



Widow's Guide to Legal Protection

Life is different as a widow. When it comes to talking about death, most people avoid the tough but necessary conversations. At Keystone, we help make things easy for your family so they never feel burdened and so there is no fighting when you're gone.

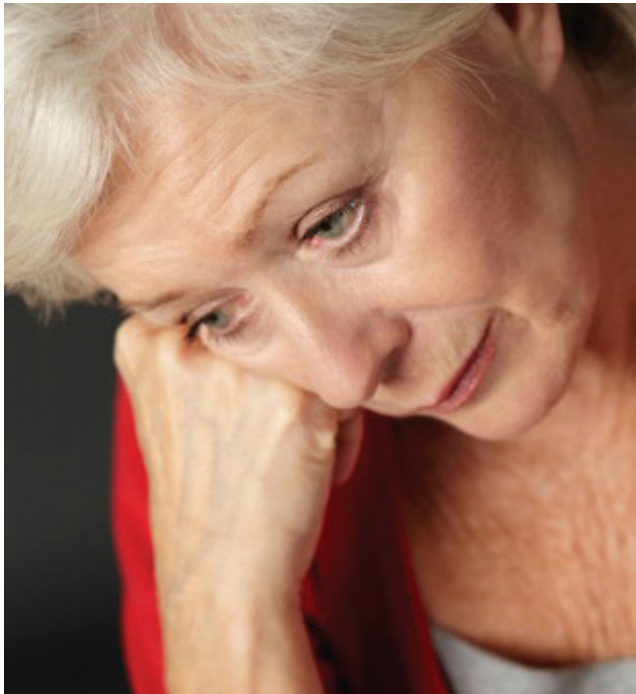
480-418-8448

KeystoneLawFirm.com

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Life is different as a widow...

So many questions... It doesn't have to be this way!



When Walter had a stroke about three months ago, Janet was completely in the dark about their finances. She had never even visited the banking institutions where her husband banked. She would see statements arrive in the mail but she hadn't even heard of some of the names.

What's more, Janet's name did not appear on most of the accounts. An estate plan was the furthest thing from both of their minds because up until then, they were both active, healthy 70-somethings.

Walter was a good man. He provided a good living for Janet. Walter never trusted institutions much. Throughout their 40 years together, he opened MANY accounts.

In fact, he spread his savings around in various accounts, dozens of accounts. Finding all of them was going to prove to be a real challenge

"I really don't trusts banks—too many bank failures in my day," Walter would say.

Sadly, it isn't only death that triggers the need for transfer of financial control. In fact, like Janet, many spouses find themselves being unable to control financial dealings because like with Walter, one spouse becomes unable to make financial decisions and accounts are consequently frozen.

Bank accounts, real property, brokerage accounts, safe deposit boxes, cars, timeshares and many others should never be held in a single individual's name. Ideally, ALL of these should be held in a living revocable trust to save a ton of frustration, time and money.

With a thoughtful bit of planning, Janet's situation could have been far less of a financial disaster.

To get started with YOUR estate planning process, visit us at one of our FREE upcoming seminars at Ocotillo Village Health Club.

Call us at 480-418-8448.

Disclaimers: This story is based on true events. The details have been changed to protect the identity of any actual person.

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You know yourself better than you ever have...

But do the people you love know too?



- We at Keystone Law Firm know women who are single or single again later in life deserve to live their own choices and create their own stories...
- You have the right to choose your future and decide how it will be lived.
- You have the right to share your wisdom, your stories and your belongings exactly as you wish.

We're not making this stuff up...

- Women live longer...4.8 years longer than men.*
- Women are the majority of caregivers...24.4 hours a week.
- Half of all women live alone...54% of women age 65+ live alone.
- Women who retire at age 55 can expect to live another 27½ years.
- Women invest more conservatively than men and receive lower rates of return from their investments over time.



Women are uniquely positioned when it comes to making an estate plan...

“That’s my opportunity to hide behind that old lady and say what I want to say.”

– Vicki Lawrence

**The steps you take in securing your future will pay off
Throughout the years of your life...
...and will be a gift to your children and grandchildren.**

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Three Steps to Using This Guide



- 1. LEARN - Educate yourself by fully reading all of the information we assembled for you.**
- 2. ORGANIZE - Discover several things you can do to begin to get organized.**
- 3. KNOW - Become sure of your next steps and be better prepared to take them.**

Maintain Control of your Health Care Decisions

Arizona provides every adult with a plan for making medical decisions. The first method is to make the decision yourself. That option is possible as long as you have “capacity” and can provide “informed consent”. These two terms together mean you can understand the potential benefits, risks, and side effects of a given treatment or course of action, you can reason between the choices and how it would affect you, and your decision for or against the treatment or course of action is not objectively unreasonable.

If you do not have capacity (meaning you cannot give informed consent), someone else must make the decision for you. A doctor will be able to legally take that person’s instruction and give you drugs, perform surgery on you, withhold your treatment, or relocate your residence. In these cases it is legally permissible for the doctor to ignore what you say and follow the instructions of this other person. There are only 2 ways for a person to have this legal authority: either you gave it to them, or the probate court gave it to them.

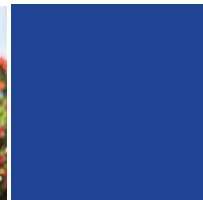
You can hand pick this authority by preparing a healthcare and mental healthcare power of attorney. This document, properly executed, will legally give your “agent” the ability to instruct doctors, hospitals, nurses, etc. about your healthcare during any time you are incapacitated. These documents are very inexpensive to prepare, and every adult should have one. It is very wise to name multiple back-up agents in case your primary person is unavailable or simply no longer part of your life as time goes by.

What is an Estate Plan?

A well-planned estate allows me to maintain total control of all my property and my health care decisions while I am alive and well, names back-ups that I trust to take care of me when I can’t do it on my own and lets me give what I want, to whom I want, when I want to give it—all while saving every last attorney fee, court cost and tax legally possible.

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Give Access to Medical Records

HIPAA is a federal law that classifies your medical records as private. Medical personnel face very stiff financial and licensing penalties for violating the privacy of your medical information. These penalties result in them being very reluctant to release any medical information to your family or important people you might want to have this information (such as a successor trustee. The only way a medical or healthcare professional will release information is if you have given them permission to disclose the information in a signed & written authorization. This is called a HIPAA Authorization, or medical release. Without that, release of this information requires a court order. This is the main problem: when this signed & written authorization is most needed, you are usually unable to communicate. Otherwise, your family would be asking you the questions directly.

This signed & written HIPAA authorization should be part of every plan and for every person you designate, to allow them access to your important medical information.

Avoid Nursing Home Bankruptcy

Long-term care is the term commonly used to refer to any type of medical or nonmedical care needed for a lengthy time period. Services can include actual medical treatment (dressing changes, medication administration, IV, catheterizations, etc.) or involve the simple daily tasks we usually take for granted, commonly called the “activities of daily living” or ADLs. Sometimes this care takes place in a full-service nursing home, an assisted living facility, or a group home. Many times these services are provided in your own home when providers and benefits are available.

Planning ahead for long term care costs is a valuable exercise, if only to acknowledge that you should include provisions in your estate plan that permit your agents or successor trustees to qualify you for the government benefits.

Keep Control of Financial Decisions

This document allows another to represent you and act on your behalf to deal with typical financial matters. These matters include but are not limited to banking transactions, managing stocks, bonds and other similar transactions, real estate transactions and gift-giving authority.

In Arizona, the person who is appointed by you to represent you and act on your behalf is often called an “Agent” and is also known as your “Attorney in Fact”. That is why you will see the person you named to act on your behalf be referred to as an Attorney in Fact.

It is important to have a Power of Attorney in place as a part of your estate planning because it will allow your attorney-in-fact to continue to care for your financial needs after you are unable to act for yourself. This is beneficial as it prevents the time-consuming, costly, and often embarrassing need for court intervention, allowing you to avoid having a conservator appointed in order to act on your behalf in financial situations.

Please note that generally although the Power of Attorney executed by you covers a broad range of financial matters, in Arizona it does not deal with allowing your Attorney in Fact to make any health care or medical decisions on your behalf. Because of this limitation, you should also consider signing Health Care Power of Attorney and Living Will forms to appoint someone to make health care decisions on your behalf.

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Maintain Control of Directing the Transfer of Your Property

Revocable Living Trust is a trust, which you create during your lifetime. It has also been called an Intervivos Trust, meaning it was set up during your life. “Revocable” means that it may be changed or terminated at your wish as long as you continue to be competent.

One of the major benefits of having a Revocable Living Trust that it allows you to avoid probate—both during life (in the form of a conservatorship and after death (with a decedent’s estate. It will allow you to seamlessly manage your assets if you become incapacitated. Please note, however, that the Revocable Living Trust does not replace your Will, although it will act similar to a Will by distributing property pursuant to your wishes. Any good estate plan including a Revocable Living Trust will include the use of a Pour Over Will, which transfers any assets not titled to the Trust into it upon your death.

Establishing a revocable living trust does not change the way you manage your finances. All income generated by the trust will be paid to you as Trustee, and any principle it holds can be used by you. You hold all the control. Upon your death, the Revocable Living Trust will distribute pursuant to your distribution plan in a manner similar to a last will & will.

The use of a Revocable Living Trust allows for property to be managed without interruption in the event of incapacity. Through proper planning and funding with a Revocable Living Trust, if you were to become incompetent, your Successor Trustee would be able to step in and manage all your financial affairs for any items already in the trust.

This planning allows you to avoid the painful and very expensive process of having a conservator appointed. Another major benefit of the Revocable Living Trust is that it avoids probate after death. Please note that by doing a Revocable Living Trust you will not avoid all costs, as you will still have to pay legal fees for the drafting of the trust and other incidental expenses. However, the use of the trust will allow you to avoid many of the time delays and aggravations associated with the probate process.

Further, if you have property in states other than Arizona it will also allow you to avoid probate in those states. Finally, some people like the privacy offered by a Revocable Living Trust versus the probate process. During your lifetime, as trustee and manager of the trust, all items placed in the trust will be taxed using your social security number. Therefore you will not see any change at all in how you prepare and file your annual tax returns. All income will be reported on your normal income tax return, just as it was before you set up the trust. Also note the trust will not affect estate or gift taxes. If this causes concern for you, advanced planning with your Revocable Living Trust will allow you to minimize your estate taxes, especially for a married couple taking advantage of the exemptions allowed by law.

The Revocable Living Trust is only a part of your estate plan. You will still need a will, which is generally a Pour Over Will, which acts as a safety net to pour anything that was not properly titled into the trust. Also, a Power of Attorney is still a very important document as it allows continued planning if you become incapacitated. It will also allow for the Power of Attorney to continue funding the trust if it is only partially funded when you become incapacitated.

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It will also allow for the Power of Attorney to continue funding the trust if it is only partially funded when you become incapacitated. Finally, documents such as the Health Care Proxy and/or the Living Will are still important, as they are needed to handle your health care decisions.

Retitling property into the trust is a very important part of your estate plan. Without properly retitling the assets to the trust, you will not be able to avoid probate. In addition, if property is not titled correctly, your estate plan may not function correctly. For example: let's say you intend for a certain account to be distributed through the trust. However, it is still owned jointly when you pass away. That property will not be distributed pursuant to the trust, and will instead pass directly to the joint owner of the account.

2. ORGANIZE - Discover several things you can do to begin to get organized.

Your Helpful Checklist: Here is a list of items and duties that will be helpful for you to collect and complete now that your spouse has passed. We know you may be experiencing many different emotions as you grieve and prepare to move forward. These tips and checklist items will help you get organized. If you are struggling, ask a loved one to help you get started. The action will help you become more confident and will enable you to feel empowered as you move ahead.

1. Probably the most important is this first tip - Allow people to help you. People who care about you are standing by to help, they are merely waiting for their marching orders and are trying to give you space. Reach out and ask.

2. Keep a notebook handy to write items down. You will likely have trouble remembering things as you move through the grieving process. Your notebook is your friend during this time.

3. Give away tasks. As you create your list, allow others to take things off of your plate.

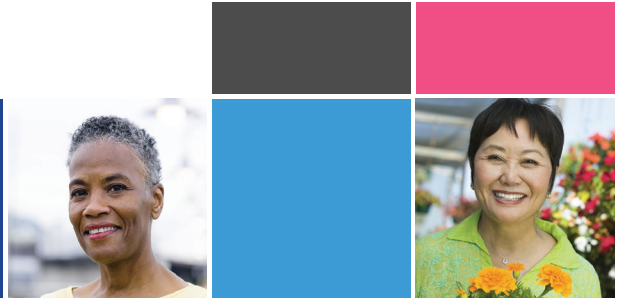
4. Delegate. Someone else can do many of the next items on this list for you.

5. If you have a life insurance policy, contact your agent or company immediately. This will insure that you have funding for the funeral expenses; the funeral home often will coordinate with the life insurance company. Check with your employer regarding whether you have a bereavement leave benefit available.

6. Check with your spouse's employer, if applicable, to verify whether there is a company sponsored life insurance policy in place for your spouse, obtain the current information regarding any applicable 401K accounts, and check the status of your health insurance if your family was covered by your spouse's employer. There may be a grace period when you will still have coverage, but you will want to find out the exact date that any changes in coverage will apply. If you have joint investment accounts or investment accounts held in your spouse's name these will need to be addressed.

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- 7.** Get at least 5-10 certified copies of the death certificate. There are many agencies that will require an original document when they are notified of your recent loss. You will also need to carry a death certificate (and your child's birth certificate if applicable) with you if you are traveling internationally with a minor child. Be aware that you are charged a fee for each copy of the certificate that you order.
- 8.** In you live in the US, notify your local Social Security Office and have your spouse's social security number on hand.
- 9.** Have someone help you sort through office paperwork to look for personal accounts, outstanding appointments, upcoming trips that may need to be cancelled, or anything that must to be dealt with before a cancellation charge applies.
- 10.** If applicable, locate your spouse's cell phone. Please note that you may want to preserve their voicemail message in another form, as it may be deleted accidentally if the phone malfunctions or the service contract is ended.
- 11.** Make a complete list of your spouse's credit cards, debit cards, phone cards (checking their wallet is a good place to start), business expense accounts, and any other open account they may have. Each of these institutions needs to be notified of your spouse's death, and many will require a copy of the death certificate to validate your request to close the account. Also ask each company whether there is any applicable insurance that pays off the account in the event of a cardholder's death. Check auto loans, credit cards, and mortgages for this type of insurance.

- 12.** Keep an open file within easy reach for your health insurance in case there are expenses associated with your loved one that are yet to be paid. You will also need to call the insurance company to inform them of your spouse's passing.
- 13.** Check your utility bills to be sure all of your utilities are in both of your names. Most companies require your name to be on the account before you are able to act as administrator of the service. One thing to be aware of: companies often have to shut the service down and then restart it in order to change the name on the account.
- 14.** Make banking changes, but you will need to do this after you have a death certificate in hand.
- 15.** Cancel any recurring membership fees or annual magazine subscriptions that apply only to your spouse, and adjust any that applied to both of you.
- 16.** Make changes to emergency contacts as necessary. The children's school contact form is especially hard to change, but also vitally important.

All of these tools are great but...KEEP EVERYTHING UP TO DATE!

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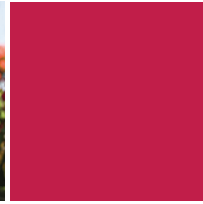
Checklist to Help You Get Organized



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3. KNOW - Become sure of your next steps & be better prepared to take them.

What is a Family Wealth Planning Session?

Everything you have worked hard for—your home, your family heirlooms, your retirement accounts, and your assets—are evidence of your personal wealth. You may never have thought of those things as “wealth” but truly it is exactly what that adds up to. He helps people discover just the wealth of meaning in their lives. Did you know there are many legal strategies that could save you or your family after you are gone, thousands if not tens of thousands of dollars when structured by a knowledgeable, experienced estate planning attorney? Even when the sum of everything is considered modest by modern standards? It's TRUE!

We know how hard it is to talk about death and have helped hundreds of wealthy and not-so-wealthy people discover the meaning in their lives. When you discover the meaning that already exists, you find peace of mind and you will know how you will be remembered because everything will be taken care of after you are gone.

Keystone Law Firm is led by Francisco P. Sirvent, the founder of the firm. Francisco graduated from

the University of Arizona, first in his class in biosystems engineering, then switched colors and pursued a law degree at Arizona State University obtaining a rare Certificate in Law, Science, & Technology. But Francisco isn't a lawyer in a high-rise downtown office. Francisco created a simple process to help people discover meaning that already exists and shape how they will be remembered. Keystone's process has helped thousands of people, from the single mom with a bank account all the way up to owners of large businesses, and in the process protected nearly \$400 million dollars from the probate system.

A Family Wealth Planning Session is a business meeting with an expert attorney. During this two-hour consultation, people learn to get more financially organized than they every have been in their lives. A Personal Family Lawyer, Francisco uses this time to become educated about your life and what you have to protect. He learns about your family, your career, how you want your life to look today and down the road. You have the opportunity to share your family structure and ask the kinds of questions you cannot get answers to by reading online information. He also educates you in how to be sure nothing you own will ever wind up in Arizona's Unclaimed Property and about how things would happen after you have gone if you chose to do absolutely nothing.

Francisco created this simple process to help people discover meaning that already exists and shape how they will be remembered. Keystone's process has helped thousands of people, from the single mom with a bank account all the way up to owners of large businesses, and in the process protected nearly \$400 million dollars from the probate system.

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When you leave your Family Wealth Planning Session, you may still need to ponder what choices you want to make, but you will have the education to make informed decisions knowing what the outcomes will be. As a single woman, you will know what decisions must be made immediately and what the costs will be—emotional and financial—for each.

You will also learn what the rewards are for taking care of everything.

After your session, you will choose an estate plan package that makes sense for you and your situation.

It's a new time in your life. Whether you are where you imagined yourself to be or you are adapting to an unexpected life alone, you have grown into a woman who invested much in your family, your career and your home. Passing by framed pictures of your grown children who are now independent and reliant on their own abilities, you think to yourself,

“I will make sure you are proud of me, even when I am gone.”

Someday, when you are no longer here, you are going to make sure your children and grandchildren know you cared so deeply for them because you never, ever want them to have to put their lives aside to take care of your business because you never did. You think to yourself, “No matter what the future brings, I will NOT be a burden to your children or your grandchildren.”

You have always been a woman who took care of things, your health, your home and your family. Today, you want to be sure at this stage of life, you still take care of these things, these important things. But the questions you have can be confusing and there are many predators in the marketplace when it comes to investing money and protecting your home and assets...

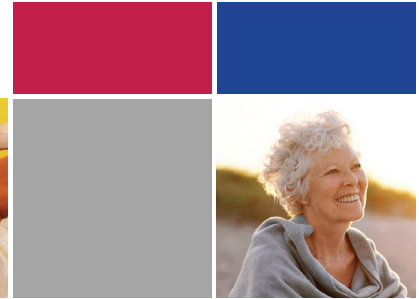
How do you know whom you can trust to turn to?

Chandler Estate Planning Attorney Francisco Sirvent wants you to know he knows what you must be feeling. His Grandmother was a single mother in southern rural Mexico. Eventually, she was forced to make her way to Mexico City where she could make her living. She worked hard to raise her children--Francisco's Father and his siblings--and prepared them to not only grow up, but to grow up with opportunities greater than she could ever have hoped for, for them. Yet, as her children moved on in life, Francisco knows the challenges a adult single women experience keeping everything together.

Francisco helps hundreds of people each year arrange their lives through guaranteed estate plans. He knows what it feels like to feel vulnerable and yet, determined to gain the confidence of having made sound decisions with the advice of an advisor. A trusted, knowledgeable and experienced estate planning attorney, Francisco has created custom plans for women who have simple and complicated situations. What's more is he helps them keep their plans current so everything works as planned whenever it is needed.

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With nearly a decade of experience invested in his work with people, he has drafted plans for people and has been there to help families cope with their grief after a loved one has passed, and swiftly and easily move them through the final stages of wrapping up the estate. Many of his women clients have said they experienced tremendous relief when they learned they could have their wishes honored, their arrangements private, their independence preserved and their assets secured.

The first step toward building a secure future is to schedule a Family Wealth Planning Session.

Take Control. Be Decisive. Gain Peace of Mind. Know Your Options. NOW.

The more you read, the more you know there is really only one clear way to be absolutely sure your family is spared from probate procedures, your assets are distributed the way YOU want them to be and your wishes around end of life issues are followed to a "T" and that is to get your guaranteed estate plan completed.

No one really WANTS to talk about his or her death or even THINK about decisions of how to pay for nursing home care in aging. The truth is these matters are one more part of living just like delivering your children or buying your first home. **As a responsible woman, you found a way to prepare for these events in your life through educating yourself, working with professionals to be sure they would be done correctly and your estate plan is just one more activity to get right.**

In the days ahead, the steps you take can make a difference in not only YOUR life, but also in the lives of the people who you love the most: your family.

Unexpected events occur every day and once more, no one wants to consider that the unthinkable could happen to them. We don't want to think about that either yet as advisers to hundreds of people, we have had the difficulty of helping families through these unexpected events. **Today is the best day to get past the fear and uneasiness of getting your plan in place.** The relief you will experience of having it behind you will be more than you can have imagined. While you may not be at the table the day your family is presented with your plan, the ease and simplicity they will experience will be so worth overcoming all of the barriers. Imagine the comfort they will experience in being able to come to terms with the grief without the hassle of probate court, its fees, its hassles and its lengthy proceedings.

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What IS an estate plan?



There are five important tools in your estate planning toolbox:
a will, financial powers of attorney, healthcare powers of attorney, a living will and a trust.

WILL

A will is a tool for you to document very clearly who you want to direct your money, your property and your personal items to when you pass away. If you have minor children, you will identify who you want to care for them. It is only effective if after you pass away.

FINANCIAL POA

A financial POA appoints an individual to help you or make decisions for you if you should ever become incapacitated. It is used to allow a parent or adult child to assist you when communicating to banks, insurance companies, investment companies.

HEALTHCARE POA

A healthcare POA appoints an individual to assist you in managing care and treatment decisions when you are unable to do so. It is commonly a parent or adult child.

LIVING WILL

A living will spells out your wishes should ever have a terminal illness and there is no chance for recovery. This document designates the person to voice and enforce these wishes with hospital or emergency personnel.

TRUST

A revocable trust is a trust whereby provisions can be altered or canceled dependent on the person making the trust. During the life of the trust, income earned is distributed to the trust owner, and only after death does property transfer to the beneficiaries. This type of agreement provides flexibility and income; this person can adjust the provisions of the trust and earn income, all the while knowing that the estate will be transferred upon death.

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