

# BRUMBAUGH

## ELDER LAW REPORT

*News and Helpful Information for Seniors  
and Those Who Love Them*

A Bi-Monthly Newsletter from The Law Office of Michael Brumbaugh



2nd Quarter 2023 Volume 34

*REGISTER FOR  
OUR SEMINARS!*

Is it possible that someday  
you or a loved one will live  
in a nursing home?

Maybe not... but why not  
prepare financially!

June 13, 2023 • 1 pm

July 18, 2023 • 1 pm

more dates & locations  
announced soon: check  
[brumbaughelderlaw.com](http://brumbaughelderlaw.com)



One of the biggest fears that many people have today is the fear of having their life savings wiped out if they end up in a nursing home. Whether you or a family member is in a crisis or not, it is important that you understand what you can do to protect your hard-earned assets! It is extremely important that you know about the changes in asset protection and how they may affect your long-term care planning!



Visit our website for  
information, future  
webinars and resources



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## LESSONS ON ESTATE PLANNING FROM GREAT SINGERS (BUT POOR ESTATE PLANNERS)

Estate planning is one of the most important things you can do for your family and loved ones. It helps make sure that your assets are distributed according to your wishes instead of distributed according to the government's plan. Putting your own plan in place can prevent a lot of heartache in the future. In fact, one of the most common things we hear from families we help is some version of: "I don't want to leave a mess for my family" or "I want to make things easy on the kids". Unfortunately, bad decisions can lead to an estate planning disaster. Having no estate plan, or a bad plan, can make the grieving process worse.

If you think that the rich (and famous) have it easier than the rest of us when it comes to estate planning because of their money and access to advisors, that's not always the case.

I actually started thinking about this recently when Pam and I were flying to a conference. I was looking for a movie to watch. I came across the new movie about Elvis which I had already seen and thoroughly enjoyed. That made me think of some of the other movies I've seen in recent years about musicians, and I wondered when there would be a movie about Prince's life. Then I remembered that his estate plan was being decided by the court system.

Prince passed suddenly in 2016 at the age of 57. He had no spouse and no kids. He also had no Will. Therefore, his estate worth more than 150 million was left up in the air. Not surprisingly, there was a court fight that lasted about 6 years. Minnesota law said that since Prince had no Will, his nearest next of kin would receive his wealth. This meant everything

*(continued on next page)*



*Brumbaugh Edler Law Report is written to inform and entertain our clients, referral sources and friends. This is not legal advice. If you need help for your specific situation, you should call The Law Office of Michael Brumbaugh at 419.626.0684.*

## LESSONS ON ESTATE PLANNING FROM GREAT SINGERS *(continued)*

went to his 6 half-brothers and half-sisters. Some of those individuals passed during the fight over his estate and their shares then went to their estates. Yikes! What a mess. It appears that the case has now been settled and various family members and companies that were formed by various family now own the rights to his music. Some of the family may have also sold their rights. I didn't dig hard enough to figure that out. However, one thing was clear. I'll probably have to wait a long while before I see any authorized movie about Prince. In the meantime, I can watch Purple Rain again, I guess.

What are some of the lessons we can learn from Prince? Well, one is something we all know. The end can come at any time. In Prince's case, it was an accidental drug overdose. For some people, it is an accident. Or a stroke. Or a heart attack. We all know we should have a plan in place. If we don't take control and put our own plan in place, the state and court system will and that could be very slow and expensive. And ultimately, the distribution may not be what we would have chosen if we had done our own planning.

While I was reading about Prince, I found out that Aretha Franklin also

left a mess when she passed. She at least thought about her estate plan ahead of time and worked on it. The problem was she decided to take the do it yourself path.

When she passed in 2018, her family initially thought she had no Will. Without a Will, her assets would have passed to her sons in equal shares. However, eventually, three handwritten documents were found at her house with various dates. One was found under a sofa cushion. The documents contained cross outs, notes, commentary about various people which wasn't always flattering, and contained what appeared to be her wishes concerning how her assets were to be distributed when she was gone. The handwriting was at times difficult to read. The documents were submitted to the Court to determine which one, if any of them, was her Will. Eventually, another document was found. This one was typed and said Will on it and was done by an attorney. It was marked draft and was not signed. The different documents did not leave things to the same people in the same way. As a result, her estate was fought over for years. In fact, I can't tell if a complete settlement or ruling has yet occurred.

What can we learn from Ms. Franklin's estate planning? It is important to have a clear and complete plan in place. Once a plan is completed, make sure it is stored in a safe and secure location. It is also important to make sure people know where to find your Will when you are gone.

By the way, Elvis, didn't do a great job with his estate plan either. While he did have a valid Will, he named his dad as executor and trustee. However, his dad wasn't qualified to manage an estate as complex as Elvis' was. Further, his dad continued relying on advice from "Colonel" Parker. Many people believe that Parker, over the years, provided some bad advice to Elvis and charged too much for his help.

What can we learn from Elvis' mistakes? Put the right people in place as executor and trustee. Make sure as executor or trustee, you are relying upon experts with integrity and who are providing good advice.

Is your estate plan current? Is it clear? Has your plan been reviewed and updated recently? Do you need a plan? Call our office at 419.601.6499 for more information.

## WE APPRECIATE YOUR REFERRALS

For our happy clients and family members, please consider telling your friends and other family members about us. If you know anyone in the nursing home and they are still private pay, please let them know we can still help protect their assets.

Many thanks to our valued clients and friends who refer their own family, friends and associates to us.

A SPECIAL THANK YOU TO...

**Judy Lucal**  
**Valerie Kay - Home Instead**  
**Attorney Kristine Boone**  
**Judy Greilich**



419.601.6499

Call Our Office for a Consultation

FIRST QUARTER 2023

# SAVE THE DATE!

*Walk to End Alzheimers Fundraiser  
Happy Hour on August 23<sup>rd</sup> • 6:00pm  
at Sandusky Yacht Club*

*Join our walk team for Brumbaugh Law Firm or  
donate by scanning the code here:*



## OFFICE & STAFF UPDATES



### WELCOME TO BILL WATSON, FULLTIME ASSOCIATE ATTORNEY

He is married with a 21-month-old, somewhat rambunctious, daughter. When not working or taking care of his family, he enjoys reading on his Kindle e-reader (mainly biographies and novels) and backpacking, spending as long as several days at a time in the backcountry. Bill says "I am excited to be a part of the Brumbaugh Law Firm and helping people create their estate plan for their families needs."

## PAM AND MARIS ATTEND SENIOR EXPO



## CALENDAR

**4/10:**  
Candece's birthday

**4/27:**  
Tye Martheze – Virtual Medicaid  
Client Services Coordinator  
2 year anniversary

**5/23:**  
Seth Arcillas - Virtual Jr.  
Paralegal  
1 year anniversary

**5/28:**  
Tye's birthday

**5/29 & 7/4:**  
Office closed for  
holidays

## WILL YOU GIVE US A GOOGLE OR FACEBOOK REVIEW?

If you would like to share your experience with Brumbaugh Law Firm through a Google Review and/or Facebook Review we would be most appreciative! These digital word-of-mouth recommendations make an impact on other people looking for our elder law services. In fact, people often trust Google Reviews just as much as personal recommendations from friends and family members.

Please scan the QR codes  
with your smartphone and  
share your reviews and experiences!





# Ice Cream Flavors



- BIRTHDAY CAKE
- VANILLA
- MOOSE TRACKS
- BLACK WALNUT
- BANANA
- BUTTER PECAN
- PEACH
- STRAWBERRY
- MINT CHIP
- SMORES
- COFFEE
- COCONUT
- MAPLE NUT
- ROCKY ROAD
- CHOCOLATE
- CHERRY
- PISTACHIO

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Visit our website for information, future webinars and resources

“Very professional, answered all our questions, we came away with complete confidence in our decision to use Michael and his firm. Highly recommend.”  
S. Allor



**BRUMBAUGH**  
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