**Wyoming Tribune Eagle Column of January 12, 2017: “Estate Planning necessary part of life.”**

Why is it difficult for people to focus on estate planning? I’d think that when you’ve worked all your life to accumulate your possessions, you would want to ensure that these be disposed of according to your wishes—if not to family, then to the technical school or college that conferred your degree, the library whose reading room and computer lab you have used in retirement, your Moose lodge with its student-exchange programs, etc.

“People don’t like to think about the end of their lives,” an estate-planning attorney told me. “We like to believe our demise is yet a long ways off.”

“It comes down to making a decision, doesn’t it?” I said. “Once you pick up the phone and set an appointment, you’ll make yourself go through with it.”

She agreed.

If no will exists at the time of death, and no next-of-kin to petitions the court for appointment of an executor, probate becomes complicated. Likely the assets will finance the workings of some public entity called upon to administer the estate. The process is drawn-out and costly.

When I worked in my late husband’s law office in California, one of our clients was the Public Administrator of San Luis Obispo County. You’d be surprised how many cases came to us from Mr. B’s office. We rarely saw the man himself; he stepped in only to sign documents ready for court. For the most part we dealt with the head staffer who assigned the leg work and determined various courses of action.

By “leg work” I mean inventorying the deceased’s assets and assigning values to them. What assets needed to be repaired before they could be sold? What would be the costs? Did cash exist in a bank or savings account? Next came tracking down debts and current obligations—rent or mortgage payments, electricity bills, etc. A court order was needed to sell assets and pay debts and expenses. It meant preparing schedules of inventoried assets and obligations.

Word-processing and incorporating these into probate pleadings was my job. Once everything was proofread and double-checked, the attorney and the P.A. signed the pleadings. I filed them with the court clerk, who assigned a hearing date.

Once court approval was in hand, the real wok started. If the estate was of sufficient value, the P.A. hired a law firm that specialized in heir searches. Usually the firm found someone—sometimes in another country—who could claim possession.

“You need to consult an attorney,” I recently said to an elderly friend. “You live in Wyoming. Your assets are in Wyoming. Your testament will be probated in a Wyoming court. You also need to sign powers of attorney.”

He had told me of a will in another state that specified his older sister as executor. The sister lives on the east coast, is hard of hearing, and hasn’t visited Wyoming in decades.

”She doesn’t want to be my executor,” he reported a few days later. “We talked about it on the phone.”

“Powers of attorney should be first on your list, specifying someone to make healthcare decisions for you and take on your finances, should you become incapacitated.”

“I can’t imagine asking someone to step into my life,” he said. “These are personal things. They’re are private.”

“Forget privacy,” I said. “There’s nothing private about our final days. Suppose you’re run over by a semi, your brain is knocked out but your body still functions. That body will be hooked up to a machine in some impersonal hospital. Do you want to waste your estate on a machine that keeps your body alive? Or would you rather someone gave instructions to pull the plug, then donate what you have to your church or favorite charity?”

“I only have my sister,” he said. “What am I going to do?”

I telephoned Natalie Winegar, an attorney who has given public seminars and courses on estate planning. She informed me that some banks maintain fiduciary departments that will perform these responsibilities. “For a fee, of course.”

Any attorney who writes your last will is going to urge simultaneous powers of attorney. These instruments specify your decisions regarding your healthcare and your finances, and they name the person(s) or entity to act on your behalf. In a society where people live to high age, these documents are essential: as we age, we may lose the ability to process information or make appropriate decisions.

Young parents should execute powers of attorney to state who will act as guardian for a minor child or children in a worst-case scenario. This entails consulting with family members, then choosing someone you trust who is willing to shoulder the responsibility, then putting the decision into a document that’s valid in court. Life is complicated, but a select few means do exist to address possible exigencies.