

# BRADIE, BRADIE & BRADIE

## ATTORNEYS AT LAW

Wills \* Probate \* Business Law

# Happy Independence Day!

June 2010

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## 4th of July is Almost Here!

Wishing all of our clients and friends a safe and fun Independence Day. While you enjoy the holiday weekend, think about the many rights and privileges that we enjoy in this country. Think about the brave men that put their lives and livelihoods on the line when they declared our country's independence. What courage that must have taken!

Our country is dealing with some pretty great problems these days. Let's hope that the men and women of this day have the same courage to do what is right and in the best interest of this country, to keep America strong and remain the Land of Opportunity.

Thank you also to our men and women in service that are safeguarding our country's freedom!

God Bless America!

Cordially,

Michell S. Bradie  
Bradie, Bradie & Bradie

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

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## **NEWS YOU CAN USE**

### **Do Will Forms And On-Line Wills Really Save You Money?**

Most of you have probably heard about on-line services that can help you prepare a Will, or maybe have a friend that prepared one with a form that they picked up at an office supply place. Everyone wants to save some money, especially with difficult economic times. But do they really save you money? In my experience, the answer has been "no".



We have rarely found a "home-grown" Will or Will form that has not had some problems with it. This is sometimes due to the form being generic, rather than prepared in accordance with Texas law. Sometimes the problems were caused by the person preparing the document not understanding what it was asking for or understanding the effect of some legal language. Sometimes the language is fine, but it wasn't properly executed (signed and witnesses and notarized in the right way), which causes the document to not even count as a Will.

Most times, the problem with these Will forms are not discovered until someone is trying to file it for probate. That means that the person making the Will has died. It is a little too late to go back and fix it at that point.

It often costs more to correct the errors (if they can be fixed at all) than it would have cost to have a properly drafted will prepared by an attorney.

Many firms will review your current documents, often at no charge. Wouldn't you like to know if your Will really does what you think it does? If not, now is the time to fix it. Some firms will also work with you on a payment plan, if needed.

Anything that is worth doing is worth doing well. It is a lot less expensive preparing it properly now than trying to fix it later.

## **Unmarried Couples Need Powers Of Attorney**

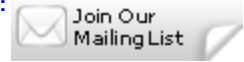
We believe that everyone should have their Medical Powers of Attorney, as well as their Statutory Durable Powers of Attorney (for financial matters). In most instances, when people have both of these Powers of Attorney, they can avoid the need for any type of guardianship, which can be expensive, time consuming, and a matter of public record.

But Powers of Attorney are particularly important for unmarried couples in Texas. If you have not given your significant other/partner the authority to handle your medical or financial matters through a Power of Attorney, they may not be able to look after you through a guardianship either. Under Texas law, the incapacitated person's spouse would have first priority to be appointed. Next level of priority for appointment is relatives, such as children, parents or siblings. Even if you have been a couple for many years, you are still not a spouse, and not considered a relative either.

If you want to make sure that your significant other or partner has decision making authority over you if you become incapacitated, you really should prepare Powers of Attorney.

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## 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.



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