

Advance Directives – Critical Component of Estate Planning

When most Floridians think of estate planning, they think in terms of a Last Will & Testament which governs disposal of assets after death. There is, however, a bundle of important planning documents referred to as “Advance Directives” that apply while an individual is alive. In Florida, the Durable Power of Attorney, Living Will Declaration, Declaration of Health Care Surrogate (Durable), HIPAA Release, and Declaration of Pre-Need Guardian are among the documents generally referred to as “Advance Directives”. Each type of “directive” addresses a specific type of legal and/or medical situation. Below are brief explanations of each type of Advance Directive.

Durable Power of Attorney

This document authorizes a person known as an “agent” to manage the affairs of the principal. It includes the power of the agent to sign a wide range of legal and other documents for the principal. Florida Statutes authorize the document to

be “durable” such that it would survive the later incapacity of the principal. This becomes a critical document particularly for aging residents and those who later lack capacity to handle their own affairs. Once a person is determined to have lost “capacity”, then they are unable to execute a Durable POA, and an expensive guardianship may thereafter be required.

Living Will Declaration

A Living Will, sometimes known as the “pull the plug” document, specifies what kind of life-prolonging measures a person may or may not want if they are ultimately determined to be in a terminal or end-stage condition, or in a persistent vegetative state. The Living Will allows you to make the determination, while you have your full mental faculties, as to what you would want to occur if the aforementioned set of circumstances were to arise. Further, it relieves the family members and other loved ones from having to be

part of the decision-making process.

Designation of Health Care Surrogate (Durable)

The Designation of Health Care Surrogate allows you to designate one or more individuals to make medical decisions on your behalf if you become incapacitated and cannot express your own intent for medical treatment. Such a situation arises as a result of both permanent in-

capacity and temporary incapacity.

HIPAA Release

The Health Insurance Portability and Accountability Act, also known as HIPAA, was created to protect the privacy of your health information. The HIPAA Release is a valuable document that allows your health care providers to share your medical records and other information that may be necessary for your health care surrogate to access in order to make the best informed decisions about your care.

Declaration of Pre-Need Guardian

Guardianship is a court proceeding in which a guardian exercises the legal rights of an incapacitated person who is unable to exercise his/her own rights. A guardian would gen-

erally have authority granted by the court to care for an incapacitated person and/or the incapacitated person’s assets.

You may name in a written instrument a “pre-need” guardian – i.e., the individual you wish to be named as your guardian in the event you become incapacitated. Courts are not bound to appoint your desired guardian, but there is a presumption that the referenced guardian shall serve unless he/she refuses to act, or is otherwise unwilling/unable to serve.

The Elias Law Firm can help

If you would like to discuss and/or establish a set of Advance Directives, feel free to contact The Elias Law Firm at 305-823-2300, via email at relias@eliaslaw.net, or visit us on the web at www.eliaslaw.net.



Robert Elias, Esq

Robert Elias, Esq is the Managing Principal of a local boutique transactional law firm specializing in real estate (residential and commercial), banking, corporate, and estate planning/asset protection. Mr. Elias serves on the Board of Directors of Apollo Bank and is active in a variety of civic and charitable endeavors throughout South Florida. www.eliaslaw.net.

TO ADVERTISE WITH INYBN,
EMAIL US AT
INYBN.editor@gmail.com

BUSINESS HUB

Key Largo Destination Wedding Show at Dolphin Point Villas

Key Destination Weddings & Events, an event planning service based in the Florida Keys, will be hosting the Destination Wedding Show on Sunday, October 15th at Key Largo’s newest wedding destination, Dolphin Point Villas. Brides, grooms, families and friends are invited to attend the expo and learn more about what all the Keys have to offer.

“After working as a wedding planner for over 7 years, I know what it takes to make your wedding day a memorable and successful event,” said Carin Hunt, owner and head planner at Key Destination Weddings & Events. “By attending the Destination Wedding Show, you will have access to all the resources needed to put on your dream Keys wedding.”

From 1 p.m. to 4 p.m., Destination Wedding Show attendees can enjoy food and drinks, live music, and interact with a variety of local vendors specializing in weddings including caterers, make-up artists, hair stylists and planners among others. Planned are several activities including a tour of the Dolphin Point Villa property, which lays right on the Florida Bay, and a fashion show showcasing beautiful bridal designs.

“The Florida Keys is a picture perfect wedding destination for brides

and grooms from all parts of the world,” said Sharon Blanco, Guest Relations Manager of Dolphin Point Villas. “If before the Destination Wedding Show you are unsure of where you want to get married, I guarantee you will leave knowing for certain you will be returning for your big day.”

Dolphin Point Villas, Key Largo’s newest wedding destination, consists of six Caribbean-style villa homes, accommodating up to 62 overnight guests. Able to hold weddings with up to 100 attendees, Dolphin Point Villas allows the bride and groom to say their “I Do’s” beachfront with panoramic views of the beautiful Florida Bay.

Admission tickets for the Destination Wedding Show will be on sale for \$5 per person. There will be a VIP experience available for \$35 where guests will have the chance to meet and greet the dolphins from the dock. VIP tickets must be purchased in advance. Attendees will have the opportunity to enter a raffle for the chance to win several grand prizes- including a Day-Of Coordination Package, a Dolphin’s Plus experience, and much more!

For more information about the Destination Wedding Show, please visit www.dolphinpointvillas.com or www.keydestinationevents.com

Greetings from the Florida Keys!

The Destination Wedding Show

PLANNERS · VENUES · ENTERTAINMENT
CATERERS · RENTALS · FASHION · PHOTOGRAPHY
OFFICIANTS · FLORISTS · BAKERS · AND MORE

**GRAND PRIZES · FASHION SHOW
VIP DOLPHIN EXPERIENCE**

Sunday, October 15, 2017 1:00pm – 4:00pm
Dolphin Point Villas 101910 Overseas Hwy, Key Largo, FL 33037
<http://content.dolphinpointvillas.com/destination-wedding-show>

Hosted by along with

Image courtesy of Daniela Aguilera