

The Children's Safeguard Planning Guide

By **Jackie Bedard**,
Estate Planning Attorney, and Founder of
Carolina Family Estate Planning



Discover what most parents
don't know: **The 10 simple steps**
you can take **RIGHT NOW** to
safeguard your children and
get your ducks in a row!

**CAROLINA FAMILY ESTATE PLANNING**

Protecting Your Family For Life

The Children's Safeguard Planning Guide

By **Jackie Bedard**,
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The **Children's Safeguard Planning Guidebook**

*Discover 10
Simple Steps
to securing your
children's future.*

Most parents need to know
if the unthinkable were to happen,
that their children would be taken care of
by people who would love their children as their own.
That their kids would be raised with their values.

And that their children would have access to secure financial
assets and resources when needed.

If this description sounds like you, then *Welcome to our Children's Safeguard Planning Guidebook*. I wrote this book to help you through a simple 10-step process that you, as a parent, can follow to achieve peace of mind that will let you, say, go out on a pleasant date night with your spouse. Or spend a romantic long weekend out of town. Relaxing. Without your kids. But secure in the knowledge that their future would be secure if something were to happen to you.

Let's face it. No one wants to think about the scary what-ifs..., but what if you knew that thinking ahead prudently could save your loved ones from months and months of unnecessary delays, possibly thousands of dollars in taxes and court costs, and you could ensure your children would be cared for by people you know will love them like their own? If you knew, then if you're like most parents, *you'd do it*. By stepping through our Guide, you'll not only learn how simple it can be to *safeguard your children*, you'll also learn why each step is important.

But before we get started, I need to clarify a few essential points. You should know that this book is about "estate planning." But those words might not mean exactly what you first envision when you hear them. **Estate planning is simply legally documenting your wishes** so that *your assets, and your family will be protected* in the event that you are unable protect them

yourself due to *disability or death*.

Sometimes, people mistakenly think estate planning is mainly about protecting wealth from estate taxes and therefore is only for the very rich.

This is simply *not true!* Consider this: most people have life insurance to provide for their families if they no longer can. *Estate planning serves the same purpose.*

“Estate planning is simply legally documenting your wishes so that your assets and your family will be protected in the event that you are unable protect them yourself due to disability or death”

The truth is, estate planning is for *anyone who loves their family and wants to provide for their needs in a way that ensures loving guardians for their children, minimizes court costs and delays, avoids public disclosure, reduces possible tax implications, and safeguards their loved ones from potential third-party risks.* When we cut through the legal jargon and talk about estate planning in these terms, most people want to learn more.

So in this Guide, I will explain:

- **The simple 10 steps we advise all parents to take immediately to safeguard their children...**and how, if you don't plan ahead, your children could potentially be placed in the care of social services or someone else you would never have chosen.
- **How a very simple process can help you select the “right” guardians for your children...**and how to use our process to avoid making common mistakes parents make when selecting guardians.
- **How to protect those you love from “wealth wasting”** due to divorce, lawsuits, or estate taxes.
- **Why estate planning MUST be ongoing process...** not something you do once and never think about again. Legal documents must stay up-to-date with changes in your life, changes in estate laws, and changes in tax laws.
- **Why a poorly designed estate plan might cost your family thousands of dollars in unnecessary expenses, make your finances public, and cause your loved ones to be hauled through the courts for months on end...**

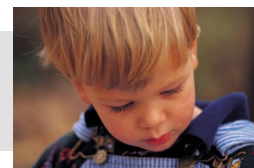
Have I got your attention? I assure you it is possible to do all these things and more. So turn the page, and let's talk about what to be aware of and how to safeguard your family.

To your family's health and happiness,

Jackie



**Jackie Bedard, Estate Planning Attorney and
Founder of Carolina Family Estate Planning**



Can You Answer These Two Simple Questions?

If the Unthinkable Were to Happen...



Would My Loved Ones Know What To Do, Who to Call, and How to Protect My Children?



How Would My Loved Ones Survive Without Immediate, Protected Access To My Money?

Okay, *not fair!* I'm quizzing you without teaching the material first. But these are the critical questions we need to ask ourselves. Because without a plan...

It's Possible Your Children Could Be Removed From Your Home and Placed *with the Wrong People*

What?! Consider the following: Imagine you still haven't completed your planning. You go out to run some errands, and you leave your children at home with a neighborhood sitter. You get in a car accident. You're badly injured and unable to communicate. The police open your wallet, make identification, and come to your home to tell your family the bad news. When they arrive, they find a babysitter. She doesn't know who to call. The police canvass your neighborhood, but ***no one knows who has immediate, legal authority to care for your children.*** As a result, the police have no choice but to place your children into the social services system until the courts can sort out the matter.

It happens all the time.

But maybe you're among the estimated 30-40% of parents who have legally named long-term guardians. (Congratulations, by the way!) But like many North Carolina residents, *the family members you have named to be permanent guardians live out of state.* Without immediate, legal directives, the authorities may have no alternative but to place your children with social services until your legal guardians can make arrangements to get here and provide

proof positive to the courts. And it may take hours or days for the police to determine who your relatives are and where they are located.

Unfortunately, 60-70% of parents have *not named either short-term or long-term guardians*. If that includes you, then the problem becomes even more complex. Your children could be at the mercy of the courts. They could end up **being raised by someone you would never have chosen, with values and beliefs you'd never want instilled in your children**. Remember, *when the need arises to appoint guardians, it's too late to step in and state your wishes!*

Your Children's Care Could Be Left In The Hands Of Judges, Who Don't Know Your Wishes—*Long Term!*

Let's talk about a situation I recently discussed with my friend Amy...

If something were to happen to Amy and her husband, Brian, they have two well-meaning people in their lives who would volunteer to raise their children: **Amy's sister and Brian's sister**.

Brian's sister is an experienced, stay-at-home mom with two kids of her own and a large home in a nice neighborhood. Her husband brings in a good salary, and they have an outwardly stable relationship.

Amy's sister is in her 20s and has never had children. She rents a small apartment, doesn't have a stable financial situation, and isn't in a relationship.

While on paper Brian's sister appears to be an ideal choice of guardian, **she is the last person they would choose to raise their children!** While they love Brian's sister dearly, they merely tolerate her husband, and they have always disagreed—albeit quietly—with the way she and her husband parent their own children and manage their household.

They know in their hearts that they wouldn't want Brian's sister raising their children. But if they do not have *written legal provisions* regarding their preferences, **both Amy's sister and Brian's sister would likely petition the court to be appointed** to raise their children.

If you were the judge, and you had no way of knowing about Amy's and Brian's personal feelings on the matter, **which petitioner would you choose to raise the children?**



Without Documenting Your Wishes, the Court Has No Way of Knowing...

You see, even though Amy's sister may be young and inexperienced, **Amy and Brian know that she would raise their children as closely as possible to the way they are being raised now.** If Brian's sister had custody, then Amy and Brian's children would not be raised with the values, love, and guidance their parents had intended. **But the court has no way of knowing that if Amy and Brian don't take the time to legally document their wishes.**

But That's Not The Only Reason For Concern...

If Amy and Brian did not plan in advance and *died with all their assets in their names* (as in the case of a simple Will), then the proceeds of their life insurance and their remaining assets would be put into a guardianship estate for the benefit of the children. It would then be up to the courts—with limited information—to decide who would be best to administer the assets: Brian's sister, Amy's sister, or a professional guardian (who, incidentally, may charge expensive hourly rates).

Then, on each child's 18th birthday, the trustee or the professional guardian would be required to distribute their entire inheritance directly to the child. While Brian and Amy have great kids, they do not expect them to be ready to manage their entire inheritance at age 18!

If you are like Amy and Brian, you want to do everything you can to protect your kids from unnecessary pain and suffering. **You want to rest easy at night knowing that no matter what happens to you, your children will be totally taken care of and protected by the people you want, and in the way you want.**

Will your child be ready to receive their full inheritance at age 18, with NO restrictions?

That's where estate planning can help.

So you see a need for estate planning for your family, but what do YOU need? Can you get by with a simple will? Do you need healthcare directives? *Let's dig in a little deeper...*

What If Everything You Owned Were Outside Your Control?

Imagine that in an instant, all your assets fell out of your control. Your home, your bank and brokerage accounts, your life insurance policies, your retirement accounts, your clothing, your jewelry, your cars, your letters, your family heirlooms... Suddenly, you have no power over the things you worked long and hard for, the things that mean so much to your family.

That's essentially what happens when you die, *if all your assets are owned in your own name*—as in the case of most simple Wills. **Upon your death, the courts need to determine what to do with your property through a process called probate. The key word here is "MUST." Whether or not you have a Will. It's the law.**

Probate is a complicated headache that costs time, and money, and is totally public. You might be wondering, *how long, how expensive, and how public?*

How long? Well, in North Carolina, probate generally takes a **minimum of six months, and often a year or longer**—much longer if family or heirs disagree. All the while, **your loved ones struggle without easy access to your assets** to meet their needs.

How expensive? The **probate process typically costs 2-5% of the value of the gross estate**. So, for example, let's say the value of your estate is \$500,000. The court costs and associated fees could cost your family between \$10,000 and a whopping \$25,000! Do the math. If you have an estate worth over a million dollars, that's at least \$50,000 in potential costs, and that doesn't include potential estate taxes.

How public? **All your financial records are made public!** And remember how, when your children turn 18, they will be entitled to receive everything, outright, and totally unprotected? Well, through the magic of public records, your child may gain some new "friends" with **unscrupulous intentions**, right around their 18th birthday. Most parents I work with are adamant that their children would not be ready to handle the kind of pressure that kind of money brings at age 18.

But There's More...

But let's say your estate goes through probate. The courts do their thing and determine that your assets should be used for the benefit of your children. Not what you'd planned, but all's well that ends well. Well... *not so fast!* Because your child is under 18, **the court needs to name someone to be the financial guardian of your estate. But your family may have little or no say on who that person is.**



The good news is that all of these issues can easily be avoided if you plan ahead. If you plan ahead, ***probate can almost be considered practically voluntary!*** Later on, I'll go through the steps you need to take. But first, we need to discuss the staggering consequences of failing to plan for disability and long term care. *Please read on.*

Protect Yourself and Your Family By Planning For Disability

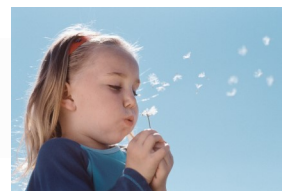
You are probably young and you feel invincible. Maybe you've never been sick a day in your life. And yet, you should know that statistics indicate **over one third of us will be disabled for six months or longer at some point in our lives.** And if you fail to have a clear disability plan in place, it can be a huge burden on your loved ones. And it can leave your care and well-being in the hands of the court system.

You see, if you do not have a legally documented disability plan, your family may have to go through a **guardianship proceeding in the courts** to determine how your affairs will be handled. **Just like probate, the guardianship process is costly, stressful, time intensive, and public.** A judge who doesn't know you or your wishes will be tasked with appointing a '*guardian of the person*' to make health care and other personal decisions, and a '*guardian of the estate*' (sometimes called a conservator) to make financial decisions.

Furthermore, by failing to clearly document your wishes, you greatly **increase the likelihood of family disputes**—people you love and want to get along will be arguing about what's best for you and what you wanted. The repercussions of these disputes can last years.

When my friend Laura was 16 years old, her mother was diagnosed with a terminal illness. As Mother's health deteriorated and she could no longer speak for herself, her family was called upon to make healthcare decisions on her behalf. However, because she did not have a disability plan in place, the family members could not agree on what would be best for her. It caused a huge rift in the family. Now, decades later, the family's wounds still have not healed. Some of the siblings haven't even spoken to one another since.

In the next sections, I'll show you **what you can do right away to safeguard your children, and the options you can take to ensure this sort of tragedy doesn't threaten to tear your family apart.**



You *Can* Protect Your Children And Your Assets By Following These 10 Easy Steps!

I hope you understand that we use the scary “*what if*” scenarios for one purpose—to motivate you to take action, because the risks are too high for parents not to act. Start by following these 10 easy steps!

Step 1

Start by spending some time thinking about who you would trust to raise your children the way you would want them raised. Ideally, come up with at least three friends or family members who would pass along your values and who would love your children as their own. *Do not factor in their financial resources.* It is up to you to provide for your children.

Who would be your first choice, your second, and your third?

Next, legally document your long-term guardians in the order you would like them to serve. For example: My sister Mary, if not Mary, my brother Sam, if not Sam, my cousin Susan, etc.

Need extra help? See our “Choosing Guardians” worksheet at the end of this guide. The worksheet will walk you through a four-step selection process to achieve the confidence of knowing you made the right choice. Just remember, just as there are no perfect people, there are no perfect guardians. But making your choice known is undoubtedly better than leaving it to the court to decide.

Next, focus on your children’s short-term guardians. Select a few local friends or family members (within 20-30 minutes’ driving distance) with whom your children feel loved. Your short-term guardians must be immediately available to come to your house to comfort your kids and keep them secure until their long-term guardians can make arrangements and arrive.

Be sure to legally document your choice of short-term guardians, so your intentions are clearly spelled out to the authorities, along with the order in which you would like each to serve.

Step 2



Step 3

Provide your short-term guardians copies of the legal documentation they'll need if you are in an accident, and make sure to tell them what to do if called upon. Be sure that they also know how to contact your long-term guardians.

Provide all caregivers (i.e., babysitters) with written instructions to call the short-term guardians if you don't come home and can't be reached.

Make and carry a Family Emergency ID Card in your wallet at all times, which identifies you as a parent with minor children, and which lists the names and phone numbers of your short-term guardians should you be unable to communicate, in the order that you would like them to be contacted.



Step 4



Step 5

Now, provide your long-term guardians with written instructions on what to do if called upon and where to find original copies of your long-term guardianship documents.

Be sure to talk with your long-term guardians on important issues such as **how you want your kids raised and the values, insights, stories, and experiences you want to pass along to your children.** Your instructions should also provide them with a list of people you want to stay actively involved in their lives.



What if your children were to need medical care and you were unable to attend to their needs? You need to appoint and **legally document healthcare agents to make medical decisions for your children in an emergency if you are unavailable.**

Step 6

Step 7

Make sure you've left behind enough financial resources so whoever is raising your children will have **immediate and protected access to your assets**. Raising your children shouldn't be a financial struggle for your guardians.

You should work with a **trusted advisor** to determine exactly how much savings or insurance would be sufficient to support your family if something happened to you. At Carolina Family Estate Planning, we work hand-in-hand with our clients' financial advisors to ensure assets are titled and beneficiaries are designated properly.

Make sure that the financial resources you leave will be readily available to your guardians and your children and that they will be totally protected. You may want to **designate a trust as the beneficiary of your life insurance**, so the proceeds don't get pulled into the court process, causing the distribution to be unavailable when it's needed the most.

Step 8

When you work with our office, we'll also show you how you can ensure your family's inheritance is **protected from unnecessary taxes, creditors, remarriage, divorce, and catastrophic illness**.



Step 9

Make sure you have a comprehensive disability plan that includes legal documentation of whom you would like making your health care decisions if you cannot make them yourself, and whom you would want handling your assets and financial affairs.

In addition, make sure the people you've nominated to make your health care and financial decisions have **clear guidance from you as to how you want things handled and what your wishes** are regarding healthcare treatment options.

Leave a lasting legacy to your family by writing letters or creating some audio or video recordings for your loved ones.

You are the sum of more than just your assets, so make sure to pass on your values, wisdom, and experiences—who you are and what's important to you. These tangible mementos will be cherished by your family for years to come.



Step 10

While these steps aren't difficult to do, they may feel a little overwhelming.

They don't have to be.

Keep reading to learn about your options...



You Have Options...

You know what to do now. Unfortunately, this is the point where too many parents toss in the towel. When taken in entirety, the 10 Steps can seem a little overwhelming, so some people decide to put off their estate planning off until later. Later never happens, and then the unthinkable happens, and it is too late.

Choosing to do nothing is a choice, and you now know the consequences. If you do nothing, you have decided to leave your children and your family at risk. Or you have other options...

- Fight through the temptation to do nothing and **handle your planning yourself**, or
- **Work with an attorney** to give you and your family the peace of mind you deserve.

Can You Do It Yourself?

Consider the DIY option, *if and only if*, you meet **BOTH of these two criteria**:

- You would have **no problem with your children controlling everything you own on the day they turn 18.**

AND

- **Your assets are small enough** that they would not be subject to the court process of probate. In North Carolina, if you own no real property and have less than \$20,000 in assets, including life insurance proceeds, your family may be able to avoid probate in the event of your death, and you could get by with a simple form will, health care power of attorney, and durable power of attorney.

If you meet both of these criteria, transferring your estate is relatively straightforward, as long as you have taken the necessary steps to make sure you've named short-term and long-term guardians as outlined in our 10 Steps.

If you choose the DIY path, there are lots of online tools, books, and software packages available on the market that will provide you the forms you need to complete a simple Will. If you are going to use an online program, make sure your fee includes a review by a lawyer knowledgeable about planning from a parent's perspective.

A Word of Caution

*Please understand, I do NOT recommend the DIY option for most people. I have seen too many people who really believe they are doing the right thing, having left their family exposed to costly consequences because they were in over their heads. **If you DO NOT meet both of the criteria outlined under the DIY option, whether you choose to work with me or with another attorney, you owe it to your family to get professional legal help. When selecting an attorney, do your homework. Make sure the attorney you choose is primarily focused on estate planning and is well-versed on the constantly changing estate laws, AND make sure they understand estate planning from a parent's perspective.***

Consider Working with a Recognized Professional!

Estate planning benefits the people you leave behind—your spouse, your children, and anyone else who may depend upon you for support, such as an aging parent. A well-designed estate plan takes forethought. As you've learned from this Guide, it also helps to know which questions to ask.

In our practice, so often we meet clients who want to protect their loved ones, but just don't know where to begin. And they don't know who they can trust. Some clients have had a bad attorney experience before, or they've heard horror stories from friends. And quite frankly, choosing the right lawyer is *critical* to creating the right estate plan for your family. But not all lawyers are the same...

There are lawyers who would be more than happy to draft you a quick Will, and maybe your healthcare directives, and then never see you again. We get inquiries from some clients who would be just fine with that. If that sounds like you, you can Google and call just about any traditional law firm. But go in fully informed about what you get for your money and your time, and understand the risks you are taking if you leave holes in your plan.

Or consider working with a lawyer who is actively immersed in estate planning—someone who participates in national attorney networks, conferences, and classes to stay current with changes in estate law, taxes, and legal techniques, and to provide the highest standards of protection. Consider working with a firm that will take the time to answer your questions, where they are proactive about helping you protect your family.

How do you recognize excellence in estate planning? Let's take a look at some criteria you should look for and see how Carolina Family Estate Planning measures up...



Did You Know?

In addition to helping lawyers continue to hone their legal skills, national attorney networks can provide a distinct advantage for clients when they move to another part of the country. Because network attorneys share techniques and tools with one another, it's often possible to connect clients with a new attorney who can smoothly transition the estate plan to comply with the new state's regulations.

Excellence in Estate Planning... *Your Family Deserves It!*

There are so many misconceptions about estate planning. Some are client misconceptions. Others are legal misconceptions—in my opinion—about what constitute a **standard of excellence in estate planning**. The **usual estate planning experience** goes like this: 1) You meet with an attorney. 2) The attorney prepares some documents. 3) You sign the documents (*often without really understanding what you're signing*). And then you go on your way for the rest of your life, hoping the attorney has accurately captured your wishes.

This may be a little controversial for me to say, but I think lawyers who operate this way more or less amount to “document pushers.” **The business model encourages attorneys to focus on bringing in the next new client, racking up billable hours, and identifying sources of follow-on work for the firm.** *The irony is that most traditional firms drop the ball when it comes to maintaining the relationship with their clients. And yet, referrals from satisfied clients are the best marketing there is.*

Well, frankly, I worked too hard in law school to become a “document pusher.” I became a lawyer to work on what I enjoy: counseling people one-on-one, helping them journey through life growing protected wealth, and when the time comes, leaving their families and loved ones protected, their assets secure, and their personal wisdom memorialized in such a way as to allow it to be easily shared with future generations. To do this effectively, I have to be a trusted resource, I need to know your family, and I need to learn what is most important to you and how you'd like your wishes carried out.

Chances are, if you've done estate planning elsewhere, your law firm has never contacted you to review your estate documents or to bring the language in your documents up to current standards. Likewise, you haven't contacted your attorney, because you know you'll get billed in six-minute increments for every question you ask. So, even though your life has changed, you've acquired new assets, and you've heard that the laws have changed, your estate planning documents are becoming obsolete. Sure, you worry that something might

happen, and you should do something, but instead you cross your fingers and hope you've done everything right and hope that the unthinkable never happens.

What other choice do you have?

I Knew There Had To Be A Better Way!

There is a better way! I saw how the old system worked—or didn't work. So I founded Carolina Family Estate Planning so I could make a real difference in the lives of my clients, so I could ensure their plans would work, and so we could be there for their family when they couldn't be. How do we work differently?

First and foremost, we take the time to talk with our clients. Our first meeting—we call it a Vision Meeting—is usually an hour or longer. This provides a healthy amount of time not only for us to get to know you, but for you to get to know us. Most importantly, we want you to leave your Vision Meeting with a basic understanding of what your estate plan can do for you. So that first meeting is very educational in nature.

Secondly, **when I founded Carolina Family Estate Planning I instituted a flat fee billing policy.** This means that when you do your planning with us, you'll know what your plan is going to cost up front. You can call us with questions without worrying that you'll get a bill in the mail next week as a result.

Third, **even after you sign your documents, you're still our clients.** We'll assist you with trust funding and beneficiary designations to make sure your assets and accounts work with your plan, and we have continuing education programs to keep you informed about planning throughout the stages of your life. We also have a maintenance program available that includes annual update meetings and plan updates for free or reduced cost, to help clients keep their plans working as the law and their lifestyles change.

We're Different. That's a Good Thing.

When I was setting up our firm, my attorney friend, Rachel, told me what it was like dealing with planning done the old way, incomplete. When her father-in-law died, Rachel was in law school, and she didn't know much about estate planning yet. But she knew enough to be surprised when, even though her father-in-law had a Trust in place, the family was having to deal with the probate court. What in the world had happened? His main reason for setting up the Trust had been to *avoid* probate.

It turns out that Rachel's in-laws **never transferred his assets into the Trust.** Once their documents were signed, their lawyer was out of the picture. *When she first told me this story, I thought it was malpractice!* Turns out, it's pretty common practice!



I swore I would never let that happen to my clients. Unfortunately, I've discovered that most people think once they've signed their estate planning documents, they are done for life. Their attorneys don't educate them otherwise, because they are focused on bringing in new clients and can't serve their existing clients.

Are We A Good Match?

Your life is dynamic. Your assets are growing. Your family is growing. You're busy!

I understand. I have decided it is *my duty* to make it easy for you to make good decisions for your family, to keep up with your changing life, and to not allow you to walk out my door expecting never to see me again. **The truth is, your plan needs to stay up to date. You will need a trusted advisor** to turn to when your spouse dies, or for your family to turn to when you die. **But most estate planning lawyers don't serve in this way...**not because they don't want to. They just haven't been trained to do it.

It may at first surprise you to learn that our office does not accept all clients. And it has nothing to do with how much money you have! ***Frankly, it's personal.*** You see, we've learned that our approach is most appropriate for people who specifically:

- Want to **make absolutely sure that their children would never be taken out of their home unnecessarily, that they would be lovingly cared for by carefully selected guardians, and that they would be supported by protected assets and raised with the principles and values their household holds dear.**
- Expect to pass down **more than just their financial assets.** These clients not only care about protecting their children and their family, but also want to share who they are and what's most important—their emotional, spiritual, and intellectual wealth.
- Want to transition and preserve their assets in a manner that ensures their family's wealth won't **waste away through divorce and lawsuits, or be eaten away by unnecessary and avoidable probate fees or estate taxes.**
- Are looking to set up a structure that **teaches trustees and beneficiaries what to do, so family wealth can grow and transition smoothly from generation to generation.**
- Expect and need a trusted advisor to **offer guidance on decisions made over a lifetime.**

In stark contrast to traditional firms, our office **intentionally limits the number of new clients we accept on a monthly and annual basis.** We do this so we can consistently provide the exceptional standard of service described earlier.

Once our Vision Meeting appointments are filled in a given month, that's it. Our next Vision Meeting appointment gets scheduled for next month.

Are we a good match? Let's talk about next steps for Getting Your Ducks in a Row at Carolina Family Estate Planning.

"I founded Carolina Family Estate Planning so I could make a real difference in the lives of my clients, so I could ensure their plans would work, and so we could be there for their family when they couldn't be."

The 5 Steps to Getting Your Ducks in a Row...

Step 1

Dig Deeper and Get Your Vision Meeting for **FREE**

Would you like to have a **free Vision Meeting** with our firm and get additional insight about what your estate plan can do for you? Sign up for our webinar at:

www.savvyparentsseminar.com

In only 45 minutes, our webinar will teach you about:

- The most important estate planning document that everyone needs.
- How to make sure you decide who raises your children if you are disabled or deceased.
- Protecting your spouse and children from lawsuits, creditors, divorce, and remarriage.
- What to do if you're taking care of your parents and your children at the same time.
- Steps you can take now to save your family thousands in costs later.
- The secret to why many estate plans fail, and how to avoid letting it happen to you.

Plus, when you watch the webinar *all the way to the end*, fill out our brief evaluation form to get a **free Vision Meeting at Carolina Family Estate Planning**. Our standard fee for an initial consultation is \$350. But we have found that when clients take the time to get educated—by attending our online or in-person seminars—we can use the meeting to more effectively get to know our clients and explore their goals and wishes. It's better for you. It's better for us. And well worth the time.



Step 2

CALL **919-694-4451** to Plan Your Vision Meeting

When you call us, be prepared to have a 10-15 minute discussion with our Client Services Coordinator. We want to get to know you and make sure we are a good fit for one another. **We want to know how you heard about us, why you have decided to pursue estate planning at this point in your life, and if you have any special concerns or circumstances that we should prepare to discuss with you at your meeting.**

If we are a good match, our Client Services Coordinator will make an appointment and reserve up to **one and a half hours** for your Vision Meeting. I'll warn you: **There's homework.** Our Client Services Coordinator will send you a several page **Estate Planning Worksheet** to fill out and return at least one week prior to your Vision Meeting.

If you've submitted the evaluation form for the webinar, we'll waive the \$350 fee for your Vision Meeting. Please note that **we have a limited number of Vision Meeting appointments available each month**, so the sooner you call, the sooner we can schedule your meeting.

Quick side note: I realize our fixed appointment calendar will inconvenience a few potential clients. However, there is an important reason for it. *We are committed to being fully present with our time and attention when working with our existing clients.* Despite the initial inconvenience, I know you will be grateful for this policy when you become a client of our firm.

Step 3

Check Your Mail

Shortly after making your appointment, **you'll receive a big envelope from our firm with your Estate Planning Worksheet inside. Open it right away!**

Step 4

Complete and Return Your Estate Planning Worksheet

In the big envelope is your Estate Planning Worksheet that you must complete and return to us at least one week before your Vision Meeting. If we do not have your worksheet by this deadline, we will have to release your spot to another family.

Each Vision Meeting is tailored to your family's needs. Therefore, it is critical for us to have time to review your worksheet to understand your planning needs and prepare for your meeting.

Step 5

Attend Your Vision Meeting

At your Vision Meeting, we'll review what would happen to your children and your assets under your current plan, or the State of North Carolina's plan for you. *If you don't have a plan, the State has a default plan for you. We don't think you'll like it!*

We'll discuss your goals—what you want to happen for your family and what you don't want to happen to them. We will then discuss available planning options with you. If you're ready to move forward, we'll **help you design a plan that ensures you can take advantage of the best options available for your family throughout your lifetime, and we'll make sure that you have a trusted advisor to turn to at every life stage.**

So Let's Get Started!

I've probably given you a lot to think about. **Please don't let your thinking about it get in the way of doing something about it. Your family will be very thankful you did.** Here are a few comments from clients who have worked with our firm to protect their families.

Testimonials

"As a couple with small children, we wanted to make sure they are protected and cared for in case the unforeseeable should happen. We came to CFEP knowing very little about the estate planning process, but left the experience feeling as though our wishes were met with the help of a knowledgeable, friendly, and professional staff."

—Client, Raleigh, NC

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"My husband and I were extremely pleased with the service and documents we received from CFEP! Jackie walked us through the process of creating our Wills with great patience and understanding for us as new clients. She explained all our options and we felt we could make the best informed decision for our estate. Thanks to Jackie we have peace knowing our documents are expertly drawn and filed. Thank you CFEP!"

—Amanda S., Garner, NC

Testimonials

“Several years ago a dear friend died. She had been so generous and left me a gift of her investments. Her legacy would change my plans for retirement and open even more possibilities for my family. The probate of her Will took 18 months! The beneficiaries had little information about the process, progress and almost no detailed information. Finally, with the help of my financial advisor, I began to organize my estate. Oh my! I had an estate. I knew I wanted to protect my loved ones from those long months of probate purgatory: Step in Carolina Family Estate Planning! The whole process was very comfortable. From the office visit with muffins and hot tea that came with lots of information and guidance, to the easy homework of gathering asset information and changing names on accounts, to the [Priceless Conversation] CD we made on my final visit. The day I received my Trust Book (Volume, Tome, LOL), there was an amazing sense of relief and accomplishment.”
— Nadine P., Raleigh, NC

“[My wife] and I want to thank both of you for the enjoyable experience we had this morning. As soon as we arrived, the welcome sign put us at ease and we felt like we were in a home type atmosphere, not a lawyer’s office. This feeling was amplified after Jackie opened the meeting with a brief history of the why’s and how’s on where she is today. The products and services offered were thoroughly explained and we were able to openly discuss the pros and cons of each and how they applied to our needs. We left the meeting knowing the decision we made met our needs. In closing, I would add that I will certainly recommend your firm to anyone I know needing estate planning services.”
—D.W., Fuquay-Varina, NC

“I knew I needed to sort through my affairs, but did not know where to start. I met with Jackie and she walked me through what I needed to do to protect my financial future and that of my family. Jackie and her team explained what to me were complicated matters very well. All were friendly and comfortable to work with. I feel much more in charge of my financial future.”
—Lois, Apex, NC

“Carolina Family Estate Planning has provided peace of mind. My children will not have to worry about all the details of settling an estate. All the information is in one location.”
—Kathleen, Apex, NC

Appendix:

Choosing Guardians for Your Minor Children

How to Choose a Permanent Guardian For Your Child

The permanent guardian of your child will be the person (or couple) responsible for raising your child until he or she reaches age 18. Just like a parent's influence continues into adulthood, however, hopefully the guardian will continue to play a role in your child's life even after he or she turns 18. Here are a few tips to help you make the difficult choice of who would be the best guardian for your kids:

1

Brainstorm your options. Start by writing names on paper. Don't try to evaluate who would be the best right out of the gate. Just list out every friend or family member that you might potentially allow to raise your child.

- Ask yourself, "Who would be better than having my child raised in the foster care system?"
- At first, you might only think of immediate family members, but don't limit yourself. Consider others such as cousins, friends, grandparents, aunts and uncles, neighbors, or business partners. Brainstorm and list on a piece of paper anyone who might be a potential guardian.
- Don't eliminate potential guardians based on their lack of financial resources. It is your job as a parent to plan ahead and make sure there is enough money to raise your child (through your Will or estate plan and sufficient life insurance or savings). You will provide the resources for the guardian.
- Write down at least 3-5 options. Don't worry about ranking them in order, just write a list.
- Set your brainstorming list aside.

2

Think about your priorities. Now start a second list. As a parent, what values are most important to you? Be completely honest. Don't worry about what others might expect to be your priority. What are the top priorities for you? See our "Child Raising Priorities Checklist" for help. From your list, pick your top 5 most important values, and rank them in order of importance.

3

Compare your lists. Take your list of potential guardians, and compare it to the top 5 child raising priorities that you have identified. Eliminate any potential guardians who don't possess your top 1 or 2 values. Does anyone on the list possess all 5 values?

4

Rank your options. Who are your top choices to name as permanent guardian? Pick your top permanent guardian choice as well as several back up options.

Do any of your listed options include a couple? If so, there are a few additional issues to consider:

- If you have listed a couple, you will need to consider whether or not you wish both spouses to serve as co-guardians. If you do include the spouse, will you only include them if they are married to the same person when the guardianship is needed? For instance, if you name your brother and sister-in-law, would you be comfortable having your sister-in-law be guardian if she were divorced from your brother or your brother had passed away?
- For each guardian you name, you should list, after the name, how they will serve:
 - Serving alone
 - Serving jointly or the survivor if one passes (if co-guardians)
 - Serving so long as they are married and living together (if co-guardians)

Child Raising Priorities Checklist

When it comes to raising your child, what values are important to you? If you were no longer here, what characteristics are of top priority in your child's new guardian?

Make a list of these priorities. Be totally honest with yourself. Don't list things just because others would expect you to list them. List the things that are truly of top priority to YOU.

Need some examples to get you started? Here's a list of some possibilities. Which of these are important to you? Which are not? Which ones are most important to you? Are there other things not listed that are very important to you when it comes to raising your children?

Consider how they raise their own children...

- ☐ Experience as parents
- ☐ Age of existing children in their home
- ☐ Sufficient free time to raise children
- ☐ Parenting philosophy

Consider how they relate to your children...

- ☐ Existing relationship with your child
- ☐ Appropriately involved in child's life

Consider where they are in their own lives...

- ☐ Age
- ☐ Education level
- ☐ Geography (where your child would live)
- ☐ Physical health
- ☐ Maturity level
- ☐ Marital status
- ☐ Patience
- ☐ Wisdom in giving advice

Consider their values...

- ☐ Having faith in God or a certain religious preference
- ☐ Do they value hard work and professional competence?
- ☐ Musical ability or opportunities
- ☐ Encouragement of athletics
- ☐ Moral and social values
- ☐ How materialistic they are
- ☐ Political party or affiliation

Consider how they live their lives...

- ☐ Cleanliness
- ☐ Honesty and integrity
- ☐ Modeling good friendships
- ☐ Community involvement, citizenship
- ☐ Generous, willing to give of their money and resources
- ☐ Unselfish with their time and willing to help and serve others
- ☐ Spending and saving habits

Other qualities that are important to you...

- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Tips and Frequently Asked Questions

What if you and your spouse can't agree on whom to name as guardians?

Ideally, spouses would agree, but don't let this stop you from naming guardians. Each parent can do a separate guardianship form. And you can do it even if your spouse chooses not to do it right now. Get some help to find common ground with your spouse. In some cases, working with an attorney experienced in estate planning for parents with minor children can help resolve the conflict between the parents. In many cases, parents come to a resolution after looking at other estate planning issues. For instance, if one side of the family will be guardians, then perhaps the other side of the family can help manage the money as trustees.

If my child's other parent and I are not together, how does that impact guardianship?

Ideally, you should talk to your child's other parent about the importance of naming guardians, and if possible, attempt to come to an agreement about who should raise your child if something happens to both of you.

But what if you don't feel your child's other parent is fit to raise your child? The fact is, the child's other parent will usually have first opportunity to be the child's guardian if you are gone. Typically, the courts will only deprive a parent of his or her parental rights in extreme situations. However, if you have concerns about that other parent's ability to do that, then consider writing a detailed letter explaining why you feel that the other parent is unfit to raise your child. At least your concerns will be raised to the judge who will make the final decision of selecting a guardian for your child.

Bottom line, name who you want to have as guardian for your child, even if it's not the other parent.

Should the guardian be the same person as the trustee who will handle my child's money after I'm gone?

There are two schools of thought here. Neither is right or wrong.

On one hand, the guardian is handling day-to-day issues and, if they also manage the money, then they can easily access it when needed. Other families think it is good to have a balance of power and prefer to have someone who is not handling day-to-day matters managing the money.

If a guardian is also a trustee, there are a couple of risks. First, would they spend more money than they should? Second, would they spend less than they should (spending their own money to raise your child rather than using the funds you provided).

It could be that the person you feel is best suited to love and nurture your child is not as financially responsible as you would desire. If that's the case, then it might make sense to separate the child-raising responsibility from the money-managing responsibility by naming a different person as trustee. In some instances, we might create a middle ground by appointing a co-trustee to manage the finances with the guardians.

What happens if I name someone who is unable to be guardian when the time comes?

If you name an older parent or relative, they may be in ill health or too old to be a good guardian for your child. If so, they can decline to serve at that time. The judge will make the final decision of whether to approve the person you have named. In most cases, the judge will accept your choice. However, the judge does not have to accept your choice if there are good reasons not to. So, if you have named someone who is no longer fit to serve when the time comes (because of lifestyle, health reasons, family crisis, etc.), then the judge can look to the back-up guardians that you have named.

Attend our FREE, Easy Webinar to Learn More

Discover what your estate plan can do for you. Sign up for our webinar at:

www.savvyparentsseminar.com

In only 45 minutes, our webinar will teach you about:

- The most important estate planning document that *everyone* needs.
- How to make sure *you* decide who raises your children if you are disabled or deceased.
- Protecting your spouse and children from lawsuits, creditors, divorce, and remarriage.
- What to do if you're taking care of your parents and your children at the same time.
- Steps you can take now to save your family thousands in costs later.
- The secret to why many estate plans fail, and how to avoid letting it happen to you.

Plus, when you watch the webinar *all the way to the end*, fill out our brief evaluation form to get a **free Vision Meeting at Carolina Family Estate Planning (\$350 value!)**.



ADDITIONAL RESOURCES & INFORMATION

Estate Planning Pitfalls. Inside this guide you'll discover the 12 most common threats your estate faces and how to avoid them; a Strategy for ensuring your estate plan works throughout your lifetime and generations to come; and how failing to properly plan could cost your family headaches and thousands of dollars unnecessarily. Request your free copy at 12threats.com

Visit our website to learn more. Visit www.carolinafep.com to learn more about estate planning, asset protection, and the keys to an effective estate plan that actually works when your loved ones need it.



ABOUT JACKIE BEDARD



Jackie determined early on that traditional estate planning, which typically only focuses on financial wealth, is far too limited and shortsighted. She believes estate planning should not just be about passing on financial wealth, but also intellectual, spiritual, and human wealth.

Jackie is a member of WealthCounsel, ElderCounsel, and Leading Lawyers on Planning & Protecting, national organizations of attorneys committed to excellence in estate planning and elder care planning.

Locally, Jackie is a board of directors member of the North Carolina chapter of the National Academy of Elder Law Attorneys, a former board of trustees members of Hospice of Wake County, a board of directors member of the

Guiding Lights Caregiver Support Center, and a member of the Elder Law Section Council of the North Carolina Bar Association.

Jackie was voted Best Attorney in Western Wake County in 2017 by Cary Magazine and was named a 2017 Rising Star in North Carolina by Super Lawyers. Jackie has a Superb 10.0 rating on Avvo, a legal rating system, as a Top Attorney for both Estate Planning and Elder Law.

Jackie earned her Bachelor's of Science degree in Economics at the Massachusetts Institute of Technology and graduated law school magna cum laude in the top 7% of her class at the University of Richmond School of Law. Jackie lives and works in Cary with her husband, Dan. They have two dogs, Nelly and Nala. Jackie also enjoys CrossFit, reading, cooking, music, and more.

