



Lawgic Wills & Trusts November 2011 Update

Updated Product Features

New Durable Power of Attorney Replaces Old Form

A new Power of Attorney form based on the Uniform Power of Attorney Act (2006) ("UPOAA") has been added. This replaces the old form. The UPOAA was necessary because over the years many states adopted non-uniform provisions to deal with issues on which the Uniform Probate Code and the original Uniform Durable Power of Attorney Act are silent. The UPOAA, which provides uniformity on these issues, enhances the usefulness of durable powers while protecting the principal, the agent, and those who deal with the agent. It provides a simple way for people to deal with their property by providing a power of attorney in case of future incapacity. While chiefly a set of default rules, the UPOAA also contains safeguards for the protection of an incapacitated principal.

For more detailed information on the UPOAA, select **RESOURCES** on the Lawgic menu and then "**Other Resources**" for a link to the UNIFORM POWER OF ATTORNEY ACT drafted by the National Conference of Commissioners on Uniform State Laws at its July 7-14, 2006 Annual Conference.

New Questions 1187-1213. Deleted old Questions 1182-1206 (Attorney-in-Fact, AIF REPEAT/Info, Multiple AIFs, Power to Make Gifts, Embellish Gifts Power, Limit Gifts to AIF, Qualified Tuition Plan, Qualified Income Trust, Beneficiary, Require Inventories and Accounts, Allow Majority to Act, Include Health Care Agent, HC Agent Identity/Info and DPA Add Custom Power?).

New Agent's Certification for DPA Validity Added

An "Agent's Certification as to Validity of Power of Attorney" form based on Article 3 of the UPOAA has been added to the Ancillary Documents menu. According to the UPOAA Legislative Comment: "Pursuant to Section 119, a person may request an agent to certify any factual matter concerning the principal, agent, or power of attorney. The form in Section 302 is intended to facilitate agent compliance with these requests. The form lists factual matters about which persons commonly request certification (e.g., the principal is alive and has not revoked the power of attorney or the agent's authority), and provides a designated space for certification of additional factual statements." *Question 9, New Questions 1227-1232*

Medical Power of Attorney for Minor Child Revised

The Medical Power of Attorney form was revised in keeping with the new Power of Attorney form added. The list of things the agent is authorized to do under the document has been expanded. Three new questions have been added, including a new 'short or long form' question. The Short Form has some of the laundry list of authorities given to the agents, and is presented in a more compact form. It will likely be sufficient (and less imposing) if the kids are staying with Grandma and Grandpa for the weekend. The longer form is more comprehensive and might be used for an extended absence, or if the parents are traveling to a dangerous place. *New Questions 1247, 1253 and 1254.*

New Client Directs Signature for Joint Trust Questions

The program now asks if either Grantor needs to direct someone else to sign on his or her behalf because he or she is incapable of signing. *New Questions 1112-1115*

New Option to Include/Exclude Witnesses in Trusts

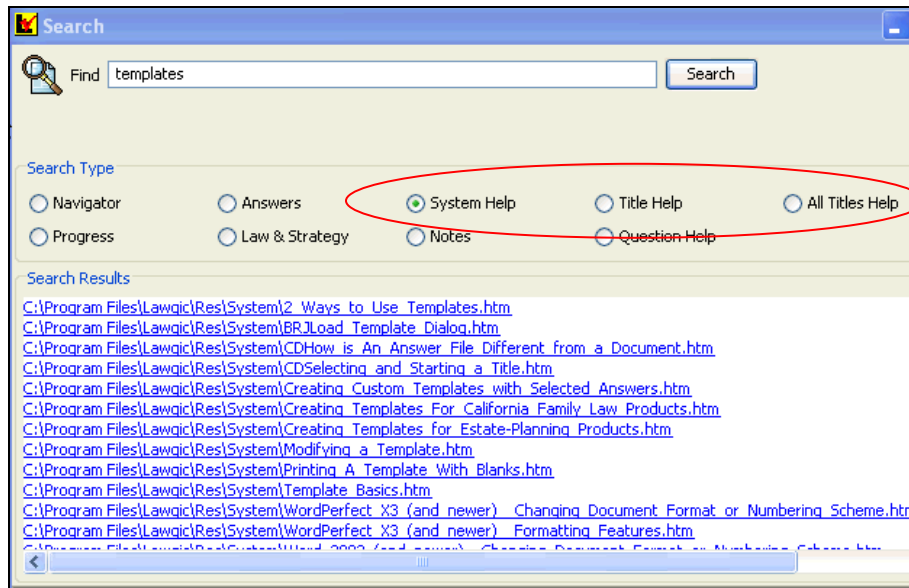
To allow greater flexibility and based on customer requests, a new option to include or exclude witnesses when creating revocable or irrevocable trusts has been added since some states are more flexible as to trust requirements. *New Question 1116.*

New Custom Provision Option Added to Durable Power of Attorney

A new question has been added to provide greater drafting flexibility in order to add your own custom text. The text will appear at the end of the powers before the LIMITATION ON AGENT'S AUTHORITY section. If the autonumbering feature is enabled (by selecting 'New Styles' on the "Set User Preferences" screen from "Set Preferences" on the EDIT menu), you can move your custom provisions to anywhere in the document and the numbering will automatically change to reflect your editing. Also, the custom text will automatically become part of a template should you wish to create a template from your client answer file. For more information on creating templates see "Creating Templates for Estate-Planning Products" in the "Using Templates" topic in System Help by selecting **HELP** from the Lawgic menu. *New Questions 1211-1213.*

New Expanded Search Feature

The search feature has been expanded. In addition to searching the Navigator, Answers, Law & Strategy, Notes, Question Help, and Progress for a specific Title, it now allows you to search System Help, Title Help (Resources) and All Titles Help (Resources) by selecting **Search** on the Lawgic menu. This new function will help to facilitate and expedite your searches.



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To view those questions that are new in this update, or where **Law & Strategy**, choices, or default answers have changed, use the "Up_Nov11" flag file. From inside Lawgic, open any existing answer file; on the **Flags** menu, click **Open Flags**, select the appropriate Title (click **OK**), and next select the "Up_Nov11" flag file (and click **OK**). To view all flagged questions, click **Expand All** on the **Answers** menu and scroll the Navigator. Flagged questions will be indicated with **bold text**.

Please continue to send us your suggestions on existing or new products. Contact our Technical Support Department at 1-877-2-LAWGIC (252-9442) or e-mail us at support@lawgic.com.