

Do You Really Need a Will?



During the holiday season, we tend to turn to our family for love and comfort. Unfortunately, there will eventually come a day where a loved one will no longer be with us. Throughout my 30 years experience as an attorney, I've been asked the same question, young and old, if a will is an absolute necessity. The simple answer is, yes, EVERY adult person should have a will. There are many reasons why having a will is important, even if you are not married or have no children. If you die without a will, Florida's intestate succession laws decide who gets your property, and it's usually never an ideal game plan for anyone.

Without a will, you are leaving it up to uncertainty with the following important matters, which will be decided for you by the state and/or the judge handing your estate:

- (1) What type of funeral service you will have, if any, such as Christian, Jewish, etc.
- (2) What will be the disposition of your body (cremation, burial, open casket or closed casket, etc.) and where it goes after the funeral (cemetery, mausoleum, put in an urn on a shelf, etc.)
- (3) Who will receive your property, and whether you want everything

to go to one person (spouse) or a few people (spouse and children), or whether you would like a few keepsakes to go to a special person.

- (4) Who is going to be in charge of handling your estate, finding out what you own, getting your bills paid, and distributing your property to your desired beneficiaries.
- (5) If you have children, then who is going to be taking care of your children, if they are minors.
- (6) Who is going to be taking care of your property for your children if they are minors and cannot competently or legally have your property outright when you die.

This brings me to my next point. If you have children who are minors, with a will, you and your spouse can appoint a guardian of the child or children, in the event of the death of one or both of you. This is especially important if the child's other parent is deceased or estranged from the child. Knowing that you have a trusted individual to look after and care for your minor child in the event of you and/or your spouse's premature death is reassuring and certainly provides an element of peace of mind. In addition, if you die while your children are minors, your will may also designate an individual (called a

"trustee") to take charge of the assets that you are leaving to your minor children, and protect those assets for your children, such as to pay for their college education, etc.

While none of us necessarily want to dwell on the inevitable end of our lives, taking these estate planning measures are crucial to making sure that your wishes and desires are honored upon your death and the stresses of your affairs will not be placed upon your grieving family.

If you decide to have a will, be sure to consult with a qualified attorney so the will you do sign will be properly witnessed and notarized, and be considered VALID under Florida law. The attorneys at ROMAN & ROMAN are available to answer your questions and assist you with preparing estate planning documents. Visit www.romanromanlaw.com for more information.

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*Wishing you a joyous holiday season
and a prosperous New Year.*

From Tom, Paula, Peter and the staff
at ROMAN & ROMAN P.A

Avoid a Holiday Meltdown

Having our house burn down is a nightmare we all want to avoid. This time of year is especially dangerous due to the possible presence of a live Christmas tree and Christmas lights in your home. Be sure you know these danger areas in order to maximize your chances of avoiding this type of disaster and enjoy the holiday season without incident.

Cooktop or stove: About 40% of fires start in the kitchen. Never leave cooking food unattended, and keep towels and pot holders a safe distance away. Clean them regularly to prevent a buildup of flammable material and grease fires.

Wiring: Shorts caused by bad wiring are another common source of fires. Make sure your wiring is installed by a licensed professional. Be aware of warning signs like frequent blown fuses and shocks when touching a switch.

Dryer: Lint buildup inside the dryer and ducts can catch fire. To prevent buildup, clean your lint trap every time you use the dryer, and regularly clear out any lint that makes its way into the ducts.



Fireplace: A fire is nice on a cold day, but it can give off sparks. Also, buildup on the chimney walls can catch fire. Keep the screen closed when using the fireplace, and have the chimney swept regularly.

Candles: Candlelight can be romantic, but it can also be dangerous. If you use candles, keep them away from curtains, lamp shades, and other flammable materials, and never leave them unattended.

Grills: Gas grills can leak, and all grills give off a lot of heat. Inspect your gas grill regularly to make sure it is not leaking, do not keep it in an enclosed area (like a porch or garage), and make sure all grills are at least 10 feet away from walls and are not under an overhead obstruction.

Bounce Houses: Fun Mixed With Danger

The eyes of American children seem to always light up when a bounce house is spotted, but did you know the possible dangers that a seemingly innocent inflatable playhouse can present? A recent study from the Center for Injury Research and Policy at Nationwide Children's Hospital in Columbus Ohio reveals that the number of inflatable bouncer-related injuries (such as in children's inflatable bounce houses or moon walks) has dramatically increased from 1990 to 2010. In fact, the study showed that between 2008-2010, the annual number of injuries more than DOUBLED to the point where in 2010, nationally, 31 children per day are treated in emergency rooms for bouncer-related injuries, the most common of which are fractured bones and strains or sprains of the upper

and lower extremities. Head and neck injuries have also been reported. According to the study, this translates to one injury in the U.S. every 46 minutes.

Currently, there are no national safety guidelines for bouncer houses, so the safety responsibility rests on your shoulders. In making a decision whether or not to rent one of these bouncer houses for your child's birthday, or whether to let your child experience playing in one, you should keep a number of things in mind. Make sure the bouncer house rental company is insured and that the house is properly inflated and secured to the ground. Before renting one for your child's birthday party, check your homeowners' policy for coverage in the event a visiting child is injured in

a bouncer house on your property. Also, supervision is key. Children should not be permitted to play in these things without constant adult supervision. Let your kids have fun, but always keep their safety in mind.



Thank You for Thinking of Us!

Despite this modern age of marketing and advertising, the best source of our new business is word of mouth. During this holiday season, we are grateful that many of our clients and friends feel confident in recommending our firm to their family and friends.

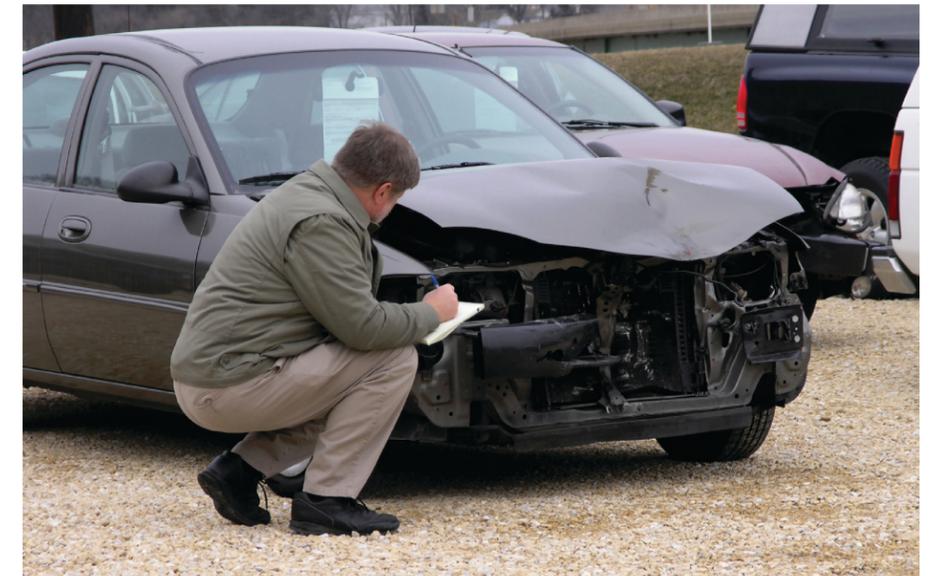
Unfortunately, when people need a good lawyer, they often do not know where to turn. If you or someone you know has been injured and needs legal direction, contact Tom, Paula or Peter, and we will be glad to help!



Do you really have "full coverage" on your auto policy?

We're about to start a new year! There's no better time than NOW to check your motor vehicle insurance policy to make sure that you've got the insurance in place to protect you and your family if you or a member of your household is involved in a car accident. Time and time again when I meet someone who is injured in an accident and I ask them whether or not they have a certain type of coverage on their auto policy, they respond by saying, "I have full coverage because I told the insurance agent that's what I wanted when I purchased the insurance." Upon further investigation, I find that the only coverage that was in force at the time of the accident was basic **Personal Injury Protection ("PIP") coverage and Property Damage.**

Florida law only requires that you have PIP benefits which cover up to \$10,000 of your medical bills and lost wages if you are injured in an accident (regardless of whether or not you are at fault for the accident), and \$10,000 of Property Damage to cover damage to property due to YOUR negligence. If you can afford it, you need to have **Bodily Injury Liability coverage (BI) AND Uninsured/Underinsured Motorist coverage (UM).** BI coverage pays for your legal



defense costs if you are sued as well as damages related to another person's injuries which you cause as a result of your negligence in operating a motor vehicle. The more personal assets you own, the more BI coverage you should obtain. UM coverage is also very important insurance to have on your policy because if the other driver who causes the accident has no insurance or not enough BI insurance coverage on their policy to compensate you or your

family members who are injured in an accident, you can make a claim under your UM policy for damages suffered by you and your family members. If you can afford these additional coverages, GET THEM. **And don't skimp on insurance to protect you if you own and operate a motorcycle, as well.** Auto insurance companies can provide medical payment coverage, BI and UM coverage for motorcycle owners.