

NEW TIMES, NEW CHALLENGES

*Law and Advice for Savvy
Seniors and Their Families*

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SUMMARY OF CONTENTS

Prologue • 64: Give or Take xix

PART 1 • NEW TIMES, NEW CHALLENGES

Chapter 1 • What You'll Need to Know 3
Chapter 2 • Living Wills: Going Gently into that Good Night 9
Chapter 3 • Growing Older: What to Expect and How to Cope 15

PART 2 • LET THE GOOD TIMES ROLL: RETIREMENT—MONEY, HOUSING, MEDICAL CARE

Chapter 4 • Retirement: An Overview 23
Chapter 5 • Social Security 31
Chapter 6 • Veterans' Benefits and Safety Nets 39
Chapter 7 • Private Pension Plans 43
Chapter 8 • Retirement Finances 49
Chapter 9 • House Rich, Cash Poor 57
Chapter 10 • Retirement Housing 61
Chapter 11 • Medicare and Health Insurance 67
Chapter 12 • Long-Term Care 75
Chapter 13 • Tax Breaks for Seniors 79

PART 3 • TROUBLE: GETTING IN AND GETTING OUT THE LIMITS OF LAW: A CAUTIONARY TALE

Chapter 14 • Abuse, Neglect, and Financial Exploitation 89
Chapter 15 • Self-Abuse: Vegas, Booze, and the Question of Guns 97
Chapter 16 • Sex 101
Chapter 17 • Driving 105
Chapter 18 • Grandchildren 109
Chapter 19 • Family Financial Dealings 115
Chapter 20 • Divorce and Remarriage 121
Chapter 21 • Age and Disability Discrimination 127

Chapter 22 • Identity Theft, Scams, and the Nature of Evil	139
Chapter 23 • Recession Blues: Forecloses, Bill Collectors, Bankruptcy	149

PART 4 • IN CASE “SOMETHING HAPPENS”

Chapter 24 • Keeping Control: Living Wills, Health Care Power of Attorney, Joint Accounts, and Powers of Attorney	159
Chapter 25 • Wills and Estate Planning	167
Chapter 26 • Avoiding Probate	175
Chapter 27 • Trusts: Legal Shmoos	183
Chapter 28 • Living Trusts	189
Chapter 29 • Estate and Gift Taxes	195

PART 5 • DISABILITY IN THE FAMILY

Chapter 30 • The Slings and Arrows of Outrageous Fortune	199
Chapter 31 • Mental Incapacity and Formal Guardianships	205
Chapter 32 • Deciding for Others	211
Chapter 33 • Home Care	215
Chapter 34 • Nursing Homes, Geriatric Care Managers	219

PART 6 • DEATH IN THE FAMILY

Chapter 35 • Hospice, Dying Well, and Being There	227
Chapter 36 • Ending Life: Pulling Plugs, Euthanasia, and Suicide	233
Chapter 37 • Death in the Family	239
Chapter 38 • Probate	247

PART 7 • HELP!

Chapter 39 • Thoughts on Docs (and Lawyers)	257
Chapter 40 • Office Visits and Questions to Help Your Doctor	261
Chapter 41 • Finding and Dealing with Lawyers	267
Chapter 42 • Help Your Family: Talk!	271
Acknowledgments	275
About the Authors	277
Index	279

CONTENTS

Prologue • 64: Give or Take	xix
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PART 1 • NEW TIMES, NEW CHALLENGES

Chapter 1 • What You'll Need to Know	3
a. Pumping Iron and Working Crosswords	3
b. Existential Angst	4
c. Documents You'll Need	5
d. Strokes: STAT	6
e. Death	7
f. Talking to Your Family	8
Chapter 2 • Living Wills: Going Gently into that Good Night	9
Chapter 3 • Growing Older: What to Expect and How to Cope	15

PART 2 • LET THE GOOD TIMES ROLL:

RETIREMENT—MONEY, HOUSING, MEDICAL CARE

Introduction	21
Chapter 4 • Retirement: An Overview	23
a. Questions about Retirement	24
When can I retire?	24
How much income will I need?	24
How about medical insurance?	24
What about housing?	25
Is death on the doorstep?	25
I will get sick?	25
I will get senile?	25
If I work, what are the tax implications?	26
b. Working, Opening a Bookstore, Volunteering	26
Getting a job	26
Starting your own business	27
Volunteering	27

Chapter 5 • Social Security	31
a. What Most of Us Don't Know: Benefits and Recipients	31
b. Social Security: Contents and Discontents	31
c. Eligibility and Computation of Benefits	34
d. Early, Late, and Full Retirement	34
e. Taxes and Your Benefits	36
f. Family Benefits: Spouses, Kids, and Grandkids	36
g. A Note to Divorcees	37
Chapter 6 • Veterans' Benefits and Safety Nets	39
a. Veterans' Benefits	39
b. SSDI (Social Security Disability)	40
c. SSI (Supplemental Security Income)	40
d. Medicaid	41
Chapter 7 • Private Pension Plans	43
a. Pension Plans: Defined Benefit, Defined Contribution, 401(k) Plans	43
Defined Benefit Plans	44
Defined Contribution Plans	44
401(k) Plans	44
b. Vesting	45
c. Choices at Retirement: Cashing Out or Buying an Annuity	45
Fixed Term Annuities	46
Life Annuities	46
Joint and Survivor's Annuities	46
d. Pension Troubles	46
Your plan goes broke.	47
Your employer changes the plan.	47
Your individual claim for benefits is turned down.	47
You get divorced.	47
You forget where you worked.	47
Chapter 8 • Retirement Finances	49
a. Rethinking Money	49
b. Budgeting: Big Ticket Items, Life and Medical Insurance	50
Life insurance	50
Health insurance and medical costs	51
c. Investment Options	51
IRAs, Annuities, CDs, Stocks and Bonds	52
d. The Danger of Flat Investments	54
e. Cookie Jars: Savings Accounts, IRAs, Roth IRAs	55

Chapter 9 • House Rich, Cash Poor	57
a. Traditional Borrowing	57
b. Reverse Mortgages	58
c. Selling Your Home	59
d. Renting or Leasing Your Home	59
Chapter 10 • Retirement Housing	61
a. Staying Put (with a little help from our friends)	61
b. Moving to Warmer Climes	63
c. Assisted-Living Facilities	64
d. Continuing Care Retirement Communities (CCRCs)	65
e. Section 8 Housing for Low-Income Folks	66
f. More Info	66
Chapter 11 • Medicare and Health Insurance	67
a. Insurance Needs before 65	67
Disability Insurance	67
COBRA	67
Long-Term Care Insurance	68
b. Turning 65: Medicare	68
Or an HMO	69
Medicare Part A	69
Medicare Part B: Doctor Visits	70
Medicare Part D: Prescriptions	71
Medigap Policies: Dental, Glasses, Hearing Aids	71
The HMO Alternative	72
c. Help!	73
Chapter 12 • Long-Term Care	75
a. Long-Term Care Insurance	75
b. Safety Net of Medicaid; Medicaid Planning	77
Chapter 13 • Tax Breaks for Seniors	79
a. If Your Children Are Supporting You	79
b. Federal Tax Benefits	79
Standard Deduction	80
Personal Exemptions	80
Medical Expense Deduction	80
Tax Credits Concerning Disability	80
Interest Deductions	81
Home Taxes	81
Capital Gain Taxes from the Sale of Your Residence	81

Reverse Mortgage Payments	81
Exempt Income	81
c. State and Local Taxes	82
d. Taxes on Pensions, Annuities, and IRAs	82
PART 3 • TROUBLE: GETTING IN AND GETTING OUT	
THE LIMITS OF LAW: A CAUTIONARY TALE	
Overview to Part 3	86
Chapter 14 • Abuse, Neglect, and Financial Exploitation	89
a. Recognizing Abuse and Getting Victims Talking	89
b. Helping Helpless Victims	92
c. Self-Help for Victims	93
Coping with Spouse Abuse: Protective Orders	94
Abuse by Adult Children	94
Financial Exploitation	95
Nursing Home Abuse	95
d. Help for Abusers	95
Alcoholism and Drug Abuse	96
Psychological Resentments	96
Chapter 15 • Self-Abuse: Vegas, Booze, and the Question of Guns	97
a. Flying to Vegas	97
b. Booze, Depression, and Suicide	98
c. Guns	98
Chapter 16 • Sex	101
Chapter 17 • Driving	105
Chapter 18 • Grandchildren	109
a. Raising Grandchildren: Legal Issues	109
Custody	109
Financial Help	111
Inheritance	112
Housing	112
b. Grandparent Visitation Rights	112
c. When to Seek Legal Help	114
Chapter 19 • Family Financial Dealings	115
a. Loans, Gifts, and Bail	115
Bail	115
Loans	116

b.	Responsibilities for Minors	117
c.	Support Obligations between Spouses	118
d.	Your Kids' Obligation to Support You	119
e.	Nursing Home Expenses	119
Chapter 20 •	Divorce and Remarriage	121
a.	Divorce: Property, Alimony, and Health Insurance; Alternatives to Divorce	121
b.	Marriage: Prenuptials and Wills	124
Chapter 21 •	Age and Disability Discrimination	127
a.	An Overview of Anti-Discrimination Law	127
	Age and Disability Discrimination in Employment	128
	Age and Sex Discrimination in Credit	128
	Disability Discrimination	128
	Racial and Sexual Discrimination	128
b.	Goat Discrimination	129
c.	Credit Discrimination	129
d.	Housing: Disability Discrimination	130
e.	Employment: Disability Discrimination	131
f.	Employment: Age Discrimination and an Aside on Common Law	132
	Contract Rights	133
	Union Contracts and the Obligation of Unions	134
	Employee Manuals as Contracts	134
	Legislation: The Age Discrimination in Employment Act (ADEA)	134
g.	Proving Discrimination and Why Employers Discriminate	135
	1. To cut insurance costs	136
	2. To cut payroll and to weasel out of retirement commitments	136
	3. To let stereotypes do their thinking (it is easier that way)	136
h.	What to Do: File a Complaint, Soon	137
i.	A Concluding Note on Early Retirement	138
Chapter 22 •	Identity Theft, Scams, and the Nature of Evil	139
a.	Identity Theft	140
	Credit Reports	141
	A Note on P1ssw1rds	141
	Protecting Credit Cards and Checks	141
b.	Scams	142
	Phone Fraud	142
	Internet Scams	143

You've Won!	144
Home Repair Scams	144
Home Mortgage Scams	145
Obituary Scams	145
Health Care Scams	146
Door-to-door Sales	146
c. Scream!	147
Chapter 23 • Recession Blues: Forecloses, Bill Collectors, Bankruptcy	149
a. Home Foreclosures	149
Mortgage Rescue Scams	150
b. Bill Collectors: Barks and Bites	151
Avoid "Bill Payer Loans" Like the Plague	152
Avoid "Debt Counselors"	152
c. Which Bills to Pay First	153
d. If You Get Sued: Wage and Property Attachments	154
e. Bankruptcy	155
f. Dire Straits	156
PART 4 • IN CASE "SOMETHING HAPPENS"	
On the Pitfalls of Self-Help Books	157
Chapter 24 • Keeping Control: Living Wills, Health Care Power of Attorney, Joint Accounts, and Powers of Attorney	159
a. Medical Decisions: Living Wills, Health Care Powers of Attorney, DNRs	159
b. Financial Decisions: Joint Accounts, Powers of Attorney, Trusts	161
Joint Accounts	162
Powers of Attorney	163
Who do you want your agent to be?	163
What powers do you want your agent to have?	164
c. Durable Powers of Attorney Compared to Living Trusts	164
Chapter 25 • Wills and Estate Planning	167
a. Bad Excuses	167
I don't even want to think about it.	167
I can't do anything until I get my records in order.	167
I'm not sure what I want to do with my property.	167
I don't have time to meet with a lawyer.	168
b. Dying without a Will: The Costs	168
c. Holographic Wills	169

d.	Formal Wills	170
	Do you wish to give money to minors or relatives with special needs?	170
	Who do you want to administer your estate?	171
	What special gifts do you want to make?	171
	What if someone dies first?	171
	Do you want to keep your house in the family?	171
	Do you want your family business to continue?	172
	Will your Will cause family friction?	172
e.	Taking Arms Against a Sea of Troubles (Disgruntled Heirs)	172
Chapter 26 • Avoiding Probate		175
a.	Avoiding Probate	175
b.	Lifetime Gifts	177
c.	Gifts to Minors and to the Mentally Disabled	178
d.	Life Insurance	179
e.	Joint Ownership	179
f.	Retirement Annuities, Roth IRAs, and IRAs	180
g.	Living Trusts	181
Chapter 27 • Trusts: Legal Shmoos		183
a.	The Marvelous Trust	183
b.	Trusts for the Disabled	184
c.	Revocable or Irrevocable?	185
d.	Administering the Trust	186
e.	Powers of the Trustee	186
f.	Choosing the Trustee	187
g.	Funding the Trust	187
Chapter 28 • Living Trusts		189
a.	A Living Trust — Parsed	190
b.	Property in Other States; Blended Families	192
c.	A Caution: Praising Formality	193
Chapter 29 • Estate and Gift Taxes		195
PART 5 • DISABILITY IN THE FAMILY		
	Confronting the Manic Terror	197
Chapter 30 • The Slings and Arrows of Outrageous Fortune		199
a.	Check for Bad Meds	199
b.	Hearing Loss	200

c.	Depression	201
d.	Memory Loss and Alzheimer's	202
	Executive function	202
	Wandering off	203
e.	Paying the Bills: Social Security Checks and Durable Powers of Attorney	203
f.	Rehospitalization	204
Chapter 31 •	Mental Incapacity and Formal Guardianships	205
a.	What Is Legal Capacity?	205
b.	Formal Interventions: Guardianships and Conservatorships	206
c.	Disabled Parents in Distant Cities	209
d.	Individuals Who Are a Danger to Themselves or Others	209
Chapter 32 •	Deciding for Others	211
a.	What the Law Directs	211
b.	Combating Self-Interest	212
c.	Court-Appointed Guardians: Powers and Duties	214
Chapter 33 •	Home Care	215
a.	Oxygen Masks for Caregivers	215
b.	Making Your House Safe and Elder Friendly	216
c.	Get Your Siblings on Board	217
Chapter 34 •	Nursing Homes, Geriatric Care Managers	219
a.	The Need for Planning: Geriatric Care Managers	220
b.	Selecting a Nursing Home	221
c.	Patients' Rights	222
d.	Abuse	223
PART 6 • DEATH IN THE FAMILY		
	Introduction	225
Chapter 35 •	Hospice, Dying Well, and Being There	227
a.	Disclosing a Terminal Prognosis	227
b.	"Would it surprise you if this patient died within the next 12 months?"	229
c.	Hospice Care	229
d.	"Dying Well"	230
e.	Being There	232

Chapter 36 • Ending Life: Pulling Plugs, Euthanasia, and Suicide	233
a. Ending Medical Treatment	233
But what if no instructions were given? Terri Schiavo	234
Feeding and hydration tubes	234
b. Euthanasia and Oregon's Death with Dignity Law	235
c. Double Effect Pain Medication	237
d. Suicide	237
Chapter 37 • Death in the Family	239
a. The Myths of Mourning	239
b. The First Few Days: Funeral Homes and Burial	240
Autopsies	242
Organ Donation	242
Notifications	243
c. The First Few Weeks	243
Immediate Cash Needs and the Safety Deposit Box Ploy	243
Bills: Don't Pay Them!	244
The Search for Documents and Notifying Insurance and Social Security	244
Chapter 38 • Probate	247
a. Is Probate Needed?	247
b. Are You Disgruntled?	248
Surviving Spouses	249
Forgotten Children	249
Children Born, and Spouses Married, After the Will Was Written	249
Children of Prior Marriages	249
Heirs Who Suspect Lack of Capacity	250
Heirs Who Suspect Undue Influence	250
Heirs Who Suspect Murder	250
c. Family Allowances	251
d. The Probate Process	251

PART 7 • HELP!

Chapter 39 • Thoughts on Docs (and Lawyers)	257
Chapter 40 • Office Visits and Questions to Help Your Doctor	261
a. Being Candid, Even if it Makes You Look Foolish	261
b. Understanding Jargon	262
c. Being Heard	262

d. Taking Aunt Jane	263
e. Preparing	263
f. Asking Questions That Help Your Doctor	264
Chapter 41 • Finding and Dealing with Lawyers	267
a. How to Find the Right Lawyer	267
b. Some Ways to Save Money	268
c. If Things Go Badly	268
Chapter 42 • Help Your Family: Talk!	271
a. Why?	272
You owe it to your family.	272
You owe it to yourself.	272
You owe it to your family and to yourself.	272
b. Some Things to Talk About	273
Final illness	273
Possible disability	273
Living arrangements	273
Property distribution	273
Retirement plans	274
Where's your stuff?	274
Acknowledgments	275
About the Authors	277
Index	279

PROLOGUE

64: GIVE OR TAKE

Will you still need me?

Will you still feed me?

—The Beatles

Remember when?

When 64 was a myth, lurking at the outer edge of our imagination. We had better things to do: schools to finish, careers to start, mates to find. Etcetera. Sure, our grandparents were old, but they had *always* been old, *preferred* being old, *chose* to be old. Curious choice. Surely not ours.

A blur of momentous events. Viet Nam, civil rights, Berlin Wall, 9/11, a black man raising his right hand on January 20. Meanwhile, we finished school, started a career, found a mate, not to mention Etcetera. We didn't start the fire, but it has consumed us. Suddenly, quite suddenly, we just turned around, and, hey, it's us. Growing older or hoping to.

Growing old won't be as bad as we might fear. Most of us will stay in good health and find engaging things to do in retirement. But it's not eating a peach; it's not for sissies. There will be trouble and heartbreaks. This book will help you through hard times; it will help your family as well. Writing it, researching the law, I found so many critical things I didn't know and I'm a lawyer.

My problem is this. Some things you need to know now in order to *avoid* trouble. On the other hand, there are things you don't need to know unless you *get* into trouble. Think about living wills now, but don't worry about fighting age discrimination unless you're let go.

What's a poor boy to do?

Divide the book. Read the first part of the book, *New Times, New Challenges*. It's short! Consider it training for ill:

*Since the world has still
Much good, but much less good than ill,
And while the sun and moon endure*

*Luck's a chance, but trouble's sure,
I'd face it as a wise man would,
And train for ill and not for good.*

—A.E. Housman, *A Shropshire Lad* (LXII)

What can you expect as you age? How can you assure your last wishes are followed? How can you stay mentally active? How can you recognize one of the plagues of growing old: strokes? And, as retirement isn't always all that it is cracked up to be, how can you cope with existential angst? (Remember our college days, puzzling over the meaning of "angst" and then, convinced we were definitely victims, headed out to the lights and laughter of that night's party? Which was it: existence precedes essence or essence precedes existence?)

You might also want to read the chapter on how to protect your identity and recognize scams. (Chapter 22). I also, as mostly a loss-leader, explain the nature of evil.

You may think, "I can skip that part. I already know about living wills, hospice, and the virtues of exercise." But Samuel Johnson was right:

"People more often need to be reminded than informed."

Training for ill isn't pleasant. We would all prefer to go to the beach, to get around to it tomorrow. Training for ill today will allow us to avoid it tomorrow or, if we can't, to better cope with it. Resist your Little Voice shouting, "You don't have time for this now. Maybe tomorrow." Take a deep breath, sit down and read. On the bright side, not every bad thing I will discuss will happen to you.

Does training for ill work? It did for King Mithridates, the subject of Housman's poem. He knew his enemies were plotting to poison him. Training for ill, he prepared himself by taking small dosages of poisons to get used to them.

*They put arsenic in his meat
And stared aghast to watch him eat;
They poured strychnine in his cup
And shook to see him drink it up;*

....

*—I tell the tale that I heard told.
Mithridates, he died old.*

—A.E. Housman, *A Shropshire Lad* (LXII)

Once you've completed your basic training, skim the rest of the book looking for chapters that address your immediate needs. Then put it aside for future reference. You never know when you might be the victim of age dis-

crimination, find yourself raising your grandchildren, or to awake one morning turned into, not a gigantic bug, but a disgruntled heir.

The general topics:

Retirement: finances, housing and health insurance.

Family matters: divorce and remarriage, grandchildren, financial obligations.

Trouble: elder abuse, foreclosures, bill collectors, identity theft, scams, age bigots.

Estate planning: wills, living trusts, trusts for special needs, probate.

Bad times: disability and death in the family.

Getting help: dealing with doctors and lawyers and chatting with your family.

Finally, style.

I won't write down. Editors, mostly in their thirties, have advised:

"Your readers will be over 40, maybe over 60, or, egads, over 70. Kill the jokes, the poetry, the background stuff. Just tell 'em how to stretch their Social Security check."

Despite what young folks might think (and probably what we thought when we were them), we don't shuffle over to the couch, sit blankly before a static TV, drooling oatmeal. We still have our humor, our curiosity, our intellectual excitement. We'll come and go, talking of Michelangelo, telling bad jokes, and reciting wonderful poetry.

If you're in it *just* for the information, you've picked up the wrong book.

Putting aside John Grisham, legal prose is pretty deadly. A law professor (from Yale!) once wrote:

There are two things wrong with almost all legal writing. One is style. The other is content. That, I think, covers the ground.... Readers like a dash of pepper or a dash of salt along with their information. They won't get any seasoning if lawyers can help it. Lawyers would rather be dignified and ignored.

This book will help you and your family in difficult times. I won't let you ignore it; I'll put on a lampshade, paint my nose red, and do back flips.

OK. No back flips.