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The Importance of Updating Your Beneficiary Designations after *Hillman v. Maretta*

by Shannon A. Laymon-Pecoraro, Esq.

Pursuant to Virginia Code §20-111.1, a beneficiary designation naming a former spouse as beneficiary of a death benefit may be revoked by operation of law upon the entrance of a final decree of annulment or divorce. The law further provides that, if a former spouse receives a death benefit pursuant to federal law, then the former spouse may be liable for reimbursing the person that would have otherwise received the benefit absent such designation.

Hillman v. Maretta, which was decided on June 5, 2013, challenged Virginia Code §20-111.1 as it relates to federal death benefits. In that case, Jacqueline Hillman ("Jacqueline"), the wife of Warren Hillman ("Warren"), sued Judy Maretta ("Judy"), the former wife of Warren, to recover proceeds received by Judy from Warren's Federal Employee's Group Life Insurance policy. Jacqueline claimed that while the Federal Employee's Group Life Insurance Policy Act ("FEGLIA"), 5 U.S.C. §8701 *et seq.*, preempted¹ state law with regard to the revocation of the designation, FEGLIA did not preempt with regard to the requirement for reimbursement. The United States Supreme Court held that FEGLIA preempts Virginia Code §20-111.1, which conflicts with the objective and purpose of FEGLIA, and therefore, the Commonwealth of Virginia cannot hold a former spouse who receives a FEGLI death benefit liable to whoever would have otherwise inherited the benefit.

The effect of *Hillman v. Maretta* may extend beyond FEGLI benefits and into other federal benefit plans. As a result, it is important that you routinely review your estate plan, which encompasses the distribution of

The Importance of Updating Your Beneficiary Designations

after *Hillman v. Maretta* (con't)

your entire estate and includes designation of beneficiaries. The attorneys at the Hook Law Center understand that a comprehensive estate plan consists of more than just a Will and/or Trust and work with clients to review beneficiary designations. To have one of these attorneys meet with you to review your estate plan, please contact us.



Dogs and Humans Evolving Together

Hook Law Center: Kit Kat, did dogs and humans really evolve together?

Kit Kat: Well, the latest research is showing that, yes, dogs and humans have followed parallel courses in their evolutionary history. It was about 16,000 to 33,000 years ago that dogs became domesticated. There is variation in the research as to when that happened. Genetic material taken in Siberia indicates this occurred around 33,000 years ago, but other samples taken in China reveal that this happened only about 16,000 years ago. Whatever the interval of time, dogs gradually became domesticated, after a long period of scavenging from humans.

Then, based on similar diets that more and more incorporated animal versus grain-based foods, both dogs and humans experienced similar changes in the genes which handle digestion and metabolism. They also underwent changes in their brain functioning. Both species developed a similar way of processing the chemical serotonin. Serotonin affects one's level of aggression. This may explain why the level of aggression in both species can be affected by antidepressant medications. And that makes sense to me. A while back, my mom had taken in a stray cat (Sadie) that was very difficult to handle. The vet put her on a tranquilizer, and it did seem to help for a little bit of time. So, I would dare to say, that we could include us cats in this evolutionary march through time, in which humans and domesticated animals evolved to have more and more in common,

Dogs and Humans Evolving Together (con't)

genetically that is. (Source = <http://news.yahoo.com/dogs-humans-evolved-together-study-suggests-190353779.html> 5/15/2013)

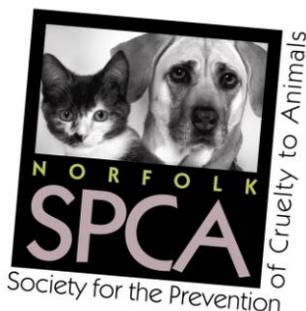
Upcoming Events

- Hook Law Center will be presenting a seminar to the Virginia Enrolled Agents at the Airport Hilton, 1500 North Military Highway, Norfolk, VA 23502 on **July 17, 2013 at 8:00 a.m.**
- Hook Law Center will be presenting at the Towne Bank Senior Partners Conference on **July 31, 2013.**
- Hook Law Center will be presenting at an Advanced Elder Law Seminar in Richmond, VA on **September 11, 2013.**
- Hook Law Center will be hosting a shred event at our Virginia Beach office on **September 21, 2013.**

Special Offer for Subscribers of Hook Law Center News:
This Summer, Bring Home a New Best Friend!

The Norfolk SPCA is offering subscribers of Hook Law Center News a discount on adoptions this summer. As kids get out of school, it's a perfect time to welcome a new

family member into your home! The adoption discount lasts through Labor Day.



Bring the whole family and find a wonderful new addition for your home!

Adoption Discount

Bring a copy of this ad at the time of adoption and receive a 20% discount off adoption fees:

- **\$30 off of the regular dog adoption fee of \$150.**
- **\$20 off of the regular cat adoption fee of \$100.**

View all the adoptable pets and check out the hours of operation at www.NorfolkSPCA.org/adopt. The Norfolk SPCA is open seven days a week and has lots of loving, homeless pets in need of new, forever homes. The shelter is located just off I-264 at the Ballentine Blvd. exit. Phone: (757) 622-3319.

Currently, more than 5 million Americans have Alzheimer's disease and that number is expected to grow to as many as 16 million by 2050. Our future is at risk unless we can find a way to change the course of this devastating disease.

This year, to help those affected by Alzheimer's, **Hook Law Center** is participating in the Alzheimer's Association Walk to End Alzheimer's to raise funds and awareness. Everyone either has someone in their family, or they know someone whose life has been changed forever by Alzheimer's. For those individuals whose lives were taken by this unrelenting thief of memories and destroyer of lives, and for the many patients and their families, we invite you to donate and support the research that will beat this heartless thug of a disease into submission.

The Alzheimer's Association is the world's leading voluntary health organization in Alzheimer's care, support and research, and funds we raise will go directly toward supporting their efforts. We know **Team Hook Law Center** can make a difference with your support! It's easy to give online using the link below. http://act.alz.org/site/TR/Walk/VA-SoutheasternVirginia?team_id=87329&pg=team&fr_id=3766

The end of Alzheimer's starts here – with a gift from you.

Thank you in advance for your generosity.



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