

# BRADIE, BRADIE & BRADIE

## ATTORNEYS AT LAW

Wills \* Probate \* Business Law

# Planning Summer Vacation!

April 2010

**Bradie, Bradie & Bradie**  
6606 FM 1488, Suite 148-363  
Magnolia, Texas 77254-2544  
281-440-6416 - Houston  
936-271-2580 - Magnolia

[bradiex3@bradie-law.com](mailto:bradiex3@bradie-law.com)  
[bradie-law.com](http://bradie-law.com)  
[Bradie Law Fans](#)



## Summer Is Just Around The Corner!

What a beautiful Spring it has been! The weather here has been so gorgeous lately, it is a shame we don't have outside offices! Heading into May, we are looking forward to Mother's Day and Memorial Day weekend. The kids will be out of school soon for summer break, so we start thinking about summer vacations... Our firm is no exception.

**We will be closing our office for summer vacation from July 8th through July 16th.**

Whether you are just planning on catching up on projects at your home, or

planning a trip out of town, your vacation can be more relaxing and enjoyable if you do a little "planning".

Before planning your trips, take a look at your documents and make sure that they are up to date. Please be sure to tell your executors and agents where you are keeping your important documents.

If you have children that have recently turned 18 years of age, you are no longer their natural guardian, and have no right to make decisions for them. We recommend that all of your adult children prepare their own documents, especially a Medical Power of Attorney.

Several clients have told me that they are planning trips out of the country. If so, please check to make sure that your passports have not expired.

If you will be renting a car, check with your insurance company to see if they will cover any damages while in a rental vehicle. You may not need to buy the insurance through the rental car agency.

Have you considered trip insurance? Whether it is a hurricane or a volcanic cloud, sometimes travel arrangements need to be canceled or postponed. Trip insurance is relatively inexpensive.

If you need any assistance, please give our office a call before vacation.

Cordially,

Michell S. Bradie  
Bradie, Bradie & Bradie

---

## NEWS YOU CAN USE

### Disqualified to Serve as Executor?

Under Texas law, if you have **ever** been convicted of a felony or a crime involving moral turpitude (such as embezzling funds), you are automatically disqualified from serving as an Executor and received Letters Testamentary or Letters of Administration. There is no way around it.



What if you had a child that did something really dumb when they were 18 years old and they were convicted of a felony, but they have grown up to be a fine upstanding citizen and in no trouble with the law for the last 20 years? They still can't serve as your Executor. Don't even bother naming them in your Will as Executor, since the judge will not be able to appoint them. It is not personal; it is the law.

What if your spouse was the one convicted of the felony? They still can't serve.

If you have named someone in your Will that is **later convicted** of a felony or a crime involving moral turpitude, you should update your Will to name someone else. [Click here to read more.](#)

### You Don't Automatically Get The House

In Texas, you don't automatically get the house just because your spouse dies.

Your spouse can leave their share to whomever they wish in their Will, otherwise the laws of intestacy say who gets their share. You might wind up owning your home with your in-laws... Kid you not! If you would like to see what type of distribution you would have if you don't have a Will, [click here.](#)

Most times, some type of probate action is required. [Click here to read more.](#)

---

## Prepare Your Minutes of Annual Meetings

Texas corporations are **required** to have an annual meeting of shareholders and an annual meeting of directors. These meetings and their proper documentation are very important.



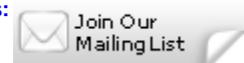
There should be two sets of Minutes from the annual meetings; the Minutes of the Annual Meeting of the Shareholders and the Minutes of the Annual Meeting of the Board of Directors. The purpose of the annual meeting of shareholders is to elect the Board of Directors. The purpose of the annual meeting of directors is to first appoint the officers that will carry out the day-to-day operations of the corporation, and second to set and approve the general direction of the corporation for matters that are outside the regular course of the corporation's business.

LLCs should maintain minutes as well, although many single member, member managed LLCs do not. We recommend to our client that all LLCs conduct an annual meeting and maintain minutes. If nothing else, it is evidence that they recognize that it is a separate legal entity that they are managing.

While case law is very limited with LLCs, we anticipate that .... [Click here to read more.](#)

If you need assistance with preparing your minutes, please give us a call or email us at [bradiex3@bradie-law.com](mailto:bradiex3@bradie-law.com).

Please click to continue receiving our Newsletters:



## About Our Law Firm

Our family owned firm was formed in 1991. Our attorneys practice primarily in the areas of business creation and support, business litigation, and commercial collections. We also handle Will preparation, probate and estate planning. Please let us know if we may be of assistance.



### Disclaimer and Notice:

No statement made herein is intended to create an attorney-client relationship or constitute specific advice on a legal matter unless otherwise agreed to in writing by the Law Firm of Bradie, Bradie & Bradie. If you have received this communication in error, please immediately notify the sender by return email. If you wish to be removed from this mailing list, please notify the sender, or click on the SafeUnsubscribe link below. Thank you.