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YOUR CHILD IS NOW LEGALLY AN ADULT... WHAT YOU HAVE NOT THOUGHT OF!

Congratulations to all the students graduating from high school and to their parents!

Parents, your child has reached a milestone, you celebrated your child's 18th birthday in the last year, and recently celebrated another milestone, their graduation from high school. Now your *Adult Child* will go out to the world to start a new career, serve in a branch of our great military, attend trade school or head off to college.

What you haven't thought about is the fact that as parents *you no longer have any legal rights over your Adult Child's affairs*. This may lead into some issues for you if your Adult Child should become incapacitated in one manner or another, or if your Adult Child would like your help in any aspect of his/her life. Here are some real-life examples:

HEALTH CARE EMERGENCY: Clients of mine came to me some years ago and were clearly distraught over their situation. Their son was attending college in New York City and their son's roommate called to inform them that *their son was in the hospital and was deathly sick*. They reached out to the hospital to inquire regarding their son's circumstances to which the hospital responded, "Do you have power of attorney or an advanced directive from your son?" My clients informed them that they did not, however, they are the parents, surely, they must be able to ask questions about their sick son. The response from the hospital was that since their son was 18 years old, an adult in the eyes of the law, and that they did not have any documentation showing they had authority regarding their sons' affairs, they would not be able to share their adult son's information, over the phone or in person. My client's take away was that they were "nobody" for the purposes of their son's affairs. Unfortunately for my clients, I had to inform them that the hospital was legally correct, that parents do not have any legal rights regarding their Adult Child's affairs. They could not be informed of his condition nor make any decisions regarding treatment, as the hospital implied, they were powerless.

THE BURSAR'S OFFICE: Parents often experience frustration with the fact that they are paying for their Adult Child's college costs and often

questions arise that only the bursar's office at the college can answer. Some of you know where I'm going with this because you've experienced it. That is, you, the parent, calls the bursar's office to inquire regarding the financial matters at hand and you are informed you have no legal rights whatsoever regarding your Adult Child's financial matters at the college, only your Adult Child has a right to make these inquiries. Of course, all parents like to point out that they are paying the bill!

I WANT TO HELP MY ADULT CHILD WITH: A third situation that many of you have incurred over the years is that your Adult Child may still depend on you to help out (they have not learned all that life entails and how the adult world really works). For example, I was recently told by a mother that her adult daughter was relatively sick and needed to get in to see her doctor. The daughter asked her mother to set up the appointment as she was sick enough that making the appointment was going to be a real chore. The mother, just wanting to help out, called the doctor's office and was promptly told that only her daughter could schedule an appointment. Once again, being the parent of a young adult is not enough.

These three scenarios illustrate the fact that once your Adult Child turns 18 and you are without authority over their affairs, you might as well be nobody. Fortunately, the law has an answer to this. If you have read my previous articles you are already aware of the fact that if your Adult Child would like to give you authority over their affairs should they become incapacitated, or even if they are perfectly healthy but would not mind your help from time to time to assist in the management of some aspect of their lives, then there are two documents that your Adult Child can create providing you with authority to do so. The first one is the **Durable Power of Attorney** and the other is a **Medical Advance Directive**.

I would encourage you to have a conversation with your Adult Child before they head out into the world regarding this topic. If your Adult Child would like to provide you with such authority feel free to reach out to the Kiniry Law Firm, PLLC and we would be happy to assist your child in establishing the **Durable Power of Attorney** and **Medical Advance Directive**.

The information provided in this article does not constitute legal advice.



DANGER ON THE ROAD – DISTRACTED DRIVERS!

We are lucky to live in such a beautiful town. The residents care so much about many aspects of our community life. My wife, Tammy, and I take advantage of living in Bow by being physically active with running, biking, and walking on the trails and roads.

Given the number of hours and miles we have spent running on our roads, my wife and I have had some life-threatening experiences. In some cases, literally jumping into ditches to save ourselves from bodily harm, or even death. What is even more upsetting is that the distracted drivers never even recognized what had just occurred.

I write this to point out we are not immune from some of the dangers in life, or specifically, distracted driving. This is a topic Tammy and I feel very strongly about! We've all seen it and are well aware of the reality of people driving in their vehicles weighing 2, 3, or even 4 tons, driving at 30, 35 or 40 or more miles per hour, all while making texts or doing other tasks while in their automobiles. I'm not a scientist, but I dare fathom that the impact to the human body would be significant! How many times have you seen drivers all over the road, across both the yellow and white lines, or in some cases, driving off the road?

Our First Request: One thing that I ask, plead, beg, and pray for, is that you put your phone down while you are driving and encourage your children and other to do the same. **DO NOT BE THE PROBLEM!** Whatever it is, it can wait or you can pull over.

Our Second Request: One of the things Tammy and I have taken notice of over the course of our time in Bow is many, if not most, people walk on the right-hand side of the road, with their backs to oncoming traffic. We see individuals, married couples, sometimes with their children, sometimes with a baby carriage, and very often with a dog with their backs to oncoming traffic. I personally literally cringe when I see this. I think to myself, "this person must be a thrill seeker" (okay, not really). This brings us to the second request: I ask is that you walk on the left side of the road, facing oncoming traffic as a way of practicing self-defense from distracted drivers. These actions will save lives, there is no doubt about it, it has saved both of our lives on more than one occasion.

Be Safe This Summer! A public service announcement The Kiniry family