

# A Few Basics About Estate Planning:

## 1. ABOUT WILLS:

A Will controls disposition of probate assets to named beneficiaries. Without a Will, the Pennsylvania intestacy law directs that the estate of a person survived by a spouse and children is distributed as follows: \$30,000.00 to surviving spouse; then, 1/2 to surviving spouse and 1/2 to surviving children. This may not reflect the preferred disposition of assets for some people. Contrary to popular belief, however, the Pennsylvania intestacy law does not provide for a decedent's assets to pass to the Commonwealth of Pennsylvania, except in the rare instance where the decedent has no surviving heirs beyond second cousins. A Will is also important because it appoints an Executor, the person or entity who is responsible for administration of an estate, and a Guardian, who is responsible for the custody and raising of children.

## 2. ABOUT DURABLE POWERS OF ATTORNEY:

Durable Powers of Attorney allow persons to appoint agents to act on their behalf for purposes of handling some or all of their financial affairs even in the event of such persons' legal incompetency. Changes in the law relating to Powers of Attorney require that persons granting the power sign a Notice with respect to certain legal aspects of the grant of the power and that the proposed agents sign an Acknowledgment with respect to the duties and obligations undertaken by the agents when agreeing to accept the appointment. These provisions became effective as of April 12, 2000.

## 3. ABOUT ADVANCE DIRECTIVES FOR MEDICAL CARE:

Advance Directives, or so-called "Living Wills," permit persons to appoint surrogates to instruct an attending physician to withhold death-prolonging medical treatment where a person is terminally ill and permanently unconscious. The law includes a list of specific treatments that may be withheld, including artificial respiration devices, stomach feeding tubes, blood products, antibiotics, cardiac resuscitation, etc.

*Please call Mark H. Scoblionko at 610-967-3031 to discuss your estate planning needs.*



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