

## Don't Put Off Estate Planning

Nothing acquaints a person with the complexities of administering an estate than suddenly finding themselves appointed as an executor to a family member who has passed away unexpectedly. Whether the person who has passed away is a spouse, a parent or a child, a sudden death is a tragic, life changing event. So many things that were never thought about—funeral arrangements, financial issues, taxes and other paperwork—are thrust to the forefront and require urgent attention. The last thing a person wants in such a situation is one more thing to worry about, namely their own estate planning arrangements.

When I meet with a person who has recently suffered a loss, I often ask them about the status of their own estate planning arrangements. The response I often get is that they need to get their own documents updated, but they want to wait until all this—meaning the deceased person's estate—gets sorted out. As much as I appreciate a good reason to procrastinate, this should not be one of them. A person's own estate planning arrangements should be updated as soon as possible following a life changing event—a death in the family, a separation, a divorce, etc. Life can change in an instant, and too often I've seen it change for people as a result of an accidental death. Summer seems to bring more than its share of tragedy and accidental death. If a family member has suffered an accidental death, how much more evidence does a person need to believe that it too could happen to them?

People also seem to put off updating their estate planning arrangements following a separation or a divorce. Although I don't practice matrimonial law, I am acquainted with it enough to know that the process of separation and divorce can be exhausting. But in my view, neither the separation nor the divorce is complete until you cut your ex-spouse out of your will! While marriage revokes an existing will, a divorce does not. You may have gone through a long-drawn out process to divide the family property and resolve spousal and child support issues, but if you don't change your will following the separation or the divorce, you may be leaving your entire estate to your ex-spouse! Not many people want to do that!

People avoid taking care of their estate planning arrangements, I think, because they believe it will be complicated. Most of the time, that simply is not the case. Estate planning is not as hard as most people believe. I know that people look forward to visiting the lawyer about as much as they visit the dentist, but I can see the relief on people's faces after I've met with them and they realize the experience was not as painful as they would have expected, and better yet, their affairs are now in order. Estate planning is like exercise. There is some dread of anticipation, it may be hard to get started, but it feels good when it's finished. And like regular exercise, regular updating of an estate plan is good too, only you don't have to do it three times a week—every couple of years will normally suffice.

