

**GELERMAN AND CABRAL, LLC**  
**ATTORNEYS AT LAW**

RICHARD A. GELERMAN

MICHAEL B. CABRAL

LISA V. WHELAN

CYNTHIA L. AMARA

**NORWOOD OFFICE**

30 WALPOLE STREET  
NORWOOD, MA 021062  
PH: (781) 769-6900  
FAX (781) 769-6989  
WWW.GELERMANCABRAL.COM

**BOSTON OFFICE**

6 BEACON STREET, SUITE 1115  
BOSTON, MA 02108  
PH: (617) 248-9800  
FAX: (617) 227-7690  
mcabral@gelermancabral.com

***Is Your Family or Estate Legally Protected?  
(The Answer is Probably Not...)***

Dear Friends,

Did you know that if you die without a legal Will the State decides how your estate will be divided and who gets custody of your children? That's why this issue is just too important to wait....

I am frequently asked by my married and single clients, both with and without children, if they really need a Will or estate planning documents. The simple answer is "Yes." We all hope that we will not need these legal documents in the near future, but unfortunately, unexpected events do occur. It is these unfortunate and unexpected events that we must plan for in advance in order to insure that our loved ones are cared for and your estate passes according to your wishes.

**Did You Know The Law Has Changed?**

I strongly recommend that if you care about whom inherits your estate, you create an estate plan. Massachusetts completely overhauled its probate laws in 2012, changing many commonly held views of who may inherit your estate if you do not have a Will or Trust. If you were assuming that someone you expected would just inherit your estate if you passed away, think again....

Massachusetts probate law now states that a surviving spouse does not necessarily inherit the entirety of their deceased spouse's assets. In fact, your spouse may be sharing your estate with your parents. If those are not your wishes, then you need to formalize your estate plan. And what about your children? Who is going to care for them if you are no longer around? The worst thing that could happen in a tragic event like this is to leave this important of a decision up to your family, which could be met with a divided response.

**Does This Apply to People Whom Are Single?**

We also have many single clients and wonder if an estate plan is right for them. If you care about what happens to the estate that you have worked so hard for, then yes, you

do need an estate plan. Why let the probate laws automatically dictate who inherits your estate, when you make those choices yourself?

Earlier in my career, I served as a judicial law clerk in the Probate and Family Court. I witnessed firsthand the difficult nature of court proceedings involving the settlement of estates between family members. Such proceedings can be financially and emotionally costly and may also lead to unnecessary family disputes. A well-drafted Will or Trust can help avoid these issues.

### **Handshakes and Verbal Deals Don't Hold Up in Court.**

After working closely with many judges in the Probate and Family Court, I can say that most of these judges would rather not be presiding over court hearings where family members are pitted against one another, especially when you can easily provide for such circumstances. Telling your friends and family your estate plan wishes in case anything should happen to you is essentially useless. If your estate plan has not been placed into a legal document, then the probate laws will determine who will inherit your estate. Do you really want non-family members deciding these sensitive matters for you?

Make sure your estate plan is drafted properly. If it isn't, it won't be effective and will be disregarded according to the law. Our attorneys' knowledge of the probate laws in Massachusetts allows us to serve as trusted advisors to our clients. Our clients are also often surprised at how quickly we can finalize their legal documents and provide them with the comfort and security they are seeking. Estate planning does not have to be overly complex and expensive.

### **Why This Is Too Important To Keep Putting Off.**

I recommend formalizing your estate planning documents as soon as possible. None of us know what events lie ahead. We all lead busy lives, and it often seems that important items like this keep getting pushed back. However, this type of planning for yourself, your spouse and your children simply can't wait.

Ultimately, don't you want to be the one deciding who will inherit your estate someday instead of the probate laws and court system? Why take this risk when a relatively simple and inexpensive estate plan can help you avoid this scenario?

I hope this letter has been helpful for your estate planning purposes. Please feel free to contact me personally by phone or email in order to set up your free 15-minute phone consultation where we can decide if creating a legal and secure estate plan or Will is the right decision for you. I would be happy to assist you in answering any further questions you may have, and I look forward to speaking with you soon.

Very truly yours,



Michael B. Cabral, Esq.