

## LEGAL NOTES

*The Queen and Prince – lessons learned from their failures to do estate planning*

by Attorney Peggy Torello,  
 South Deerfield, 413-772-5900

In August, 2018, Aretha Franklin, the “Queen of Soul,” passed away after a long illness at age 76. Earlier, in April, 2016, singer and songwriter Prince died at age 57 from an accidental drug overdose. Both failed to prepare estate plans. Aretha Franklin was gravely ill; Prince’s death was unexpected. Both were multi-millionaires leaving very sizable estates. Because neither prepared estate plans, their estates will eventually, and after a long time, be distributed to their heirs according to each of their state’s intestacy laws. Aretha Franklin’s heirs were her four living sons, one who has special needs, and Prince’s heirs were his five half-siblings.

Had both Aretha Franklin and Prince prepared their estate plans, they could have retained the privacy of their estates, there could have been an easy transition to the beneficiaries, and they could have avoided the probate of their estates. They also could have avoided much expense to their estates. There are now expenses of estate administration, legal expenses, and claims against the estates. There are also federal estate taxes due. Both were multi-millionaires, and both of their estates were well over the federal exclusion amounts. In 2018, the federal exclusion was \$11.18 million for Aretha Franklin’s estate, and in 2016 the federal exclusion was \$5.45 million for Prince’s estate. Because neither did any estate tax planning, their heirs will receive

**“Had both Aretha Franklin and Prince prepared their estate plans, they could have retained the privacy of their estates, there could have been an easy transition to the beneficiaries, and they could have avoided the probate of their estates.”**

much less from their estates than they would have if there was estate tax planning because of the 40% federal estate tax rate.

Furthermore, if they both prepared their estate plans, their estates would have been distributed exactly as they wanted and not according to their states’ intestacy statutes. Aretha Franklin also could have made specific provisions for her special needs son. Prince could have also provided for those close to him instead of just his half-siblings, the heirs of his estate.

No one will ever know why both Aretha Franklin and Prince never did any estate planning. There are many possible reasons why people do not do estate planning. Some may mean to, but never get around to it. Others may find it intimidating or overwhelming.

Finally, some may not want to think about it at all or are afraid to think about it.

The estate mistakes of public figures are lessons to all on how important it is to do estate planning, whether wealthy or not. It is also important if you have estate plan documents to review your estate plan every few years and sooner if your life and family circumstances change. This will ensure that your estate is distributed exactly as desired.

*The views expressed in this column represent general information. To address your particular and specific needs consult your own attorney. If you need help with referral to an attorney, contact the Franklin County Bar Association at (413) 773-9839 or the Worcester County Bar Association at (978) 752-1311. Elder law resources may be found through the National Academy of Elder Law Attorneys, Massachusetts Chapter, at [massnaela.com](http://massnaela.com) or 617-566-5640.*

*Community Legal Aid (CLA) provides legal services free to people age 60 and older for civil legal matters with an emphasis on access to health care coverage (MassHealth and Medicare) and public benefits as well as tenants’ rights. A request for legal assistance can be made by phone at 413-774-3747 or toll-free 1-855-252-5342 during their intake hours (Monday, Tuesday, Thursday, and Friday from 9:30 a.m. to 12:15 p.m. and Wednesday from 1:30 p.m. to 4:15 p.m.) or any time online by visiting [www.communitylegal.org](http://www.communitylegal.org).*

## “PLAN YOUR PLATE” SERIES

*Part 3: Making a meal plan & talking with a nutritionist*

“Figuring out what to eat is less than half the battle,” says Dr. Holly Nicastro, a National Institutes of Health (NIH) nutrition research expert. “Sticking to your plan is a bigger challenge. So that’s why it helps to be really prepared and plan ahead.”

You’re much more likely to stick to your meal plan if you have healthy food that is ready to go. Some people find it helpful to prepare meals for the week in advance so that healthy food is within reach.

The DASH eating plan is a good start. DASH was developed by NIH-supported research to help people lower blood pressure without medicine, but it’s for anyone. Studies have shown that it reduces the risk of many diseases.

“The DASH diet is very flexible because you can follow DASH without going to a specialty grocery store. You can follow it with items that are very familiar to most people in this country,” Nicastro says.

The DASH eating plan is rich in fruits, vegetables, whole grains, beans, seeds, nuts, and fish. Compared to the typical American diet, it’s lower in salt, added sugars, fats, and red meat. It’s also higher in fiber, potassium, magnesium, and calcium than the typical American diet.



*The Nutrition Department at LifePath manages the Meals on Wheels program in Franklin County and the North Quabbin, and also operates dining centers and luncheon clubs (the Phillipston Luncheon Club is shown here) throughout the region, where our in-house nutritionist offers nutrition education sessions twice annually. Additionally, nutrition consultations are available by phone or in person in your home setting to consumers who receive in-home services from LifePath. Learn more by calling LifePath at 413-773-5555 or 978-54402259 or visiting [LifePathMA.org](http://LifePathMA.org).*

“Anybody can follow it, despite specific preferences or culture,” Nicastro says. It even works for people who are vegetarian or only eat Kosher foods.

You can find weekly DASH menus to use at [www.nhlbi.nih.gov/health-topics/dash-eating-plan](http://www.nhlbi.nih.gov/health-topics/dash-eating-plan) and a form to track your food and physical activity habits at [www.nhlbi.nih.gov/files/docs/public/heart/dash\\_brief.pdf](http://www.nhlbi.nih.gov/files/docs/public/heart/dash_brief.pdf).

### GET EXPERT ADVICE

The Dietary Guidelines for Americans are designed to help people avoid developing obesity, diabetes, and heart disease. But

everyone is different. You may have needs and risks that aren’t like the average American. Talk to your health care provider about your unique nutritional needs.

“A great resource for someone to help you with your diet is a registered dietitian nutritionist, or RDN,” Nicastro says.

You can find this type of expert in your area by visiting the Academy of Nutrition and Dietetics at [www.eatright.org/find-an-expert](http://www.eatright.org/find-an-expert).

*Article adapted from the NIH December 2018 News in Health, available online at [newsinhealth.nih.gov](http://newsinhealth.nih.gov).*

## HOME CARE SERVICES FROM LIFEPATH PROVIDE A CUSTOM PLAN OF CARE

**“When you need some help at home, we will be there with the support and services you need to keep living in the place you want to be.”**

a case manager meets with you and others of your choosing in your home to learn more about your situation and develop a plan of care.

During the initial visit, the case manager uses financial information you provide to determine your deductible. For most individuals, the copay equals only a fraction of the cost of the services.

Once services are in place, your case manager stays in touch to ensure that your needs are met. The case manager offers support and resources and can make modifications to your care plan as your needs change.

Home Care Services may include light homemaking, chore services for heavier jobs, personal care, and/or home delivered meals. For people with dementia or other mental health needs, supportive home care aides are available, as well as respite services to give stressed caregivers a break from their dedicated work. Adaptive

equipment such as bath benches, grab bars, and Lifeline services are also an option.

Why call LifePath for in-home support?

When you need some help at home, we will be there with the support and services you need to keep living in the place you want to be.

If you're trying to return home from a hospital or nursing home stay, we'll be there to get you back home, safe and sound, with services to help keep you there.

You'll make the decisions while our case managers connect the dots to bring you the services you need.

You don't know what benefits you're eligible for or services you can access unless you ask. We'll help you learn about programs which can support your needs.

Services don't stop with Home Care. Call us to learn about the many more support options we offer.

We help elders and also offer support options for their family caregivers and loved ones who do so much. Don't go it alone!

To learn more about these and other services provided by LifePath, contact us at [info@LifePathMA.org](mailto:info@LifePathMA.org), 413-773-5555 or 978-544-2259. Read more at [LifePathMA.org](http://LifePathMA.org).



### Northfield Mount Hermon (NMH) Benefit Concert for Meals on Wheels

- Sunday, February 24, 2019 at 3 p.m.
- Rhodes Arts Center, NMH Campus 1 Lamplighter Way, Gill, MA 01354

Enjoy a medley of college fight songs played by the NMH Band, a movement from Georges Bizet's First Symphony, an Irish reel called Toss the Feathers, a Frank Sinatra medley, and music by Count Basie.

Free Admission! All donations given will support Meals on Wheels, a vital program for hundreds of area elders who depend on the daily hot meal delivery and wellness check.

For more information, contact Sue Rhenow at Northfield Mount Hermon: 413-498-3281.



### Learn how to make choices to live a healthier life!



**Join a Healthy Living Workshop Series**

**WINTER 2019 WORKSHOPS**

- My Life, My Health: Chronic Disease Self-Management
- Chronic Pain Self-Management
- A Matter of Balance: Managing Concerns about Falls
- Healthy Eating for Successful Living in Older Adults

Workshops are free and are open to people with one or more chronic health conditions as well as their caregivers and loved ones. Stay tuned for next season's offerings!

For more information or to register for a workshop, call 413-773-5555 x2297 or 978-544-2259 x2297, or email [awaisman@lifepathma.org](mailto:awaisman@lifepathma.org). For a complete list and more details about upcoming workshops, visit [LifePathMA.org](http://LifePathMA.org).



**Cold, snowy days & Long, dark nights Provide the perfect Opportunity to stay in & warm up with Your favorite oldies on WIZZ RADIO AM 1520**

Tune in daily  
**Sunrise to Sunset & listen 24/7 @ Wizzradio.com**

**The Law Office of PAMELA E. ODDY, P.C.**  
 Attorney at Law

*Helping you preserve your assets with Wills, Trusts, Elder Care Law Estate & Nursing Home Planning*

Tel: (978) 249-7511  
 Fax: (978) 249-7506  
 Email: [haven.ody@verizon.net](mailto:haven.ody@verizon.net)

220 Exchange Street  
 Athol, MA 01331-1893

**Seriously. We Need to Talk About Your Bathroom**

**Update your shower!**

BEFORE



AFTER



**Showers • Tubs • Wall Systems • Liners • Shower Doors**

413-376-7151  
 1-800-BATHTUB  
[www.rebath.com](http://www.rebath.com)

**RE-BATH** Free In-Home Estimates

NE-248754 Showroom 6 French King Highway, Greenfield