

Transfer on Death Deeds: Another Tool for Probate Avoidance

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Clients often ask us how to avoid probate upon their death. There are several ways to do so -- for example, by use of a revocable trust, by titling assets jointly, or by naming beneficiaries of different financial accounts and assets. If probate avoidance is a concern for you and you created your estate plan prior to 2013, you might want to take another look at your plan, because Virginia has created another way pass assets outside of probate.

Effective July 1, 2013, individuals owning land in Virginia have the option of signing a "transfer on death" deed, naming a beneficiary or beneficiaries to inherit the land immediately upon the death of the owner. This kind of deed works much like a beneficiary designation on a life insurance policy; you can name primary and contingent beneficiaries, and it can be changed at any point prior to your death. Further, if you sell the property for which you signed a transfer on death deed, the deed becomes invalidated.

In order for a transfer on death deed to be effective, the owner of real estate must sign and record the death deed prior to his death. The deed must also contain all the required elements and formalities of a properly recordable inter vivos deed, and the owner must possess the same capacity at the time he signs the deed as would be required in order to sign a will.

As with all estate planning, it is best to work with an experienced attorney rather than attempting to create a transfer on death deed yourself, in order to determine whether this is the best option for you and your loved ones and to ensure that your wishes are carried out correctly. If you think a transfer on death deed might be a good option for you, give us a call. The attorneys at Hook Law Center would be happy to assist you in this regard.



Dogs' Play – Lost and Found Program

Hook Law Center: Kit Kat, are there really such things as lost and found programs for pets?

Kit Kat: Yes, there are fortunately! There is one such program in Louisville, KY. Hopefully, the success here will lead to others across the country. Last year, they had a phenomenal rate of return of lost dogs to their original homes--approximately 100 dogs per month reunited with their owners! That was a 40% increase over the previous 2 years! How did they do it? Well, they hired a full-time coordinator to do some old fashioned detective work! Using a grant from the national ASPCA, the full-time worker has time to follow up on calls about lost pets. She also scans websites like Craigslist and Facebook for leads. The Louisville Metro Animal Services (LMAS) immediately posts online information about any pet that comes into a shelter with pictures and a description where it was found, etc. When a match is found, the coordinator, Megan Fox, contacts the owners.

In turn, the public can register online right away if their pet has become lost. Owners are welcome to come and visit and see for themselves if their pet has arrived at one of the shelters in the greater metro Louisville area. It's a strategy that is working beautifully. Margaret Brosko, a senior manager at LMAS, says the full-time position is what has made the difference. She is extremely grateful to the ASPCA for their help in creating the special position. Hopefully, other animal service providers across the country will replicate the program.

("Louisville Lost and Found Program Reunites Hundreds of Pets with Owners," [ASPCA Action](#), Spring/Summer 2014, p. 11)

Upcoming Events

- Hook Law Center will be participating in **Senior Advocate's Art of Healthy Aging Series** held at Westminster Canterbury, 3100 Shore Drive, Virginia Beach VA 23451. This series will be held once a month from July through December. **Andrew H. Hook** will be the featured presenter on **Tuesday, August 5, 2014 at 10:00 a.m.** Mr. Hook will speak on Avoiding Elder Law/Care Pitfalls as well as provide an overview of Hook Law Center's Practice Areas. HLC Attorney Jessica A. Hayes and Shannon Laymon-Pecoraro will also provide an overview of Hook Law Center's Practice Areas at the meetings held on **Tuesday, July 1, 2014 at 10:00 am, Tuesday, September 2, 2014 at 10:00 am, Tuesday, October 2, 2014 at 10:00 am, Tuesday, November 4, 2014 at 10:00 am, and Tuesday, December 2, 2014 at 10:00 am.** We look forward to seeing you there!

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