

# Howard Thomas, an attorney to guide you through the legal forest



*Howard drafts wills, trusts, and other documents for individuals and businesses.*

*Howard holds degrees in law, business, and*

*engineering. He has been an insurance agent, general securities representative, financial services consultant, cost engineer, and real estate investor. He is a Chartered Life Underwriter. He is a member of AALU, NAIFA, EPCDV, and FSP as well as the estate planning sections of various bar associations.*

*In the Bay Area, Howard supports non-profit organizations including the Diablo Regional Arts Association and the Congress of Neutrals.*

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## Estate Planning for Life's Journey

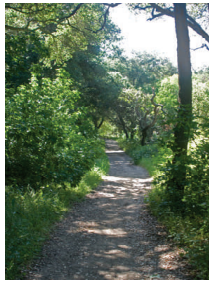


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# Estate Planning for Life's Journey - Documenting Your Vision

In life, like any journey, you can either follow a path to your desired destination or you can wander about aimlessly. Estate planning is the process of selecting your destination and documenting the surest path to get there. Your attorney is your guide.

Your vision defines your destination. Do you



"If you don't know where you are going, any path will take you there."  
Cheshire Cat

see your family provided for? Do you see your community enriched? Do you see your retirement protected? Do you see your business continuing? If you don't document your vision, the government will impose one.

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## Personal Capacity

In life's journey, you can pass through three levels. Healthy adults have full legal capacity to manage their affairs. Children and mentally impaired adults are incapable of managing their affairs. Of course, after death, you have no capacity to act - legal or otherwise. Estate planning encompasses all three levels: capacity, incapacity, and post mortem. Proper planning empowers you or your agent to carry out your wishes regardless of your personal capacity.

## Diversions

Like any journey, your life is subject to events beyond your control. A lawsuit can devour a lifetime of earnings. A legal misstep can disinherit your most precious beneficiaries. Con-artists can scam your family in a moment of weakness. While there are no guarantees, it is reckless to proceed without basic legal documents to protect you.

## Legal Documents

Legal documents provide direction and appropriate layers of protection to assure that you reach your intended destination.

A **Health Care Directive** provides specific instructions to your family and health care providers regarding your preferences.

A **Durable Power of Attorney** instructs and empowers someone to act for you while you are incapacitated.

A **Will** instructs and empowers someone to manage and distribute your property after your death. It may nominate guardians.

Purposefully drafted **Trusts** can privately manage, preserve, and distribute your property during life time and long after your death. Trusts can avoid probate, potentially save taxes, and shield family assets from predators.



"Good fortune is what happens when opportunity meets planning." Thomas Edison

## Documenting Your Vision

The complexity of your estate plan depends on your vision, resources, and risk profile. People with more vulnerable depend-

ants and assets will need more layers of protection. People with specific community interests, may select from a variety of enabling options. A good estate plan is a coordinated set of documents designed to implement your vision in light of your circumstances. You should not rely on retail store forms. You should not wait until a lawsuit is filed or you suffer a stroke. The sooner you document your vision, the more likely you are to reach your destination.