is just going to pay that out if my spouse is alive, it'll go to my spouse, my spouse has pre-deceased me, it's all going to go to my adult children, okay?

Estate debt:

Estate debts. This is important to understand. When someone dies, we don't just get all their assets together and start handing them out, okay? And this is actually one of the great things about probate.

In Colorado, it's kind of a process, so once the PR gets appointed they actually go, and they put a little notice in the newspaper, and we do that for a few weeks, okay? And that notice says, "Hey creditors, we are administering the estate of John T. Smith. If you have claims, give them to these people." And they've got four months to submit bills. That's it, four months. If they missed that window, the estate doesn't have to worry about those bills, unless their tax bills, because the IRS and state of Colorado will always come after you for taxes, it doesn't matter timing, so make sure to do that. But everybody else, medical bills, loans, mortgages, you know, all those kinds of things, they have to come and, or if you know about it, you have to pay them, but there's a four-month window. Nobody can come back ten months down the road and say, "Wait! They owed me money." "Sorry, I didn't know that they owed you money and you didn't come in during the four-month creditor period, you're out of luck," okay? So that's actually a really nice benefit for the family to know. Okay, we have identified all the debts and they've had their four months to come in and this is what we have to pay. And you know, you know, that nobody can come back down the road and say, "Wait, they owed me 20 grand," okay?

So a personal representative is placed in charge of the estate, they've got to pay off the outstanding debts that they know about. They might have to liquidate property to pay that. Legal fees do get paid first if there's lawyer involved, sorry, but we need these things taken care of, okay? So we want to get the system moving, you don't want this stuff to just sit in a person's name who's longer alive for years

on end, so lawyers get paid first. Funeral expenses and administrative costs are taken out the estate next. Final medical bills are paid, taxes.

One note, a lot of people worry about estate taxes, or death taxes. Unless you have multi-million dollars, you do not need to worry about estate taxes. Up until last year, a single person needed to have an estate worth more than 4.45 million dollars, and I believe that our recent tax bill just doubled that. So unless you have more than eleven million dollars, you don't need to worry about estate taxes, okay? And if you're married it's like 22 million dollars. I don't know about you guys, I'm not worried about estate taxes, okay?

So next are secured debts, so secured debts, typically your mortgage is secured against your house, if the mortgage doesn't get paid they foreclose, same with your car, if you've got a loan for your car, if you don't pay your loan they take your car, they repossess it. So the secured debts get paid next. If you don't have enough money to pay those then you typically have to, like, sell the property you need to pay them off, that sort of thing, or give the property back. And, finally, unsecured debts get paid. Just general debt, medical bills, utility bills, credit cards, some different things. And then if there's stuff left after all those bills get paid, that's when we start making distributions to whoever gets it, okay?

So that's important to understand a lot of people are like, "Oh, grandma, died do I get anything?" I have no idea. First, we got to see what grandma owed, and how much grandma had, and we got to pay those bills. Then, if there's anything left, we'll talk, okay? So, again, the probate process can bar most creditors from making a claim against a deceased person's estate, if the claim is not submitted on time.

Beneficiary designations:

Alright, so there's some beneficiary issues.

1. What is the impact of divorce on beneficiary designations and wills? At one point, I took my tax return and my husband and I went, we've got all this stuff done, and we've got the pretty will, the power attorneys, and all those things. And now we're divorced, I can't stand the guy, what happens? Well, on the documents, like the wills and the powers of attorney, typically, they'll take the divorce into account and, and those things don't work for your ex. So, like if your will said, "Give everything to my spouse," and now you're divorced, they're not going to get everything. They're going to go to and see what else you say, ok? Powers of attorney aren't going to work as far as he is concerned. It would be a great idea to get the documents redone, or to revoke them, or get amendments done, or something like that. But I can tell you, get those done, or get amendments done, or something like that. But I can tell you, those beneficiary designations, the pay on death, the joint tenancy, all that stuff, you better get taken care of in the divorce, and you better get those forms updated, and you better make sure that his name is off of everything it needs to be off of. Because, legally, you know the property law works the way property law works, and the contract law works the way contract law works, and they don't care that you got divorced. Unless you change the forms, and update all that stuff, your ex will get whatever you, you told them so. And, hopefully, if you get divorced, you used an attorney, and they told you to do all this.
2. Next question is: When is it appropriate to have like a first and then backup beneficiary designations? And what about my agents and my PR? Always have it if you can. Always have backups, ok? Things happen, sometimes people die before you, sometimes they're not dead, they're just, life happens. It's you know, they're maybe, they're sick, they can barely take care of their own stuff, they certainly can't take care of anybody else's. So, you always want to have backups, you know, and that's always a hard conversation when I'm writing a will. Because we're like, "oh I'm going to give everything to my spouse and my children," and I have to ask, "So, if there's some terrible accident and everybody's dead, then what?" And people don't like to think about that, understandably, but we have to think about it. What do you want to happen to your stuff if you all get a car accident together, or something terrible like that? Doesn't happen often but it happens, okay? So it's always good to have those contingencies, those backups: backup plans, backup appointments, those kinds of things, if you possibly can.
3. What happens if one of my beneficiaries has already died? It depends, it depends on the document, it depends on how you had it drafted. So a lot of the time, especially when we're dealing with families, and family situations, the way we'll draft a will, for example, will say, "I want everything to go to my children in equal shares and their descendants, or their descendants," you know? Like we, we make it so that if somebody dies, their share goes to their kids, right? So it may be set up like that, or it may be where you filled out a beneficiary designation form. And I put my, my spouse first. He gets a hundred percent, but if he's already dead then it goes to a trust for my kid, right? So as soon as, it's going to depend on what it is and how you wrote it, okay? Sometimes it's going to go to their estate and their descendants, and sometimes it's going to go to whoever you put as a backup, alright?

4. What happens if a beneficiary cannot be found? This actually happens kind of a lot. People go off the grid, you know? They were in a hospital in Nebraska. So, basically the state requires that you make a reasonable effort to find people who are supposed to be taking things, and if you can't find them, you move on. The state doesn't hold the PR responsible for that, if they made a good faith reasonable effort to find those people.

Final quiz:

5. Sue can verbally tell her Kate where the property should go when she dies. This is a valid will in Colorado. True or false? False, can't be verbal.
6. Bill is a Habitat homeowner. Bill cannot make a will stating who receives his house when he dies. Is this true or false? He can make a will, he can give away his house, absolutely, okay? You've got sale restrictions, but if you die that's your property, you can give it away, okay? Now you may have a mortgage, or something in there, maybe debts, maybe they can't take it out right, maybe they have to sell the house, but if it's paid in full, or whatever the case may be, you can at least try.
7. The names both Mary and Joe are on the title to a car titled in Colorado. Mary dies. Joe automatically receives the car after her death. True or false? Yeah, you've just got to take in that death certificate and get it retitled if you want. Some people, honestly, don't. Like they just sit on this stuff, they don't take care of it, which becomes an issue, like, if you want to sell it or trade it in, that's when, that's when it becomes a problem, right? You drive the car for years, nobody cares what's on the title.
8. Juan and Patricia are husband and wife. Juan was in a bad car accident and he's unconscious. He's got no powers of attorney, Patty can sign Juan's name on financial and medical documents because she is his wife. True or false? False. A lot of people think, "Well, we're married, they can do it." No, HIPAA and privacy laws, you don't have to tell your spouse anything about your medical care, and your doctors should not either unless you've given them permission to. What's up? Sorry I skipped. So she can't do anything necessarily and especially if Juan owns a bunch of stuff in his own name. If he's got a cellphone bill in his own name and she is not on that account, she cannot just go and get that thing cancelled or make changes to the plan or any of that. Depending on how things are set up, if there's a lot of stuff that Juan has in his own name, Patricia has got to go to court and request to be made the conservator and the guardian so that she can do all those things, okay?
9. Back to number four, my god. The deed to Mary and Joe's house states that they own the house as joint tenant with right of survivorship. Mary dies first. Mary's will can designate who receives the house. True or false? False. I mean, she can, she can have in her will that the house goes to somebody, but it's not going to unless her husband dies as well, right? That's when the will comes in for the joint tenant aspect.

Resources:

A lot of us can't afford lawyers, I get it, it happens. That doesn't mean that you can't have these documents, or you can't get them, or have something in place. I will tell you that, sometimes, doing them yourself will result in weird things happening because, sometimes you don't actually understand what we're doing or we use language that isn't clear to people later on, or something like that. So it's not always good to do it yourself. But there are things that you can do it yourself if you want to, okay?

So there are self-help centers at the probate court offices. There are court forms and instructions online, especially for probate. That's something that you can get a lot of help with and do it yourself typically. There is a statutory general power of attorney for financial and property [pointing] this is the place in the Colorado Revised Statutes where it's at and language you can use. You can get to it and copy and paste it into the document and fill it out and all that.

For health care decisions, there's information on this website [pointing]. They've got a really nice pamphlet, it's like 20-some pages. It talks a lot about all the forms, there's actually a form medical power of attorney that you can fill out and sign, and you can have witnesses, and you can have a notary or not, in Colorado it's not required. In Colorado, the medical power of attorney, you just fill it out sign and date, it's good, they have to take it. But if you travel or something like that, it's nice to go ahead and get the witnesses and the notary, it's more likely other states will accept it too, if you do those formalities, okay? That same pamphlet also has a living will form and just a lot of good information. I think it talks about the medical orders.

There's a non-profit in Boulder called the Conversation Project, in Boulder County and they have a starter kit with some really wonderful questions. They're like, it's like a scale of one to five, "How much information do you want to know about your medical situation?" Do you want to know everything? Or do you want to know nothing? A scale of one to five," and that can be really useful to kind of figure out what you care about. And then you can give those forms to your agent, like, as a reminder, "Thank you, this is what I said."

There's also another link for the American Bar Association they have a toolkit as well. I do recommend, you know, filling some of this stuff out. It doesn't have to be binding but, you know, you're never going to know what's going to happen, you can't anticipate every situation, so you really want to just kind of tell your agent like, "This is what I care about," you know, "I want to be able to eat ice cream and I want to understand what people are saying. If I can eat ice cream and understand what people are saying, keep me around. If those things are not possible, let me go, you know, whatever the case may be, alright? But you got to figure it out, so that you can communicate.

And, then, again the Colorado funeral consumer society, they just have a ton of great information. They also have forms, you can sign up as a member, like I said, and get deals at certain facilities, if your family needs to get you cremated.

And then these are some low-cost legal resources. On the web, the Colorado Bar Association has a 40 page pamphlet. There is a public link, on the side of the website. If you go there, again, all kinds of brochures about these documents and lots of other things. They tell you about a lot of the legal clinics, when they are, where they are, their links. There's a lot of really great information. There's also, if you do want to try and find the lawyer, they have a "Find a lawyer" where you can go in and you can say, "I

want you, know, someone who does wills in Aurora," and you'll get a list of everybody who has said that they do wills in Aurora and you can kind of go from there.

So that's kind of nice. Metro, oh sorry, legal night at Mi Casa. They do a legal clinic. You can go and talk to people. Metro volunteer lawyers actually works with Colorado Legal Services. Colorado Legal Services is throughout the state and the Metro is just in Denver area. Basically, if people meet certain income level sorts of situations, they will help for no fees or very reduced fees to get certain things. They also, typically, have, the legal clinics have, programs for seniors, especially. They get extra funding for seniors, so they sometimes can help seniors for free regardless of income and situations, so that's good. The two law schools, you can always see what they have going on. Law schools tend to have clinics and things like that to give the students an opportunity to learn. Then there's also the Colorado women's Bar Association.

And then, I'm a little bit biased, so, disclaimer I work with the senior law day events. I help with Boulder counties and I also help with the handbook, and getting it funded and printed. But the senior law day events, we have them in several locations throughout the state. They start early summer. Jeff Co's is typically first, around the 1st of June. Denver has one typically at the end of July. Boulder's were trying to figure out, but they're all over the place, actually. They actually just started one in Pitkin County last year, up in the mountains. So there are these events that you can go, and they have often one-on-one with an attorney where you can just go talk to an attorney for 15 minutes about what's going on with you. They have classes going on and they give you, you know, a sheet of all classes or you can go to these classes. They're typically free or very, very low cost, like 10 dollars, and often it's a suggested donations, so if you don't have the \$10, they don't care. So you've got the senior law day events, and then, also, there's a senior law book that's available online. And, and the senior law day and the handbook kind of related. But the handbook, it's like 34 chapters, I think, in the 2017 version and it talks about all kinds of things that are related to these topics. It talks about will, and trusts, and powers of attorney, conservation, guardianship. It also talks about a lot of other things like Medicare and Medicaid, and a few situations, and all kinds of resources in this book, and it's available online, free. So if you want somewhere to just start to look at things that's a wonderful resource.