

DOCUMENT STORAGE

Do you know where your original Will, Powers of Attorney, Birth Certificate and/or House Title are stored?

Are they stored in a manner that is water-proof, fire-proof & vermin-proof? Are they securely stored, or in a manner that prevents unauthorised access?

Did you know that a general filing cabinet will not protect your important documents from a house fire?

If you need to reconsider where you are storing your important documents, Duncan.Legal can securely store your Estate Planning documents free-of-charge.

Call 9077 7731

SUPPORTIVE ATTORNEY

A Supportive Attorney Appointment is a legal document that empowers a person over the age of 18 years with a disability to appoint a trusted person (or persons) to **assist** them with decision making. It is not dissimilar to the concept of a Power of Attorney, except that it enables supported decision making, rather than substituted decision making. At all times the person with the disability retains control over their decisions.

A person who is appointed as a Supportive Attorney (SA) can assist the maker of the SAA (called “the Principal”) with **obtaining information** relevant to a decision that needs to be made, assisting to **communicate** a Principal’s decision, and assisting to **implement** the decision.

Producing an SAA (with the permission of the Principal) to an organisation or individual who claims that they cannot speak with you in relation to the Principal due to privacy laws, could be very helpful in re-opening information channels that legally close when your child becomes an adult.

An SAA may be particularly useful in relation to:

- Service providers (mobile phone contracts, gym memberships, etc)
- Banks
- Medical providers
- Centrelink and DHS
- NDIS & negotiation of a suitable package
- Educational institutions
- Employers

Supportive Attorney documents are relatively new (only being legislated in 2015) but are proving to be extremely handy for the families and support persons of those that have had the foresight to have the document drawn up. **Duncan.Legal** can assist you with the creation of a Supportive Attorney document.

For further information the Office of the Public Advocate has put out an excellent publication entitled: “*Side by Side*” - A guide to appointing supportive attorneys”, available on the OPA website.

“...very helpful in re-opening information channels that legally close when your child becomes an adult”



**LAW
INSTITUTE
VICTORIA**

LIV MEMBER 2017/18

The Latest from the Law Institute of Victoria (LIV)

Changes to Succession Laws – these reforms came into effect on 1 November 2017.

- Intestacy:** New limits have been placed on the next of kin who are able to inherit on intestacy: the capacity to inherit will now stop at first cousins.
- The new provisions improve the position of partners where the deceased is survived by a partner & children. The partner's share of the intestate estate has been increased to one half.
- The definition of partner has been amended to include Registered Caring Partners, as defined by reference to the *Relationships Act 2008* (Vic).
- Executor's Fees:** Executors may not rely on a remuneration or commission clause in a Will unless the Willmaker gave their informed written consent before the Will was signed.
- Ademption:** A specific gift to a beneficiary fails if it is no longer in the estate at the time of the Willmaker's death. The beneficiary is not entitled to the equivalent value of the gift in cash.

FACEBOOK LEGACY CONTACT

A Legacy Contact is a trusted friend that you can nominate to manage or close down your Facebook page after you pass away. The steps are simple:

1. Go to your profile page
2. At the very top of the navigation pane, you will see a downward pointing arrow (or triangle), click on this
3. Click on Settings
4. Locate Manage Accounts, click on Edit
5. Nominated a trusted Facebook friend as your Legacy Contact (your friend will receive notification of your nomination).



On June 15, **Duncan. Legal** attended the Melbourne Inner East Special Olympics Club Fundraising Dinner. A fabulous evening to celebrate the achievements of Special Olympics and to raise some much-need funds. **Duncan. Legal** donated a gift voucher to facilitate the creation of a Supportive Attorney document. The winning bid raised \$400 for the club!

Special Olympics
Australia
Melbourne Inner East



ABOUT US

Duncan. Legal is a small law firm based in Surrey Hills. We offer personalised, caring service with an interest in assisting families with disability. Each of us are parents of children with autism and bring our life experience to our work.

We invite you to consider **Duncan. Legal** when you need advice with your Estate Planning.

Duncan. Legal

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