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## OFFICE LOCATIONS

Multiple office locations for your convenience.

### Virginia Beach (Main Office)

500 Viking Drive, Suite 202

### Norfolk Office

319 W. 21st St., Suite B

### Chesapeake Office

1545 Crossways Blvd., Suite 250

### Suffolk Office

3345 Bridge Road, Suite 916

### Newport News Office

11815 Fountain Way, Suite 300

Phone: 757-690-1122

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## UPCOMING SEMINAR & WEBINARS

### WHY WILLS ARE OBSOLETE



Thursday, October 13th at 2:00 P.M.

Thursday, October 20th at 2:00 P.M.

### PLAN NOW TO PROTECT YOUR LOVED ONES



Wednesday, October 26th at 1:00 P.M.

*Alperin Law Virginia Beach Office*

*500 Viking Drive STE 202*

*Virginia Beach, VA*

### DURING OUR SEMINARS, YOU WILL LEARN:

- How to protect your home & assets from the costs of long-term care; Costly misconceptions about planning for your senior years.
- How to plan your estate should you become physically or mentally incapacitated.
- How to protect your family from losing their inheritance to greedy in-laws, divorce, lawsuits, creditors, and government claims!
- How to protect your valuable IRAs (and retirement plans) so they may later provide much-needed retirement income for your loved ones.
- Why wills don't protect assets from nursing home costs and how certain trusts can provide powerful asset protection.

Call us today to register at 757-690-1122 or register online at [www.alperinlaw.com](http://www.alperinlaw.com)

# Your Alperin Law Monthly Newsletter

## FROM SCOTT'S DESK



## What Military Families Should Know About Estate Planning

**E**state planning is for everyone; if you own property, which can include a house, car or savings account, or have a family, you should have an estate plan in place. Good estate plans address the main questions you may have about what happens to your family and your assets if you were to pass away or become incapacitated:

- What will happen to your property?
- Who will care for your children?
- Who will oversee your financial and health care decisions when you can't?

Estate planning involves making advance decisions about how your real estate, investments, life insurance, cash and more are used, maintained and distributed in the event of your incapacity or death.

### Why is estate planning important?

Estate planning can give you and your family peace of mind by ensuring that you have your affairs in order should anything happen to you. Making sure they are cared for according to your wishes in advance can save you and your loved ones both time and money.

For service members with children, the parts of an estate plan that establish the care and keeping of your minor children are especially important. You and your partner will want to decide who will take on the care of your children in the event of your death; a will can specify legal guardians and more

complex plans can separately identify a trustee to handle financial affairs regarding your child's inheritance until a specified age.

### What does an estate plan include?

Your estate plan will be tailored to meet your family's needs, but will contain several basic documents to plan to protect your family & their financial security. You will likely include:

- Power of attorney: This document gives one designated person the authority to act on your behalf for legal, financial & healthcare-related matters if you become unable to handle them yourself.
- Living will (advanced medical directive): This document allows you to describe what medical treatments you do or don't want should you suffer a serious injury or become terminally ill. You can also choose a durable health care power of attorney, who you prefer to make medical decisions on your behalf if you're unable to do so.
- Long-term care and insurance: It is important to plan ahead for the care you may need if you have a disabling or chronic illness and no longer have the ability to care for yourself.
- Last will and testament: This legal document outlines your wishes for after your death. Without a will or trust, state law will dictate how your property will be distributed and

who will be responsible for the care of your children.

- Trust: This legal document is used to manage or protect assets, offer privacy, provide unique solutions for multiple beneficiaries/children or tax planning, and can ultimately avoid the delays (and costs) of probate.
- Survivor benefits: If you should pass away from an injury or illness obtained or aggravated during your time of service, your survivors may be entitled to benefits from the Defense Department and the Department of Veterans Affairs. While some of these benefits are automatic, others, such as Social Security Survivor's Benefits, your family must apply for.
- Funeral and burial arrangements: Including your wishes for your funeral and burial arrangements in your estate plan helps ensure that your final wishes are carried out. Your family can also be eligible to receive benefits to assist with these arrangements through veteran's affairs.

### Start Your Estate Plan Today!

If you need to create an estate plan for you and your family, don't delay! We have offices located in Virginia Beach, Norfolk, and Suffolk for your convenience, with several Estate Planning attorneys on staff ready to help you protect your home, family, and assets. Call us to schedule your estate planning consultation today!

# Can I Leave a Family Member Out of My Will?



Intestate succession laws determine who receives your property if you pass away without a valid will. These laws favor your closest living relative, but you can generally disinherit a family member by creating a will that does not specifically leave them an inheritance.

## **Understanding Who Has a Right to an Inheritance**

If you are legally married, it is nearly impossible to disinherit a spouse. Virginia views marriage as an economic partnership. Unless you have a prenup or your spouse voluntarily chooses to forfeit their share, your spouse is entitled to one-third to one-half of your estate regardless of your wishes.

Your children, grandchildren, and other relatives have no legal right to an inheritance. You can disinherit them simply by creating a will that does not leave them any of your assets. However, it is important to use specific language that makes it clear they were not inadvertently omitted. If a will is ambiguous and your family member

would stand to inherit under intestate succession laws, they could decide to challenge the will in court.

## **Reasons to Disinherit a Family Member**

Some common reasons that people may wish to leave a family member out of their will include:

- You don't believe the person needs an inheritance
- You've already provided significant financial support
- You've left the person property that passes outside the will
- You've had a falling out with the individual and are no longer in contact
- You want to leave a bigger portion of your estate to someone else
- You don't agree with the person's lifestyle choices
- You don't believe the person will use the money wisely

Disinheriting a family member is not a decision to be made lightly. There is a strong possibility this will lead to conflict among your surviving family members. The person who has been disinherited is likely to be angry. They may lash out at other relatives or even try to challenge the terms of the will in court.

## **Using a Trust to Gain More Control Over How an Inheritance Is Used**

One common concern when people wish to disinherit a family member is the belief that the inheritance won't be spent wisely. This could be due to past financial mistakes, immaturity, mental illness, or a substance abuse problem. In many cases, creating a trust can let you leave an inheritance for your family member while preventing misuse of the funds. Trusts can provide smaller disbursements and specify that the funds must be used for specific purposes such as postsecondary education or buying a home.

# Happy Halloween!

## Top 10 Candy Rankings

Whether you are joining the children in your family on their candy collecting adventures, or you are passing out treats to the neighborhood, we hope you enjoy a candy-filled day this year!

Here are the TOP TEN candies ranked by *delish.com*:



## Recipe:

## Pumpkin Cream Cheese Swirl Muffins



### INGREDIENTS

#### Pumpkin Muffins:

- All Purpose Flour
- Pumpkin Spice or Cinnamon
- Baking Soda
- Salt

- Pumpkin Puree
- Granulated Sugar
- Brown Sugar
- Eggs
- Vegetable Oil
- Vanilla Extract

#### Cream Cheese Swirl:

- Cream Cheese
- Granulated Sugar
- Egg Yolk
- Vanilla Extract

### DIRECTIONS

Step 1: In a medium bowl, whisk together the dry ingredients: flour, pumpkin spice, baking soda and salt.

Step 2: In large bowl, whisk together pumpkin, sugar and brown sugar. Beat in eggs, vegetable oil and vanilla extract. Slowly whisk in the flour mixture, until there are no lumps. Fill muffin tins 3/4 full.

Step 3: In a medium bowl, beat cream cheese until smooth. Add in sugar, egg yolk and vanilla extract and beat until well combined.

Step 4: Top each muffin with about 1 tablespoon of cream cheese mixture and use a toothpick to swirl it into the batter. This will not look smooth, but it will bake up much prettier.

Step 5: Bake muffins for 18-20 minutes, or until a toothpick inserted in the center comes out clean.

Recipe inspired by [www.crockpotladies.com](http://www.crockpotladies.com)