

EVERYONE NEEDS A LAWYER

Do I really need a lawyer? While everyone wishes to never *need* a lawyer, the reality is that everyone *will* need a lawyer at some point. We've all heard of two certainties in life--death and taxes. There are other legal issues, however, that everyone will certainly have to address. Lawyers are in the business of problem prevention and problem solving. They can swiftly educate you on the options, upsides, downsides and costs of legal issues. I like to pray that you don't need me, but that your friends/family with legal concerns know how to find me.

The following are basic issues that can require a lawyer's assistance:

TICKETS: Simply paying the fine on the ticket seems the easy and cheap way out, but that is not necessarily true. Tickets are either non-moving (parking, seat belt, faulty muffler, etc.) or moving (speeding, wrongful turn, accidents or driving intoxicated) violations. A non-moving ticket shouldn't affect your driving privileges and is usually best resolved by simply paying the fine. Moving violations, however, when found or pled guilty, pile up to jeopardize your driving privileges and qualify you as a "risky driver" requiring higher insurance costs. The particulars of each ticket, jurisdiction, driving record, and circumstance require discussion with experienced counsel before deciding your course of action.

PLEA BARGAINING: The Court system has too much to do and not enough time, money and staff to get it all done. The Courts are unable to provide trials for every traffic ticket, criminal charge or lawsuit. Prosecutors do not always have all the evidence they need when they bring charges against someone and they certainly lack the time to address every ticket before them. Our legal system requires capable counsel to represent the opposing positions in a case before the Court or jury. Assuming that counsel for both sides of a case is competent, it is possible to ascertain the likely outcome of a trial before the full costs of trial are expended. Attorneys can negotiate a swift resolution by plea bargain or settlement, thereby minimizing the costs of time and/or money. A plea bargain can be an effective way to reduce your stress and personal risk and allows the Court to move forward.

WILLS, TRUSTS, ASSET PROTECTION & ESTATE PLANNING: There is an old saying, "If you want something done right, you should do it yourself." This is generally good advice, but not when it comes to protecting your assets, credit, income, family and privileges. A will is designed to distribute property as the owner intends upon their death. However, there are stringent procedures required to make a valid will and there are massive hidden risks in estate planning. Overlooking a procedure or risk may invalidate the will or cause severe problems in an estate. Similarly, setting up a business entity for tax benefits or asset protection takes particular procedures (sometimes annually), or the protection may prove faulty.

It's also been said, "You never know someone until you have to divide something with them." This is especially true with the division of an estate, business, marriage or insurance proceeds. A lawyer serves several roles in protecting property and preventing feuds amongst loved ones; drafting proper forms, sharing practical advice, enabling educated decisions, and taking responsibility for their advice and work. (It is worth noting that these services are not available from the bargain "form companies" found online or in office supply stores.)

A will or trust is not always necessary. To confirm the best avenue to protect your property or prevent strife within your family after your passing, consult an estate planning lawyer.

(THE PRECEDING INFORMATION SHOULD NOT BE CONSIDERED LEGAL ADVICE. These letters are written solely to be informative as to general realities, facts and concepts of law for the reader and to encourage discussion with legal counsel. A legal relationship cannot be formed without the exchange of fundamental information from the potential client and discussion with a lawyer.)