

## A STITCH IN TIME SAVE NINE!

BY BEN KINIRY, ESQ.T

Your doctor likely gets a little frustrated when you show up long after you started experiencing symptoms. Similarly, I'm sure your auto mechanic gets equally irritated when you have completely destroyed your automobiles brakes because you didn't make an appointment when you first started "hearing a noise."

As an elder law attorney it is somewhat exasperating when I stress to people the need to set up a Durable Power of Attorney ("DPOA") (not to mention the Durable Power of Attorney for Health Care) in case they should become incapacitated.

Let's be realistic, you are going to get sick, your brakes are going to wear out and you will become incapacitated and need the help of others.

In all of these instances, a stitch in time may very well be your best friend.

If you go see your doctor when your symptoms start, then we can agree that it may be less costly in many ways than waiting. Similarly, going to your mechanic when you hear a noise in your brakes is likely more cost effective than waiting until your brakes fail. In the realm of disability planning it



is certainly better to be proactive than reactive.

Following I have written some examples of client's I have worked with in order to provide you with real life stories of the types of things that happen in everyday life to good people like you.

**Case study one** - Cash value of a life insurance policy: the first example took place in Connecticut over 10 years ago. I was requested to go to Hartford Hospital to meet a new client and her son. My new client, "Barbara," was rather ill and wanted to give her son the authority to make her health care decisions in case she should become incapacitated. In counseling Barbara, I suggested that she also set up a Durable Power of Attorney so that her son could manage

her financial affairs if it became necessary. Though I pleaded with Barbara to create a DPOA she ultimately declined.

We accomplished the signing of the Durable Power of Attorney for Health Care the very next day. Approximately a week later Barbara's son, "Tom," called me to inform me that his mom had "fallen into a coma" and Sun Life Financial denied him access to the cash value in Barbara's life insurance policy. When Tom made his request to withdraw funds to pay for his mother's care, Sun Life Financial responded they would be happy to oblige but only upon receipt of the DPOA.

**Case study two** - United States savings bonds: in another case about seven years ago a family

came to me as their mother, "Nancy" (who was unfortunately diagnosed with Alzheimer's), had run out of funds in her checking account to pay for her nursing care and other fees. Nancy was well off financially and actually lived in an assisted living facility and paid for a full time nurse to stay with her. Nancy was not out of money, it was just that the bulk of her money was tied up in United States savings bonds. Nancy had never created an estate plan, and therefore did not provide any of her children with the DPOA and they were unable to cash in the savings bonds to pay for their mother's care.

What do these three families have in common? Three words, time, stress and cost.

(con't. p. 9)



# CHAMPNY'S FIREWORKS

## New Hampshire's Fireworks Outlet

New Lower Prices ! Same Great Service

50-70% OFF YEAR ROUND!

Best Prices in NH & Most of The Country

# ROCKETS, FIRECRACKERS & SMOKE

## NOW LEGAL & AVAILABLE



Whacky Tobacky

ON SALE  
\$ 69



Excilibur  
On Sale  
\$59





**TITANIUM BOTTLE ROCKETS**  
144 PIECES  
PERFORMANCE SILVER TAIL TO REPORT



**RDS-ROCKET DEFENSE SYSTEM**

1222 Rte. 3-A Bow, NH 03304

603-225-7353

[www.champnysfireworks.com](http://www.champnysfireworks.com)

Must be 21 years or older. Check with local authorities for permissible use.



# What is “Authentic” Travel?

by Chase Binder

Recently I saw an ad for a tour company that promised “authentic” vacations around the world. Guaranteed! Interesting, I thought. I wondered how they defined the word, and how that would translate into their itineraries. After all, no matter your reason for traveling, you undoubtedly seek an authentic encounter. Otherwise, why go to Paris when you can see a replica of the Eiffel Tower in Las Vegas? Why go to Africa when you can see big cats in the “wild” at Disney World?

After a look at the tour company’s website, I suspected the company had figured out that the word “authentic” is one of the newer phrases in marketing travel. It grabs the attention of millennials and newly-retired baby boomers alike. But in actuality, this particular company had merely updated their itineraries to include afternoons on your own for exploring and a few small group opportunities to visit a local family for lunch. Everything else was by-the-book.

For us, the word authentic is more nuanced, especially as it relates to our travel. When Bud and I leave home, we always try to shed the concept of being tourists and delve into a destination as deeply as possible—be it another state or country. This approach has led us to some truly authentic, truly memorable experiences. Like years ago, when we asked a very local cabbie to show us around the Puerto Plata in the Dominican Republic. He drove us all around, speaking very little English, but somehow crafting communication that served nicely. Part way through, he veered off to a modest but well-cared for local neighborhood. It was lunch time and he took us to his home! His wife seemed a bit surprised, but cheerfully gave us drinks and snacks. There was a lot more smiling than conversation—we speak just a few words of Spanish. But how unforgettable! This wasn’t a paid-in-advance, manufactured experience. This was spontaneous and surprisingly authentic.

So what is authentic travel? In my mind it’s travel that provides meaningful interaction at the personal and cultural levels. It’s engaging and interactive. It’s fun and memorable. It can lead to surprising and lasting friendships. It can help us see and



Chase Binder

understand both how different and how similar we really all are. It can educate us and lift us above all the noise surrounding global (and even our own) politics. And it’s really, really hard to schedule or buy in advance. It kind of just happens.

So how do you have an authentic travel experience? First, open your yourself to the new and different. Instead of booking a pre-packaged tour, try FIT (Foreign Independent Travel—see December 2017 Travel Talk). Work with someone who truly knows the area you want to visit, tell them you want lots of time for exploring—and use that time! Bud and I spent a day in Prague just riding the mass transit routes out to the suburbs. We got to see the city from a new perspective, had some very interesting conversations—all for a very few dollars. A Vancouver resident suggested the idea to us many years ago and we have used it often. It gets you another level closer to the actual city from the canned hop-on/hop-off tour.

One thing that helps make connections is knowing the language - or at least a few basic phrases. We like to learn at least please, thank you, excuse me and (importantly) where is the bathroom? In truth, many, many countries teach English as a second language. And often residents will want to practice their English, especially if you are way, way off the beaten path. But how nice for them to see us Americans making an effort to be kind and considerate!! You will find learning a few phrases brings smiles and opens unexpected doors.

Few things mark a culture more than the food served. Again, try and be open-minded (though I did draw the line at fried crickets

in Cambodia). Try and avoid tourist restaurants (they are more expensive anyway) and go really local. How do you find these? If you have a car, drive around and look for restaurants with parking lots full of local cars. See a big tourist bus? Drive on by! Or ask the bell boy (NOT the concierge who could get kick-backs from certain restaurants) where he and his family go to celebrate family events. We had one of the best meals ever in Rome using this trick! But don’t be afraid to try international chains—they will most certainly look at menu items and even service differently than you are used to. We ate at a Pizza Hut in Beijing once and were stunned to see waiters in tuxes with white gloves and a wine steward! What a hoot!

Another way to connect locally is to rent local houses instead of staying at hotels. This is easier than ever with the internet, but Bud and I have been doing it since long before online searches and booking. The trick? Go really, really local once you’re there. Take walks. Buy food in the local grocery store. Visit local department stores where the residents shop—prices will be better and I guarantee you’ll find it interesting. Pop into the corner market—this is how we found a local grandmother near Sorrento, Italy who made table wine for the locals. Five dollars for a five-gallon jug, red or white—but you had to return the jug. I won’t tell you how many jugs we went through!

We’re in the planning stages now for a trip to the UK—not touristy London, but a tiny village in the Cotswolds followed by a trip to the Scottish highlands. My dream? It will be all about local pubs and hedgerow-lined lanes.

**NEVER FEAR!** The pieces on the Harris’s world cruise is in progress and will be coming soon. We appreciate your patience as we work out some technical issues for a great story!.



## Laboe Tasker con’d. from p. 4

Time: They had to take the time to come see me, gather significant documentation and then petition the probate court for Guardianship. It can easily take six weeks or longer from the time that a person walks in the front door until the date a decree is received from the court.

Stress: The fact that their loved one was already not doing well was creating enough stress for each of these families. Now, the family is told they can’t access the assets, that they need to go through a process they don’t understand, and of course they need the money to pay for X (whatever X is, X is important and they would like to have the money for X immediately, if not sooner). Of course, there is significantly more stress if there is a family disagreement over who should be appointed as guardian, however, that is another issue entirely.

Cost: There is also the quantifiable cost, the money actually spent to acquire access to the assets in the above three case studies. All the families mentioned above incurred the expense of petitioning the probate court to be appointed as the guardian over the estate of their loved one. Though these clients understood that petitioning the court was an absolute necessity, this does not remove the thought they were paying a significant increase in cost to accomplish the same ends that could have been easily accomplished by an agent under a DPOA.

So you ask, what does it cost to petition the probate court? I can tell you that in order to set up a guardianship over the person, with all expenses included, is significantly more costly than creating a DPOA. In fact I would say that it would be at a bare minimum of ten (10) times the expense, and likely significantly more. Another comparison worth mentioning is that the cost of petitioning the court is more than the cost of the typical estate plan for a married couple. Keep in mind, this is just the cost to get your foot in the probate court door, then there is the bond, inventory and future accountings as required by the court. Did I mention that this is all completely avoidable if you have someone that you trust named in a DPOA?

I urge you, if you haven’t done so already, to seek out competent legal counsel to set up of the durable power of attorney over financial matters (and durable power of attorney for health care matters). This is what I consider to be the bare minimum of estate planning and should be completed for everyone over the age of 18. If you are over the age of 50 years and you have not created a DPOA or DPOA for Health Care, I would suggest that you start stitching.

In case you were wondering, all names have been changed to protect the innocent and this article does not constitute legal advice.