

Elder Law Newsletter: Keeping Things in Perspective Elder Law Lessons from Family Folklore

Keeping Things in Perspective – Elder Law Lessons from Family Folklore

by Peter Harrison, Attorney

Have you ever gotten so focused on one task, one single idea, that you forgot some other important thing? My grandfather grew up on a farm outside of a 400-person town in Johnson County, Georgia. As a little boy, I heard endless retellings of misadventures and tall tales that make up the family lore on hours-long trips to the old family homestead during the sweltering, long days of summer vacation. One particular tale relates to forgetting something important, and it involves my great-grandfather James (whom I never met), my grandfather, Hughel, and his brother, Harold. How much of the tale is truth, and how much has been embellished in the years since is unknown to me, but I'll tell the story like I heard it.

Our tale begins in the last years of the Great Depression. Times were tight everywhere, of course, but James managed to acquire a new car that the family desperately needed on the farm. Being that it was a working farm and cash was not infinite, the car was put to work. At the time, a fox had been on a crime spree of sorts, working its way through henhouses in the area, and everyone had been on alert to guard against the villain striking their farm next.

One fateful morning a neighbor driving home spotted the red devil jumping into a thicket near James' pasture. Given the sighting of Johnson County's most wanted, the neighbor dutifully picked up the phone when he got home and sounded the alarm to James that the fox was coming for the Harrison family henhouse. Not one to idly sit by with a barbarian at the gates, James grabbed his double barrel shotgun and some heavy game shells. Needing spotters to locate and flush out the game, James tapped his young teenage sons, Hughel and Harold, to come along.

The three piled into the car like law men hot on the trail of Bonnie and Clyde. They jetted off to chase down their prey, bouncing around inside enough to look like James had somehow managed to throw in a barrel roll or two in their haste, new suspension or no. Peeling into the pasture field, heralded by the billowing cloud of dust behind them, James lurched to a skidding stop. He was hot for the hunt and sent the boys ahead while he loaded the gun.

Heading out to the field, my grandfather, Hughel, and his brother were a study in contrasts. Hughel was always a big man who loved to eat, and his physique reflected it. Harold was like a beanpole. Hughel was a talker while Harold spoke in a languid drawl that concealed a razor sharp wit. Hughel, being the elder, sent Harold one way while he went the other. Together they fanned out searching high and low with James joining them shortly after. Not knowing whether the beast was rabid, and getting frustrated with the lack of success in the South Georgia heat while watching their step for more mundane dangers like rattlesnakes, tempers flared and nerves got raw.

Finally, tired, flustered, and beaten, James gave the signal to turn and go back to the car. When the boys were only a few yards from the car, Harold shouted out and pointed across James to the bush near Hughel. Hughel's tired and heavy footfalls had driven the fox from its hiding spot. On hearing the cry, James snapped up the shotgun and took aim.

What happens next has been hotly debated in the numerous retellings on muggy, un-air-conditioned evenings on the screened porches of Kite, Georgia. In one version, Hughel tripped at this point and sprawled on the ground trying to follow the commotion. In another, Hughel thought James didn't realize he was near the line of fire, and he flung himself to the ground in self-defense. However, all agree that James tracked the fox as he bolted across and in front of three. James got a bead on the fox and let fly with both barrels of the shotgun ... just as the fox crossed in front of the broadside of the new car.

As the report of the shotgun blended with the sound of ringing metal, James dropped the barrel and his jaw, realizing what he'd just done. Staring at the beautiful spread pattern in the side panels, James stood stunned while Hughel got up and Harold approached from the other side. As they looked agape at the destruction, Harold could only lazily drawl, 'Well, did you get it?'

He did not.

While I never found out if anyone ever got that fox, I can imagine the blue cloud of profanity that followed, the stern, dire warnings about saying another word on the ride home, and the purest chagrin that must have come that night when James had to face judgment and explain to his wife what happened.

While stories like this are rarely so colorful when we are making elder law or estate plans, the lesson holds. Clients will sometimes get so focused and frustrated trying to protect assets from the nursing home or prevent an inheritance from being lost to taxes, creditors, or what-have-you, that they will forget their surroundings and lose sight of the real goal. Our number one objective is to make sure that our clients get the care they need to live their lives to the fullest extent. Everything else is secondary. We have a multitude of techniques and tools to protect assets and provide for loved ones, but we keep in mind when we should and shouldn't use them. If you would like some help achieving your elder law goals without losing perspective (or worse, losing perspective and missing too) give us a call.