

PLANNING

Ahead For Those You Love

Trusted Advice From A Skilled
Estate Planning Lawyer



**Nicholas A. Giuditta III,
Attorney at Law**

TABLE OF CONTENTS

i.	Preface	3
ii.	Dedication	5
iii.	Testimonials	7
iv.	About The Author	14
1.	Common Misconceptions	19
2.	The Goal Of Proper Estate Planning	26
3.	The Problems With Not Planning Ahead	34
4.	The Timing Factor	38
5.	Diving Deeper Into Wills	45
6.	Estate Planning Tools To Protect Your Assets And Your Loved Ones	51

7.	Health Care Documents And Naming Decision Makers	55
----	---	-----------

8.	Adult Guardianships	60
----	----------------------------	-----------

9.	Additional Advantages Of Estate Planning	65
----	---	-----------

10.	Probate	69
-----	----------------	-----------

11.	The Difference The Right Firm Makes	74
-----	--	-----------

v.	What Is The Next Step?	78
----	-------------------------------	-----------

vi.	Index	79
-----	--------------	-----------

vii.	Notes	82
------	--------------	-----------

ABOUT THE AUTHOR



How I Started Trusts And Estates Work

I've been practicing law for 35 years. I wanted to be a lawyer since I was a freshman in college, and I always aspired to have my own practice. So in 2000, I opened my own firm in Cranford, New Jersey, a town a couple of miles from Westfield.

I was a self-starter and taught myself trust & estate law. I used to be primarily a litigation attorney in the 1990's though I always wanted to practice trust

and estate (T&E) work as I viewed it as a way to help people and solve problems.

So, I went to many seminars and practiced in a building with another T&E lawyer. Eventually, I began to give seminars to the public, initially on the importance of wills, powers of attorney, and advance directives. As the years went by, I became known to my colleagues, clients, and others as someone that does lots of trust and estate work, including planning, probate, and select estate litigation cases.

My Law Journey And Background

Out of law school, I started as an assistant prosecutor after clerking for a judge. I was with a small firm for about seven years doing primarily insurance defense. I left that firm to start my own trust and estate practice. At this point in my experience, I've written over a thousand wills for my clients. We also have many probate, or estate administration clients, probably having administered hundreds of estates.

As I gained more experience with trust and estate work, I became involved in the Trusts, Estates

and Elder Law Committee of the Union County Bar Association. In 2010, I joined the Union County Trusts Estates and Elder Law Committee as a co-chair, and am also a trustee and officer of the Union County Bar Association, where I am presently the Secretary.

I started to give seminars to other lawyers both within the county bar and also at the state bar, through the Institute for Continuing Legal Education. Now, we're giving seminars to professionals in this area as well. Our seminars have covered a variety of topics over the years. For example, we have lectured on New Jersey's estate tax (which was abolished in 2018) and how writings can be intended as wills if they're not prepared formally.

I receive referrals from the court system. This may be to serve as administrator of estates when people die without wills, or to represent the interests of incapacitated persons in guardianship proceedings. Many of my referrals, particularly in the last few years, have come from other lawyers who don't have as much knowledge about trust and estate law.

I'm very involved with the county bar and with giving seminars to laypeople and fellow lawyers – recently and prior to the COVID-19 pandemic. I also used to be very involved in local politics. I was on the Town Council of Cranford in the late 90s, and was also deputy mayor.

There are many similarities between politics and being a lawyer, in terms of solving problems and dealing with different personalities and issues, and these experiences helped me learn how to get along with different types of individuals and satisfy constituent or client needs.

The Biggest Key Takeaways For Readers

Of course, I hope readers learn a lot from this book, but the biggest takeaway is how incredibly important it is to have these three critical documents in New Jersey:

- The will;
- The power of attorney; and
- The advance directive.

It's so easy to avoid the problems that come about when you don't have these pillars of estate planning in place – just by taking the time to create them.

Additionally, I hope this book impresses upon my readers the significance of visiting the right professional to get these documents done correctly. In my seminars, I give examples of what can happen when you don't have a will. I also discuss whether you need a guardianship, especially if you don't have a power of attorney.

I share all of this information because I want people to understand the significance of completing these documents correctly, as well as why they are vital, and what can happen if you don't have them.

PLANNING AHEAD FOR THOSE YOU LOVE

Trusted Advice From A Skilled Estate Planning Lawyer



Nicholas A. Giuditta III, Attorney at Law

I've been practicing law for 35 years. I wanted to be a lawyer since I was a freshman in college, and I always aspired to have my own practice. So in 2000, I opened my own firm in Cranford, New Jersey, a town a couple of miles from Westfield.

I was a self-starter and taught myself trust & estate law. I used to be primarily a litigation attorney in the 1990's though I always wanted to practice trust and estate (T&E) work as I viewed it as a way to help people and solve problems.

So, I went to many seminars and practiced in a building with another T&E lawyer. Eventually, I began to give seminars to the public, initially on the importance of wills, powers of attorney, and advance directives. As the years went by, I became known to my colleagues, clients, and others as someone that does lots of trust and estate work, including planning, probate, and select estate litigation cases.

Out of law school, I started as an assistant prosecutor after clerking for a judge. I was with a small firm for about seven years doing primarily insurance defense. I left that firm to start my own trust and estate practice. At this point in my experience, I've probably written over a thousand wills for my clients. We also have many probate, or estate administration clients, probably having administered hundreds of estates.

As I gained more experience with trust and estate work, I became involved in the Trusts, Estates and Elder Law Committee of the Union County Bar Association. In 2010, I joined the Union County Trusts Estates and Elder Law Committee as a co-chair, and am also a trustee and officer of the Union County Bar Association, where I am presently the Secretary.

I started to give seminars to other lawyers both within the county bar and also at the state bar, through the Institute for Continuing Legal Education. Now, we're giving seminars to professionals in this area as well. Our seminars have covered a variety of topics over the years. For example, we have lectured on New Jersey's estate tax (which was abolished in 2018) and how writings can be intended as wills if they're not prepared formally.

I receive referrals from the court system. This may be to serve as administrator of estates when people die without wills, or to represent the interests of incapacitated persons in guardianship proceedings. Many of my referrals, particularly in the last few years, have come from other lawyers who don't have as much knowledge about trust and estate law.

I'm very involved with the county bar and with giving seminars to laypeople and fellow lawyers – recently and prior to the COVID-19 pandemic. I also used to be very involved in local politics. I was on the Town Council of Cranford in the late 90s, and was also deputy mayor.

GIUDITTA LAW

6 South Avenue East
Cranford, NJ 07016
www.giudittalaw.com
(908) 232-0099



Price: \$14.95