Fall News

Over the past two weeks, I attended two very interesting lectures. The first lecture on November 1st was given by William H. Colby. He is the attorney who argued the Nancy Cruzan right to die case before the United States Supreme Court in 1990. He has written a fascinating book on the subject matter entitled, Unplugged, Reclaiming Our Right to Die In America. The lecture was attended by 350 people, mostly doctors, nurses, hospice workers and a few attorneys. Two of the most important points that I took away from the program were:

Make sure that you talk to all of your family members about your end-of-life beliefs and decisions. It's important that all family members have the same understanding when important decisions about your health care have to be made. Harmony in a time of crisis makes everything easier to deal with.

Make sure that all of your Healthcare Agents have a copy of your Medical Durable Healthcare Power of Attorney so that they will be able to make decisions on your behalf on an emergency basis.

I was lucky enough to have my parents in town this last week and the seminar and book prompted all of us to have a very frank discussion regarding end of life care for me, Stephen and my parents. I have had many discussions with my Agents over the years about these issues. Stephen is my initial Agent and my mother is my alternate Agent under my Healthcare Power. But it is still a good idea to revisit these issues when the family is all together. My mother and father intend to have a big, family discussion about what they want regarding their healthcare with my five siblings when we all get together next summer for Mom and Dad's 55th wedding anniversary. I'm glad to be the "instigator" of that conversation!

I recommend to all of you to do the same if you get the opportunity during the next few months as families gather for the Holidays. I also recommend, if you haven't already done so, that you complete your Personal Healthcare Wishes page and give that to your Agents as well.

The second lecture I attended was a full day seminar on Financial Powers of Attorney on November 9th. Two of the most important points that I took away from that program were:

Make sure that you have placed the most trusted and honest person in your life in the position of Agent under your Financial Power of Attorney. El Paso County Magistrate, Barbara Hughes, gave a "View from the Bench" and she noted that in the past few years, there has been an increase in litigated cases over Financial Powers of Attorneys. The problem occurs when an unscrupulous Agent uses the power for financial exploitation rather than for the good of the Principal. This often occurs at a time when the Principal no longer has capacity to manage his or her own assets.

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I recommend that you review your Financial Power of Attorney on an annual basis to determine if your Agent is still the right person for this very important position.

Make sure that you keep your Financial Power of Attorney in your personal possession. Tell your Agent where he or she can find it if they need to use it on your behalf. (It should be in your fire proof lock box at home.) The Financial Power of Attorney is a very powerful document and nobody needs to have it in their possession until they need to use it on your behalf.

I'll always keep you up-to-date on the latest information regarding your estate planning. Please call me if you have any questions, thoughts or ideas regarding your Healthcare and Financial Powers of Attorney. I'm always here to help!

Have a Happy Thanksgiving!

Warm Regards,

Meg E. Goblet

to you or someone you know: