

### OAST & HOOK

Offices in  
Portsmouth and  
Virginia Beach, Virginia  
Tel: 757-399-7506  
Fax: 757-397-1267  
Web: www.oasthook.com



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Editor  
Sandra L. Smith,  
Certified Elder Law  
Attorney

## *ALIVE AND KICKING*

Oast & Hook recently received the book *Alive and Kicking* from author Robert Fleming, a Certified Elder Law Attorney who practices in Tucson, Arizona. Mr. Fleming is a member of the Special Needs Alliance along with Oast & Hook attorney Andrew Hook. Mr. Fleming's co-author is Professor Kenney Hegland from the University of Arizona James E. Rogers College of Law.

Many complex issues confront all of us as we age. Many individuals do not realize this, and even when these issues and potential solutions are explained in great detail, these individuals are often too stressed to process this information. *Alive and Kicking* maps out the legal landscape of the issues that we face as we age, and it gives sound guidance to families facing these issues. A key piece of advice this book gives is "remember that you should get good legal assistance." This book provides information about the issues facing families in a way that is understandable, readable, entertaining, and even witty.

*Alive and Kicking* is divided into several parts, and it can be read from cover-to-cover or readers can refer to a particular section of interest. Part 1, entitled "Training for Ill," covers topics such as living wills, identity theft, and what to expect and how to cope with growing older. This part provides food for thought on how individuals can discuss issues such as serious illness and death with family members.

Part 2 is entitled "Let the Good Times Roll: Retirement," and it details some of the predominant financial, medical and housing issues that seniors face in retirement. Some of these issues include Social Security, private pension plans, retirement finances, retirement housing, Medicare and health insurance, long-term care, and tax advice for seniors. This part provides excellent and condensed information on these topics, including references to sources of additional information.

Part 3 is entitled "Trouble: Getting In and Getting Out." Unfortunately, many seniors cope with issues such as abuse, neglect, financial exploitation, and other troubling circumstances. This part provides a wealth of information on

these topics, as well as sources for further assistance. Some of the issues discussed in this part include self-abuse, driving, grandchildren, family financial dealings, divorce and remarriage, sex, age and disability discrimination, and how to deal with debt collectors.

Part 4, entitled “In Case ‘Something Happens,’” details the tools that everyone should have in place. For control during lifetime, this part discusses living wills, healthcare powers of attorney, joint accounts, and financial powers of attorney. For ease of administration after death, this part discusses wills and estate planning, avoiding probate, trusts, and estate and gift taxes. The authors make it clear that this part is not intended to be a self-help book; rather, they discuss the tools that are needed as well as the necessity of meeting with an attorney to help complete the planning.

Part 5 is entitled “Disability in the Family,” and it discusses the issues that can arise when a family member becomes disabled. This part details issues such as mental incapacity, deciding for others, in-home care, nursing homes, and geriatric care managers. This part includes information on some of the medical effects of aging, such as hearing loss, dementia, depression, and the effects of improper medication, and how families can deal with these issues. Because the book is intended for baby boomers, this chapter also provides a reality check for some of the issues that baby boomers will probably face at one time or another as they age.

Part 6 is entitled “Death in the Family,” and it provides a sensitive and informative discussion of issues such as hospice, ending life, death, and probate. This part provides an excellent overview of many end-of-life issues and suggestions for dealing with them.

*Alive and Kicking* is a valuable resource not only for seniors, but also for their families and advisors. The authors have done an excellent job in plain English (without use of legal jargon) of discussing complex issues and providing suggestions for solutions in a way that both seniors can understand and appreciate. Oast & Hook highly recommends *Alive and Kicking* to anyone who needs information about the issues facing all of us as we age.

*Alive and Kicking* can be purchased for \$24.95 online at [www.caplaw.com](http://www.caplaw.com), or by telephone at 800-489-7486.

### **Speakers**

If you are interested in having an Elder Law attorney from Oast & Hook speak at an event, then please call Jennifer Lantz at 757-399-7506.

### **Oast & Hook**

Oast & Hook is an elder law firm. We represent older persons, disabled persons, their families, and their advocates. The practice of elder law includes estate planning, investment and insurance advice, estate and trust administration, powers of attorney, advance medical directives, titling of assets and designations of

beneficiaries, guardianships, conservatorships, and public entitlements such as Medicaid, Medicare, Social Security, and SSI, disability planning, income tax planning and preparation, bill paying, account management and reporting, care management, and fiduciary services. We also handle litigation involving these issues, such as will contests and estate administration disputes. For more information about Oast & Hook, please visit our website at [www.oasthook.com](http://www.oasthook.com).

Oast & Hook is the Virginia member of the Special Needs Alliance, a nationwide network of disability attorneys. As members of this alliance, we assist personal injury attorneys in resolving their cases to enhance the judgments and awards of their disabled clients and to maintain the eligibility of these clients for SSI and Medicaid. We are experienced in protecting the public benefits of persons with special needs and in assisting with the management of their assets. For more information about the Special Needs Alliance, visit its website at [www.specialneedsalliance.com](http://www.specialneedsalliance.com).

### Distribution of This Newsletter

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