

Estate Planning Update – 03.25.21

We are still doing planning consultations, document signings, care coordination, drafting of documents, and all related work—in sum, all the types of work we usually do. We have generally moved most meetings to either video conference or audio conference calls. In person document signings at our office are generally being done abiding carefully by social distancing protocols. Moreover, the governors of Tennessee and Georgia have signed executive orders which extend “virtual document signings” for a limited period of time.

Please do not hesitate to contact us if we can assist you with your elder law, special needs planning, or estate planning needs.

Section 1.01 Three Things You Didn’t Know You Could Include in Your Estate Plan

By: [Leah Mitchell](#)

Estate plans, much like the people who create them, are all unique. Contrary to popular belief, there is no one-size-fits-all approach. While there are some general similarities that can lead two clients to have a very similar estate planning structure (e.g., all to spouse and then all to children in equal shares), there are always facts and circumstances that are unique to each individual client. For example, one client may be an only child caring for an aging parent, while another stands to inherit a family business. One client may have a child with special needs, while another has no children but many animals they care for. A simple one-size-fits-all or DIY internet solution will not be able to carry out each of these clients’ individual wishes in the most effective and efficient manner. Only an estate plan catered specific to the client and his/her family’s circumstances can do that.

Although there are a multitude of possibilities when it comes to creating a custom estate plan, I have listed three creative strategies you may not have known you could include.

Pet Trusts

Planning for companion animals has become increasingly common. Your pet may be an important part of your family, and most people want to ensure their pets are taken care of if something were to happen to them. There are generally two types of dispositions for the care of a companion animal:

1. One option is an outright gift to a specific caretaker, such as a family member or friend. This involves giving your pet to someone you trust so the pet can be taken care of as his/her own. Some clients also include a monetary gift to the caretaker; however, in this scenario, the caretaker is not legally obligated to use the money for the care of the animal.
2. One option is an outright gift to a specific caretaker, such as a family member or friend. This involves giving your pet to someone you trust so the pet can be taken care of as his/her own. Some clients also include a monetary gift to the caretaker; however, in this scenario, the caretaker is not legally obligated to use the money for the care of the animal.

The trust terminates upon the death of the animal, or if the trust was created for more than one animal, upon the death of the last surviving animal. The trust may not be enforced for more than 90 years. Upon termination, any remaining assets in the trust would be distributed to the named successor beneficiaries (which could be individuals or charities).

Click Read More to learn more about charitable funds and supplemental or special needs trusts.

[Read More](#)

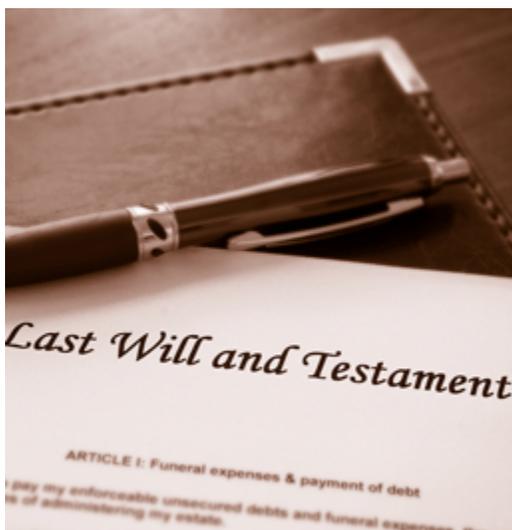
Estate Planning Resources



Long-Term Care Benefits for Veterans and Surviving Spouses

Long-term care costs can add up quickly. For veterans and the surviving spouses of veterans who need in-home care or are in a nursing home, help may be available. The Veterans Administration (VA) has an underused pension benefit called Aid and Attendance that provides money to those who need assistance performing everyday tasks...

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What You Can't Do With a Will

While a will is one of the most important estate planning documents you can have, there are things that it won't cover. A will is just one part of a comprehensive estate plan. Although a will is one main way to transfer property on death, it does not cover all property...

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Powerful Tools for Caregivers Hosted by SETAAD and Orange Grove Center

Are you caring for an older adult or a person with a chronic illness? Powerful Tools for Caregivers gives you the skills to take care of yourself while caring for a loved one. Sign up today for the free online class held on Tuesdays starting March 30.

[Read More](#)



CMS Releases New Guidance Around Visitation for Nursing Homes

The Centers for Medicare & Medicaid Services (CMS) released new guidance around visitation for nursing homes. It is effective immediately. After a year of significant restrictions imposed because of COVID-19, the new guidance allows indoor and outdoor visits for all residents, except in limited circumstances. Infection prevention protocols are still in place and must be followed by all visitors. Visitation is allowed regardless of vaccination status...

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Also check out...

[How Do COVID-19 Vaccines Compare?](#)

While direct comparisons can't be made because head-to-head trials don't exist, people are questioning how the three COVID-19 vaccines authorized in the U.S. stack up. Click [here](#) to read the full article.

[FDA Issues Authorization for First Molecular Non-Prescription, At-Home Test](#)

The U.S. Food and Drug Administration (FDA) issued an emergency use authorization for the Cue COVID-19 test for home and over the counter use. The test is the first molecular test authorized for at-home use without a prescription. Click [here](#) to read the official FDA announcement.

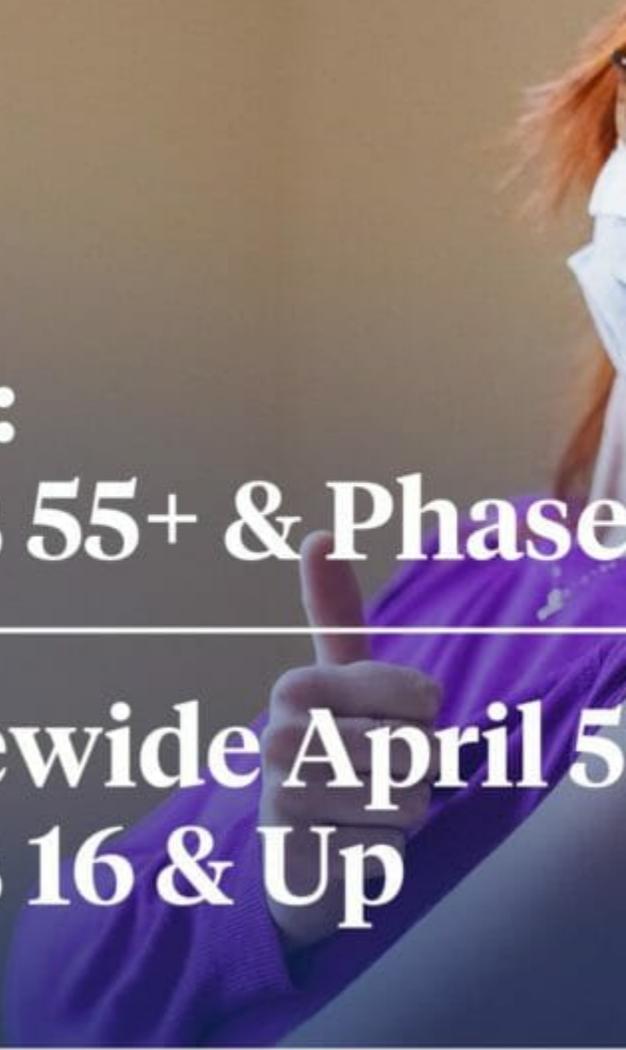
[Pre-Infection Is Little Protection Against South African Variant](#)

Eric Feigl-Ding, an epidemiologist and health economist and an adjunct senior fellow at the Federation of American Scientists (FAS) in Washington, D.C., was recognized in the media as one of the first to alert the public to the pandemic risk of COVID-19 in January 2020, and is now part of FAS's work to stop COVID misinformation to the public. Click [here](#) to hear Feigl-Ding and Makary discuss variants, schools, and the race against COVID-19.

TN & Hamilton County COVID-19 Vaccine Updates

Gov. Bill Lee announced Monday that all Tennesseans 16 and over will be eligible for the COVID-19 vaccine no later than April 5, 2021.

Read the [official announcement](#) for full details, or [watch Gov. Lee's video announcement](#).



**Now Eligible:
Tennesseans 55+ & Phase**

**Eligible Statewide April 5
Tennesseans 16 & Up**

Source: [Tennessee Department of Health](#)



Work for Yourself at 50+; May 15 at 10 a.m.

Co.Lab is partnering with the AARP Foundation to host a two-hour workshop that helps starters over the age of 50 explore what self-employment looks like and helps them decide if it's something they want to pursue.

[Register Today](#)