

ESTATE PLANNING FOR NON-TRADITIONAL FAMILIES

Nontraditional families take many forms – a grandmother raising a grandchild via an informal custodial arrangement, an unmarried couple with children and perhaps stepchildren, a couple in a same-sex marriage. In June 2015, the U.S. Supreme Court ruled that the Constitution guarantees the right to same-sex marriage which affords them most of federal privileges available to traditional couples. Other nontraditional families, however, are not recognized as families by the state or federal government. Accordingly, they are not granted the same benefits with respect to estate planning, guardianship of minor children, and health care proxy designations.

Estate Taxes: An Example of the Difference between a Married Couple and a Nontraditional Family

A U.S. citizen does not have to pay any estate taxes on any real estate or assets received from his or her spouse, either as a gift during life or as a bequest after death. Because of the Court's ruling, same-sex married couples are now on even ground with other married couples as it concerns federal taxes and most federal benefits.

Use Estate Planning to Protect Your Nontraditional Family

Our firm helps nontraditional families to assert their rights in a wide range of circumstances, including:

- Protecting ownership of the family home
- Protecting custody of the family's minor children
- Protecting the survivor's right to manage the finances of the family's minor children
- Protecting family members' rights to make medical decisions for minor children
- Protecting family members' rights to make financial decisions
- Ensuring that state probate laws do not override the family's wishes regarding inheritance
- Correctly designating beneficiaries on life insurance and other policies
- Minimizing the impact of estate taxes and income taxes on the surviving partner
- Minimizing will contests by family members over bequests and other estate documents
- Granting the right to make burial decisions to the surviving partner over other blood relatives

Just because you don't fit the traditional family mold doesn't mean that you should be denied the rights and privileges that are critical to your livelihood. Contact our firm for a consultation.