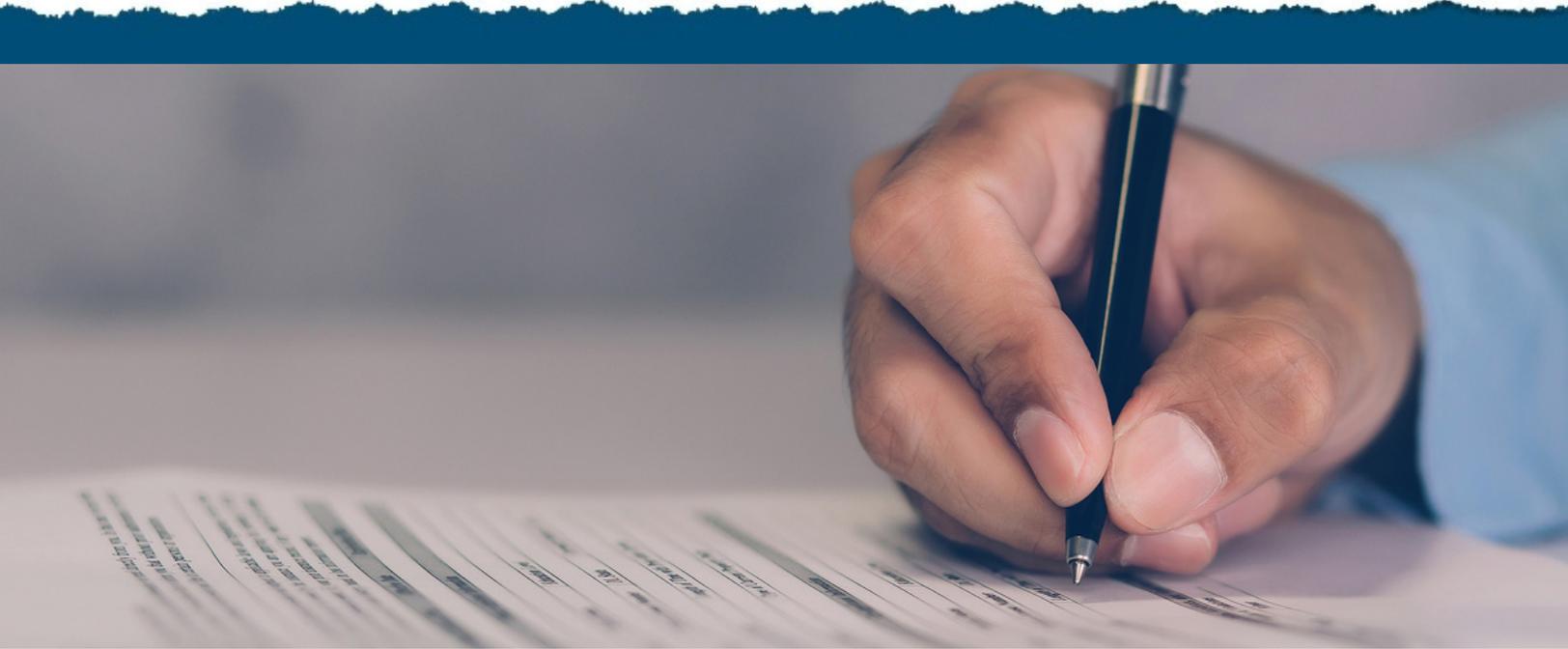




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July 2022 Newsletter



Trying To Avoid Probate? Be Aware Of These Three Common Mistakes

Have you just finished creating your last will and testament? Are you thinking that when you pass away your estate will not have to go through the probate process because you have created a detailed will? It is absolutely important that you have a will in place, but having a will does not necessarily allow your estate to avoid probate. This is one of three common mistakes we may see when probate is not understood.

1. I have a will so now my estate will avoid probate. As stated above, this statement is a mistake, your last will and testament does not guarantee your estate will avoid probate. Your will is a set of instructions for your personal representative, who you selected when you created your will. Your personal representative will know how you want all of your assets distributed. Those assets may include your house, your vehicle, your bank or brokerage accounts and any of your personal items. Even though you have written these instructions down in your will, the assets may be subject to probate. Your personal representative will now begin the task of probating your will, and this may take time and money from your estate. However, if you want to keep your assets out of probate, you may consider other estate planning tools you can put in place.

2. I have put everything into a trust. While creating your will, you learned that a revocable

trust may be a good way to avoid putting your estate through probate. You, therefore, created a revocable trust and put your assets into the trust. With your trust in place and funded with all your assets you are worry free. Unfortunately, this may be a mistake. Often people put all of their assets into a revocable trust at the time the trust is created. However, as we all know, our lives change all the time. Perhaps you decided to sell some of your assets and/or acquired other assets and forgot to make these changes in your trust. This is where the mistake occurs, only assets in the trust will avoid probate. Any assets you may have acquired and forgot to put into the trust will have to go through probate.

3. Having the same information in my will and trust does not matter. This may be a big mistake. Be aware that If what you wrote in your will does not match the terms of your trust, then the trust may prevail. Also, if there seem to be any inconsistencies the probate court may have to make a final determination.

We know this article may raise more questions than it answers. We encourage you to contact us and schedule a meeting with attorney Alan Hougum today.

Four Helpful Tips for Caring for a Loved One With Dementia

Do you have a loved one recently diagnosed with dementia? Have you noticed your loved one exhibiting signs of memory loss, caused by dementia, by asking the same question repeatedly, forgetting appointments, or even how to get to a home they have lived in for years? Are you the primary caregiver for your loved one with dementia? We know this can be a very stressful time for you, your family and your loved one. We would like to share four tips to help you as you care for your loved one with dementia.

First of all, be aware that it is going to be difficult to witness the memory decline of your loved one. As you work to cope with your own fear and frustration of what you are witnessing, you need to understand he or she may be acutely aware of the memory loss he or she is experiencing. For your loved one this loss may be both frightening and embarrassing. By implementing one or two or all of these caregiving tips, we hope this will help you as you strive to preserve the dignity of your loved one.

1. When your loved one repeatedly asks you the same question, breathe deep and use patience. Remember, you cannot cure your loved one's dementia, but you can make sure he or she feels secure and that will help you keep calm.

2. Begin to develop strategies to help your loved one to stay safe. For medication safety, use a plastic pill dispenser or an electronic pill dispenser. If you are away, have a set time to call your loved one each day to check in. Be sure that someone your loved one and you trust and feel comfortable with stays with your loved one when you are away. During your talks, remind your loved one of any upcoming appointments. Hang up a calendar or a schedule each week of upcoming appointments and events.



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3. Always call upon family and friends to check on your loved one with visits or phone calls. Family and friends can help by taking your loved one to doctor appointments, out to eat or just staying with your loved one at home to watch a movie. As a full time caregiver use these times to give yourself a break to restore yourself so that you can be an even better family caregiver.

4. One of the biggest fears your loved one may have, because of his or her memory loss, may be the loss of control. We highly recommend in this final tip, that you assist your loved one in meeting with a Wisconsin estate planning attorney to get his or her affairs in order before his or her memory declines further. With an estate plan in place your loved one will have a voice in determining a plan of care for when memory problems worsen, be able to choose a trusted family member or friend to make financial and/or healthcare decisions, and have end of life estate planning. A person wanting to create an estate plan must have legal mental capacity to create estate planning documents, including documents that will provide for long-term care, so begin planning as soon as possible.

When you watch a loved one suffer memory loss, you and your family may feel overwhelmed and helpless. You and your family, together with your loved one, can create a step-by-step, smart and loving plan of action that will support the goal of dignity for your loved one.

We know this article may raise more questions that it answers. We encourage you to contact us and schedule a meeting with attorney Alan Hougum today.



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Attorney Alan Hougum and his compassionate team will help you protect yourself and the people you love with strategic planning strategies, such as wills, asset protection and trusts, powers of attorney, estate trusts, elder law planning, Medicaid crisis planning, Medicaid eligibility and application, probate and estate administration, avoiding probate, charitable planning and giving, special needs, and estate tax planning. Hougum Law Firm, LLC, serves the entire Wausau, Wisconsin area.

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305 S. 18th Avenue, Suite 200, Wausau, Wisconsin 54401. Do you have questions you need answered before or after your appointment? Just let us know! Contact us by email at info@hougumlaw.com or call us at 715-843-5001.