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**IT'S SNOWBIRD SEASON...DON'T LET YOUR ESTATE PLAN
LEAVE YOU OUT IN THE COLD!**

By: Sabrina Winters, Charlotte Wills and Trusts Lawyer

When I used to live up north, it seemed as though 9 out of 10 people I knew were snowbirds! Flocking to LaGuardia and JFK taking “flight” every winter to head to a warmer climate during the long northeast winter months. Then like clockwork, return around Easter time to get away from the heat and humidity of the south!!

However, in today’s mobile society, more and more retired people reside in more than one state during the year for reasons other than the weather. Not just fleeing for short spurts. Who can resist those grandchildren?!

If you consider yourself a “snowbird”, it is important for you to find out whether your current estate plan is going to work for you as you planned. When it comes to planning for a dual residence client, it is important to address issues and develop a plan that will work effectively in both states.

Most understand how critical it is to have up-to-date medical directives, durable powers of attorney, designation of a health care advocate and a living will. However, what you may not know is that each state has its own set of laws and rules, which may mean that your documents may not work as you planned in your secondary residence state. Even if the documents meet the technical requirements of the other state, a hospital or doctor may not choose to honor the documents (for whatever reason), which may mean your decisions regarding end-of-life, or disability care may not be honored.

If you are a dual resident, living in North Carolina as well as another state, it is important to talk with not only an experienced Charlotte estate planning attorney but also an experienced estate planning attorney in the dual resident state. Working together, they can provide specific direction regarding individual state requirements. In addition, if your will or trust was created before you owned property in another state, be sure to call and make an appointment with your Charlotte wills attorney to go over your will or trust to make sure that it will work just as you planned.

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