

Keeping It Legal

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YOU NEED A WILL!

If you die without a will, your property will pass in accordance with the laws of the state where your property is located.

MY FAMILY KNOWS WHAT I WANT, SO I DON'T NEED A WILL

No, if you die without a will it means that the probate court will appoint an administrator to deal with disposition of your property. He/she (not your family) will decide what is kept and what is sold according to North Carolina law and his/her experience.

The law (not you) will decide who gets what...and it is probably NOT what you think.

BUT I AM MARRIED—WON'T MY SPOUSE GET EVERYTHING?

No, not necessarily true.

For example: If you are married with no children and die without a will in NC, NC law provides that your spouse will receive the first \$50,000 worth of personal property, and the remaining estate will be split evenly between your spouse and your parents.

OR, If you are married with children, your spouse receives the first \$30,000 worth of personal property and the remaining property is split between your spouse and the children.

OK, THEN WHAT GOES INTO THE WILL?

A will covers everything that is not otherwise devised. So, if you have property held in joint title, the title will pass the property. If that fails, it comes into the will. If you have a pay-on-death beneficiary for bank accounts or SGLI, it will go by that designation. A will disposes of eve-

rything that is not already assigned to a specific person or entity, such as a car, furniture, or accounts without specified pay-on-death beneficiaries.

WHAT ABOUT YOUR CHILDREN ?

Do you want to tell the Court who you would like to take care of your children...or just let the judge decide? Are you sure that the person you would want to take care of your children, will agree? Have you discussed this with them?

The nicest thing you can do for your family is to let them know what you want. The best way to do that in the legal sense is by making a will.

For additional information on estate planning, make an appointment to speak to an attorney about a will.

WELCOME!

Your local JA Office is here to help you with all your legal wants and needs.

To request an appointment, you may call 910-394-2341, send an email to 43AMOG.JA.LegalAssistance.us.af.mil, or visit <https://www.pope.af.mil/about-us/Legal-appointment>.

We provide notaries, powers of attorneys, and attorney consultations by appointment.

For after-hours emergencies, call the Command Post (394-9000)

Zero Percent Interest for Deployed Airmen

Servicemembers receiving Hostile Fire Pay (HFP) or Imminent Danger Pay (IDP) are eligible to have the interest rate on their Federal Direct Loans or the portion of a Direct Consolidation Loan made on or after Oct. 1, 2008, reduced to zero percent for the duration of their deployment.

This was supposed to become automatic last year. However, servicemembers should be proactive and tell their student loan servicer about their qualifying service.

This benefit applies retroactively, even after you leave active duty.

Powers of Attorney

A Power of Attorney (POA) is a permission slip, that gives an individual permission to act on your behalf. There are many types of POAs which can be used for anything that you can specify.

In general, these are thought of in pre-deployment situations, but can be useful to have on hand year 'round.

The most common POAs are: (1) Take care of my children. This is good to have in place so that someone is authorized to care for your chil-

dren if something were to happen to you and always good while they are visiting relatives without you.

(2) Use my vehicle (even if it is your kid). This is good to have in place so that if someone using your car is pulled over by the police or in an accident, there is no question of ownership.

(3) Health Care POAs discuss who will answer the doctor's questions if the patient is incapacitated. This is good not just for you, but for your children over eighteen.

This paper is for general legal education, and should not be substituted for legal advice.