

# DO YOU KNOW THE DIFFERENCE BETWEEN:

- ✓ DURABLE POWER OF ATTORNEY
- ✓ HEALTH CARE SURROGATE

- ✓ DESIGNATION PRE-NEED GUARDIAN
- ✓ DESIGNATION LIVING WILL

A Durable Power of Attorney, Pre-Need Guardian Designation, Health Care Surrogate Designation and Living Will are important legal documents. Every adult American needs to have one of each and understand what each does.

## What is a Durable Power of Attorney?

This is a document you will keep under your control, but you will tell your spouse and/or child that there is a Power of Attorney authorizing them to act if you are alive, but incapacitated. For example, if you are in a car accident and taken to the hospital, who will be able to get your car from the storage lot to where it is towed? If the car is titled in your name, your spouse, child or friend cannot sign your name to get the car released without your specific written Power of Attorney which states that it survives your disability.

## What is a Pre-Need Guardian Designation?

This is a document that states that if ever a guardian is necessary, you desire it to be your spouse or your child or friend. If, for example, you became incapacitated in a major automobile accident and the other driver was sued and his insurer paid a half million dollars into a future medical fund, they would most likely require a court supervised guardian. You can now designate who that person should be and that you prefer that your present investments not be liquidated and reinvested by the court.

## What is a Health Care Surrogate Designation?

This document allows you to designate who will make medical decisions should you not be able. This sometimes called a Health Care Power of Attorney. The person you designate should also eventually sign the form to indicate they consent to act on your behalf.

## What is a Living Will?

The Living Will, so called, is really entitled "Declaration Pursuant to Life Prolonging Procedures Act." It reflects your desire that you not be connected to the "machine" if you are brain dead, terminally ill, with no chance of recovery. Your spouse or family would have to bring the declaration to the hospital where two doctors would be required to verify that you are terminally ill with no chance of recovery, whereupon you would be disconnected from life-support machines. The reason it has become so important is that it prevents a hospital from keeping you alive by artificial means just to collect several thousand dollars per day.

## Do I need all four?

All four of these legal documents work together to satisfy various legal needs. You do not necessarily need all four but its best to have them.

## Do I need to see a lawyer?

No. Spiegel & Utrera has taken the time to develop easy to understand kits which enable you to obtain these important legal documents for a fraction of what a visit to a lawyer's office would cost for the same services.

## What if I am unsure?

If your affairs are complicated or if you are unsure, a consultation with Spiegel & Utrera is recommended although you may still wish to use the kits for interim protection. In the event any of the kits you purchase from Spiegel & Utrera are not suitable, you may return them at any time for a refund of your purchase price, *even if you have already filled in the forms.*

## How can I save money?

Each kit costs only \$19.95. If you order now, you can buy all four for only \$59.95. That's like getting your fourth kit absolutely free.

Please remit only \$19.95 per kit plus \$3.00 for shipping and handling, or receive all four kits for only \$59.95 plus \$5.00 shipping and handling.

**If you have any questions, please call a Spiegel & Utrera office listed below:**

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