

# Get Your Ducks in a Row!

Estate & Long-Term Care Planning News  
from Carolina Family Estate Planning

August 2019

## The Tale of the Plan-less Estate Attorney

In law school, I discovered my interest in estate planning early on. There were many aspects of estate planning that appealed to me and, of course, still do.

It was a way to incorporate some of my prior background and interest in economics and finance having graduated with a Bachelor of Science from M.I.T. in Economics with a minor in public policy, and having worked as a financial analyst briefly before law school.

Like many areas of the law, estate planning is an area where if you "don't know what you don't know," you can either really make a mess of things for yourself or your family, or you can miss out on huge opportunities to plan for a more secure future for yourself and your family.

Estate planning is also generally a 'happier' area of the law compared with things like personal injury lawsuits, divorce, criminal defense, or other areas. And while there may be occasional 'sadder' days when we're working with a client who has a terminal diagnosis or cognitive impairment, we still enjoy working with great people who care about protecting and providing for their loved ones.

When I graduated law school, I joined a small firm that practiced law in the areas of estate planning, tax planning and business law. I was bright-eyed and eager to start my career.

For two years, I helped our clients with their estate planning and legal services. In an ironic twist, I didn't have my own estate plan. I was the proverbial cobbler with no shoes! I was young and healthy, I thought to myself. And I kept putting it off for another day.

### Carolina Family Estate Planning

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#### Practice Areas:

Wills • Living Trusts • Asset Protection Planning  
Powers of Attorney • Health Care Directives • Living Wills  
Long-Term Care Planning • Medicaid Planning  
Veteran's Aid & Attendance Benefits  
Special Needs Planning • Children's Safeguard Planning  
Probate & Estate Administration • Trust Administration

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And then I found a lump in my breast. I went in for a doctor's examination. Then scans. Then a needle biopsy. And finally, for a lumpectomy. The waiting between each appointment and for each scan and ultrasound result. Was. Nothing. But. Pure. Torture. All I could think about was my grandmother who had died of breast cancer.

To be honest, completing my first estate plan is a bit of a blur. Somewhere between finding the lump and my surgery, I took the necessary steps to complete my first estate plan—using the same generic forms and documents that we used with our clients at the firm that I worked at, because, unfortunately, that was all that I knew at the time.

It was only in the aftermath, upon further reflection, that it struck me.

I had completed my virtually fill-in-the-blank documents naming my husband, Dan, and other family members as my potential 'helpers' to make health care or financial decisions on my behalf, and I named beneficiaries for "all my worldly goods." I then brought the documents home in a manila envelope and unceremoniously left them on the kitchen counter.

I didn't go over the documents with Dan. I didn't provide him with any explanation. We didn't walk through my health care wishes. I just trusted that he would "do the right thing" if anything should go awry. And besides, what would really go wrong? I was just going in for a routine surgery. It would be fine, I told myself, because the truth was, I didn't want to face the reality that there was a possibility that it wouldn't be fine...

I was fortunate that the surgery went smoothly, but what if it hadn't? What if the circumstances had been different? What if I had been in a car accident or been one of those people you hear about that has a heart attack or stroke at a young age? Would Dan know what to do? Who to contact? Where to get help? Did Dan really know what my wishes are? For that matter, did I even know what my wishes were???

My brush with mortality provided the motivation to build Carolina Family Estate Planning as THE source for designing plans that actually work in the real-world for our clients and their families. Every day, we at CFEP help clients have the conversations my family and I should have had prior to my surgery. If you are ready for help, please give us a call at 919-694-4437.

Jackie Bedard is the founder and senior attorney of Carolina Family Estate Planning. She now helps friends and family do careful estate planning before they find themselves in a tight spot.





# Adventures in *Crucial Conversations*

Do you cringe and avoid difficult conversations (or difficult people)? Would you like to have better interactions with your significant other, your children, your siblings, your boss, your customers... pretty much everyone? Me too.

At our firm, we talk about helping people live better lives by planning for a secure future. I'd like to share with you another way that practically every one of us can have a better life--at least, every one of us who has regular human contact.

Recently, I was talking with a mentor about a less-than-enjoyable hard conversation I was avoiding. My mentor recommended the book *Crucial Conversations*, by Kerry Patterson, Joseph Grenny, Ron McMillan, and Al Switzler. Overcoming my initial intimidation at taking on a book with *four* authors, I gathered myself and picked up a copy. I committed to reading the book. And when you have a couple days, I highly recommend you do the same.

I'll not spoil the entire book, but I will share a few key points that I found valuable:

## 1 **Learn to recognize crucial conversations in your life.**

For me, these are the conversations that I dread. They make me jumpy and a little sick to my stomach. The authors say a "crucial conversation" is one in which the stakes are high, opinions vary, and emotions run strong. Learn how the prospect of such a conversation affects you. That's your cue that it is something you need to dig into. As the authors say, the hallmark of an influential person is that they master their crucial conversations.

## 2 **Learn to recognize when and why you feel unsafe.**

When crucial conversations go awry, people begin to feel unsafe. They tend to go down a path of "silence or violence." If you care about the outcome of the conversation, recognize what's happening, and work to restore safety. Safety depends on mutual purpose and mutual respect. When it comes to purpose, what do you want out of the conversation for yourself, for the other person, and for the relationship? Are you behaving like someone who wants what you say you want? Can you find mutual purpose?

## 3 **There are facts, and there are stories.**

We all take facts and spin stories around them. Ask yourself what story you're telling yourself. Is it a "clever story"--one that is conveniently one-sided or a story that makes you completely helpless or blameless? Consider that the story may not be accurate. Share the facts first. Then tell the story as you have experienced it. Then ask for their facts, stories, and feelings.



In addition to these key points, there are numerous, critical life lessons in this book that hit me like a bus. Things like: respect is like air: no one notices when there is plenty of it, but when there's not enough, it's all you can think about. And the Four Methods of Decision Making.

But what I found most helpful in my copy, the 2nd edition of the book, was the Afterword: "What I've Learned About Crucial Conversations in the Past Ten Years." In the final pages of the book, the authors humbly relate what they've learned since the first edition of the book. What a relief to realize even the masters--the men who wrote the book on crucial conversations--are still learning. Sometimes painfully. However, it is easy to start being a little more aware of our conversation style. And we can get better with each conversation we have. And as we do, I am confident we will find that it is totally worth it.

*-Dan*  
Executive Director  
CFEP

### Have you heard...??

Your Referrals Help Provide Meals, Resources, and Connections to People in Our Community!!

We donate a portion of our income from each Estate Plan, Estate Administration, and Memory Safeguard Plan to Meals on Wheels of Wake County and the Dementia Society of America.

When you refer to Carolina Family Estate Planning or The Alzheimer's Planning Center, you can rest assured that not only will your friend, family member, colleague or client receive the award-winning service we are known for, but you will be confident in the knowledge you are helping support two very worthy causes!



## PREPARE TO FALL IN LOVE WITH THE TAR HEEL STATE

I know, I know, summer is still here! But crisp weather, bonfires and falling crimson leaves are around the corner. Rather than heading out of state, why not plan a trip west to enjoy the magnificence of autumn in our own backyard?

- ▶ Uwharrie National Forest. Check out those beautiful lakes and tell a ghost story or two.
- ▶ Table Rock, Pisgah National Forest
- ▶ Crowder's Mountain
- ▶ Grandfather Mountain, of course
- ▶ Chimney Rock, Blowing Rock...Just Get to a Rock (or a cute western NC town) and look at leaves, why don't ya?!
- ▶ Sugar Mountain. Did you know that in the off-season, this ski resort allows you to take the chair lift to the top of the mountain for a spectacular view!

## CFEP Communications 101

What can you expect from Carolina Family Estate Planning when it comes to communication?

Any relationship benefits from clarity, so we'd love to take a moment to clarify some expectations and make some promises to you. After all, we value our relationship with you and want to be as clear as possible. Here's what you can expect from us *when we're with you*:

### ***Our undivided attention. We promise.***

In order to provide our clients with our undivided attention *while we are with them*, meetings and calls with our legal team *must be arranged ahead of time*. Since we take that promise seriously, **we will not pull an attorney or paralegal out of another client's meeting except in emergencies**--situations in which there is an immediate threat to life, liberty, or property. Makes sense, right?

How do you find us? For immediate assistance please call our office or email us. Members of our VIP inner circle program should email [vip@carolinafep.com](mailto:vip@carolinafep.com). Current clients should email [clientcare@carolinafep.com](mailto:clientcare@carolinafep.com). If you are not yet a client but wish to become one, please email [welcomed@carolinafep.com](mailto:welcomed@carolinafep.com).

## Planning for the Second Half of Life in These Political and Economic Times...

### **11 Threats to You, Your Family, and Your Assets**

AT THIS SEMINAR, HERE'S SOME OF WHAT YOU WILL DISCOVER:

- How to avoid the common mistakes Baby Boomers make when planning for the second half of life.
- How to avoid having your life savings or retirement plans wiped out by the cost of care as you get older.
- Uncover the secret sources of paying for long-term care costs that may lie hidden in your retirement plan.
- Important differences between Estate Planning and Long-Term Care Planning and how they coordinate.
- How to care for yourself and your spouse and how to maximize the assets you leave to your children...plus how to protect their inheritance from divorce, less-than-trustworthy spouses, creditors, and other wealth wasters.

### **Upcoming Free Seminars (RSVP Required):**

Wednesday, September 11 10 am • Thursday, September 19 6:30 pm

Wednesday, September 25 6:30 pm • Wednesday, October 9 10 am

Register by Phone: **919-694-4437** or at **[seminars.carolinafep.com](http://seminars.carolinafep.com)**

*Can't attend? Call us! Additional dates may be offered upon demand.  
We'll keep you apprised of future offerings or other resources to assist you.*

## CAROLINA FAMILY ESTATE PLANNING

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*Thank-yous*

*thank  
you*

### **For introducing your Friends and Family to Carolina Family Estate Planning!**

*We're devoted to delivering first-class service to our clients. As a result, our valued clients,  
partners, and friends refer their friends, family, and associates to us.*

**Elaine Barry**

**Bill & Diane Burton**

**Trish Cook**, Cook Care Management

**Tim DeVinney**, Mission Possible Team Realty

**Michael Dunaway**, Edward Jones

**Tom Gervase**, Coastal Federal Credit Union

**Robert & Diana Heaning**

**Lisa Higginbotham**, Five Star Awards

**Bill & Cissie Jenkins**

**Jason Jonczak**, Edward Jones

**Joel Ledbetter**, Ledbetter & Titsworth, P.A.

**Mary Anne Leichter-Rice**, New York Life

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