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BikerWills

Freeburn Motorcycle Attorneys is proud to introduce a new legal program called BikerWills. Through the BikerWills program, our attorneys will prepare Wills, Powers of Attorney and Living Wills for bikers at a reasonable cost. For A.B.A.T.E. members, the cost for a Will, Power of Attorney and Living Will is \$200 for an individual and \$250 for a husband and wife.

EVERY BIKER NEEDS A WILL, POWER OF ATTORNEY AND LIVING WILL

- **What is a Will:** This is a legal document that directs how you wish your property to be distributed to your family, friends or loved ones in the event of your death.

If you do not have a Will, your property will be distributed according to the PA Laws of Intestacy. It is best to have a Will so that you can ensure your wishes are carried out after your death. Also, having a Will makes the probate process simpler for your family.

- **What is a Power of Attorney:** This is a legal document that authorizes another person to represent or act on your behalf. These are used if you are not available to sign documents regarding legal or financial matters.
- **What is a Living Will:** This is a legal document that outlines how, or if, you want to receive medical care when you cannot make these decisions for yourself.

Some Items to Consider Before Meeting the Attorney

- Proper spelling of your legal name, including middle initial if you routinely use one on legal documents.

- Any special requests regarding your funeral or burial. Do you prefer cremations, and if so, do you have any specific instructions regarding the disbursement of your ashes?

- Do you have items of personal property that you wish to go to specific individuals?

- If you are married, do you want everything to go to your spouse? Or do you want some assets to go to your children or others? If you are not married, how do you want your assets distributed in the alternative?

Keep in mind, that as long as you are married on the date of your death, your spouse will be entitled to a share of your estate. If you try to write a living spouse out of your will (leave nothing,) the spouse can always challenge the will and receive his/her intestacy share. (The first \$30,000.00 of your estate and one/half of the remainder.) Challenging the estate is only available to a spouse. Other parties may contest the will on the basis of fraud, undue influence, person not of sound mind when will prepared, etc.

- If you want to leave property to children, they must be of legal age (18,) or the property must be held in trust. You may also hold property in trust for children of legal age until they reach a certain age. You select the age and the person/entity to control the trust. Please think of who you would want to act as Trustee, and at what age do you want your child/children to have those assets.

- Who do you want to administer your Estate, or who do you want to open up an Estate in the county where you live? This person is known as the Executor or Executrix. Usually, a spouse is named as the Executor/Executrix, but an Alternate is often named in the event the spouse is not living at the time of the individual's death or cannot serve for other reasons. Please think of who you would want to be your Executor and also who you would want as an alternate.

- Please also consider how you would like property left to children to pass. Do you want equal shares to all children (you can leave a child or children out of a will in that they will not take anything) or some other distribution. Also, what if one of your children passes away before you do? Do you want that child's share to go to their children, or do you want their share to go to your surviving children?

- Please consider who you wish to name as your Power of Attorney and the individual to be named in your Living Will to carry out your medical directives.

Disclaimer: No attorney-client relationship is established until an engagement letter is signed.