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### MEDICARE ANNUAL ENROLLMENT PERIOD

This year's Medicare Annual Enrollment Period starts October 15, 2022 and ends December 7, 2022.

For those age 65 or older (or about to turn 65 in the next three months) and who otherwise qualify, this is the time to sign up for a plan, switch plans, or leave a plan and return to original Medicare.

It is important to review your plan during the enrollment period if you have moved -- including changing counties -- or if your health needs have changed.

Please contact our office if you would like a referral to a specialist who can review your current plan and give recommendations at no charge to you.

### EMPLOYEE SPOTLIGHT

This month we feature paralegal Barb Gates.



Barb's seven-year anniversary with the firm will be in November 2022.

Barb assists clients in the areas of estate planning, trust administration, special needs planning, and elder law.

Barb's favorite thing outside of our office is spending time with two sons and sister-in-law

Barb can be directly reached via e-mail at [barbara@bethmcdaniel.com](mailto:barbara@bethmcdaniel.com) or phone at (425) 296-3121

### REASONS TO UPDATE YOUR WILL

By Beth A. McDaniel, JD, CELA

There are many important reasons to execute a Will, including to nominate a personal representative; nominate a guardian for minor children; establish trusts for minors, disabled beneficiaries, or irresponsible beneficiaries; and to dispose of personal property.

It is possible for a properly drafted Will to be 'evergreen' and never require updating if it nominates alternative fiduciaries and provides contingencies for deceased beneficiaries. Here are 12 reasons a Will should be updated:



1. There is a change in marital status. If you marry, it is imperative that you update your Will. Otherwise, the law presumes you 'forgot,' and requires your spouse to receive the same amount they would have received if you had died without a Will (intestate). This may not have been your intention, especially if it is a second marriage and you and your spouse have taken pains to keep your assets separate. Likewise, Wills should be updated if you divorce.

2. You cohabit or are in a long-term committed relationship. If you cohabit or are in a long-term committed relationship, it is important to update your Will to acknowledge the relationship, even if you do not intend to leave something to your partner under that Will.

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## REASONS TO UPDATE YOUR WILL CONT.

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Note: the best practice is for both partners to also sign an agreement in which each partner waives his or her right to make a claim against the estate of the other.

Otherwise, upon your death your partner could make a claim against your estate, claiming that they were in a committed intimate relationship with you and are entitled to a 'community share' of your estate. This very well could have been your intention; but sadly, now your partner is left to pursue a claim through litigation.

3. Life Change for Beneficiary. If one of your beneficiaries becomes incarcerated, drug addicted, disabled, or missing. It is important that your Will properly protects their share of your estate and that your intentions are memorialized.

4. Estrangement. If you become estranged from a beneficiary and no longer wish for them to receive anything from your estate or serve as your personal representative.

5. You were estranged but have now reconciled. Likewise, you should update your Will if you have excluded someone from your Will because you were estranged, but now you have reconciled, and you now want to include them. Sadly, sometimes this happens too late, as the individual may no longer has the capacity to execute an updated Will or the new Will does not get signed prior to the individual's death.

6. Your net worth changes. Washington has estate tax for estates over \$2,193 million (2022). If your wealth has increased to over that amount since your Will was executed, it is important to update your Will to do proper estate tax planning.

7. Wish to Change Fiduciaries. You wish to change your personal representative, trustee of any trusts under your Will, or the guardian of minor children you have nominated under your Will.

8. Changes to Distribution of Personal Property. You may like to change how your personal property or assets are allocated/distributed.

9. Add or Remove Bequest. You wish to add or remove a specific bequest to a charity or individual.

10. Disability of Spouse. Your spouse has become disabled.

11. Relocation from another state. You have moved to a different state (Wills are state law specific)

12. Provisions for Pets. You wish to provide for your pets or exclude provisions for pets that you no longer own.

If do not have a Will and need one, or you wish to review your existing Will, please contact our client care coordinator, Margo Passeau, at (425) 296-3121.