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- Wrongful Death
- Breach of Contract & Fraud
- Probate, Estates & Trusts
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You will get confidential answers
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Martinson & Beason: in the Community and by Your Side

It is a longstanding tradition at Martinson & Beason to give back to the community that has always given us so much. However, many of our clients may not be aware of the many different ways that we are involved or how they can also participate in those activities. We would like to share a few of the things that we have done this Fall and Winter so that you will know more about them and might consider becoming involved with them next year.

Martinson & Beason, P.C. Collects Diapers for Families in Need

The firm teamed up with Rocket City Mom, WHNT News 19 and the Food Bank of North Alabama for the Great Diaper Drive 2017. As part of the Great Diaper Drive, Martinson & Beason hosted a "diaper shower" on October 13, 2017 from 9:00-5:00. They asked attorneys, staff and clients to help collect diapers for the new Diaper Bank at the Food Bank of North Alabama.

The involvement stemmed from a shared commitment with Rocket City Mom's initiative to ensure every baby has a clean diaper. With diapers and wipes averaging about \$100 a month for a baby, the cost can quickly deplete the limited resources of low-income families in our area. Many are also surprised to learn that diapers are not covered by government assistance programs. Unfortunately, because of this, some families are forced to reuse disposable diapers or leave babies in wet diapers, leading to poor sanitation and health. Many have asked, "why not cloth diapers?" This year's drive focuses on disposable diapers because the vast majority of daycare centers require disposable diapers and many low-income families have limited access to cleaning facilities.

Martinson & Beason's Tree Twinkles on The Huntsville Tinsel Trail

Martinson & Beason's team enjoyed participating in sponsoring and decorating a tree on behalf of the firm in the 7th Annual Tinsel Trail promoting "community" in Huntsville. The Tinsel Trail, held in Big Spring Park, opens Friday, November 24, 2017 and closes January 2, 2018. It is truly a sight to see and one that the entire family will enjoy! The Martinson & Beason "family" invites you to



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Martinson & Beason: in the Community and by Your Side continued

come down and take in the splendor of the lights and the magic of the holiday season!

Martinson & Beason Reads Along with Madison Elementary 2nd Graders

As a proud father of Wyatt Lilienthal, Morris Lilienthal, partner at Martinson & Beason, was honored when he was recently asked to read to his son's 2nd grade class at Madison Elementary. "I always love spending time with my son," said Mr. Lilienthal, "but to be able to share a love of reading with his entire class makes it even more special." Madison Elementary asks parents to come read with their children's class periodically throughout the year. It is a way that parents can be involved and the children can share their learning experience with their friends and their parents at the same time.

First Friends Preschool Makes Their Annual Trick or Treating Stop at Martinson & Beason

The little "ghosts & goblins" are always a welcomed sight at Martinson & Beason at Halloween. The little ones come all dressed up in their costumes and go trick-or-treating throughout the firm and enjoy getting candy and attention from all of the attorneys and staff. "I'm not sure who has more fun," said Doug Martinson. This visit has become an annual event and one that the attorneys and staff really have come to look forward to every year!



2017 Better Business Bureau of North Alabama Torch Awards

Martinson & Beason, PC is pleased to announce its selection as a Finalist for the 2017 Better Business Bureau of North Alabama Torch Awards for Ethics, which honors businesses and non-profits in the North Alabama area who demonstrate "the highest standards of business practices to create trust" among employees, customers, and community members. The Torch Awards were started in 1998 to build marketplace trust in the community. This year marks the 20th Torch Awards.

Martinson & Beason, PC competed in the Small Business category, which recognizes businesses with 1-25 employees. In order to receive a nomination, businesses must have existed for three years, must have at least a B rating from the BBB, must have honored their financial obligations, and cannot have received the Torch Award in the last three years.



Upon receiving a nomination, nominees complete a rigorous application process. Applicants are then evaluated by a panel of independent judges selected by the BBB. The components of the application consist of a position statement, customer/vendor relationships, business ethics in action, employee relationships, commitment to integrity, "what it means", legal actions, and final comments.

This year's application featured the firm's work with the March of Dimes, the Cap and Gown Project, the Huntsville-Madison County Volunteer Lawyers Program, leadership in the Huntsville-Madison County Bar Association, environmental causes including the Land Trust and Tennessee Riverkeeper, the Great Diaper Drive, as well as the employee-led MB Cares volunteer group.

For 80 years, M&B has been committed to servant leadership both inside and outside the office. The firm aims to apply fairness, loyalty, and truthfulness to the practice of law and remain dedicated to preserving and defending the rights of our clients.

Martinson & Beason, PC proudly shares the BBB's vision to support "an ethical marketplace where buyers and sellers can trust each other" and would like to thank its clients, community partners and employees who made the selection as a Finalist possible.

Over the River and Through the Woods... Driverless Cars – Coming to a Street Near You???

This year as you're planning your trip to your in-laws' or your parent's house for the traditional holiday gatherings, here is something to contemplate. Could a "driverless ride" for this trip be in your not too distant future? How do you feel about that?

Many drivers can't wait for self-driving cars according to a recent survey by Bosch Mobility Solutions. Out of 1,000 U.S. based new car buyers 18 years or older, 52 percent said they expect to own a self-driving vehicle within the next 10 years. Only 14 percent said they'd never buy a self-driving car and 14 percent were undecided.

Although 72 percent of the survey participants signaled worries about lack of control in a vehicle they don't drive themselves, 61 percent said they believe self-driving cars could lead to a decrease in traffic accidents, and 55 percent highlighted more free time and less stress as a benefit to driverless cars.

So, maybe as you drive "over the river and through the woods to grandmother's house" this year, you might consider the upside of not having to make that "drive". Maybe you could ask Santa what that's like!

Caring for Elderly Parents When You're the "Sandwich Generation"



As we enter into the holiday season, many of us will gather with family and loved ones to give thanks for good times and enjoy each other's company. For millions of Americans in the 'Sandwich Generation,' the holiday season is also a reminder of the care needs of both young children and aging parents. If your parents are entering their golden or twilight years, now may be the time to help them plan for the future.

Make Sure Estate Plans are in Order for Elderly Parents

Although tomorrow is never promised for any of us, having a thorough and carefully drafted estate plan is essential for the elderly. An estate plan typically consists of:

- A Last Will & Testament
- Power of Attorney
- An Advanced Directive for Healthcare

These documents serve most people's needs well. However, many Americans today are utilizing Trusts and other probate avoidance devices to maintain privacy, avoid probate, avoid estate taxes, get financial resources to heirs more quickly, and exercise more control over the disposition of their assets.

Last Will & Testament

Most people have a working knowledge of a will. The maker of a will, called the Testator, names their Executor, and sets out how property is to be distributed in probate by the Executor. A will is a public document once admitted into Probate Court. Although it may be tempting to go the do-it-yourself route, having a will drawn up by an experienced attorney can avoid unintended headaches for your future beneficiaries.

Power of Attorney

A Power of Attorney is a delegation of authority from one person to another, known as an Agent. Many couples reciprocally name each other as their Agent. A Power of Attorney can be general, which entitles the agent to act in almost any way on behalf of the Principal. Or it can be limited to specific acts, such as signing on behalf of a spouse for a single sale of real estate. A Power of Attorney

is referred to as "Durable" when it continues after incompetency, and "Springing" if the Power of Attorney only kicks in upon incompetency.

Advanced Directive for Healthcare

The Healthcare Directive allows the maker to have a say in future medical care and treatment. The maker selects their preference for receiving artificial life-sustaining treatment and blood transfusions, for instance. The Healthcare Directive also allows the maker to nominate a healthcare proxy to make decisions for them.

Compiling a List of Financial Assets and Accounts

Another prudent estate planning step is compiling a list of all financial assets, accounts, retirement funds, investments, bills, logins and passwords. A simple spreadsheet listing bank names and account numbers can reduce the stress on family members in the probate process. Write down or let loved ones know the location of safe deposit boxes and other important tangible property.

Long-Term Care Planning for Elderly Parents

Every family needs to consider potential long-term care needs. In 2017, more than five million Americans are living with Alzheimer's, according to the Alzheimer's Association. However, by 2050, the number could more than triple to 16 million. Many Americans diagnosed with Dementia or Alzheimer's require extensive or around-the-clock care. It's important to consider these possibilities and evaluate if a long-term care plan is right for you.

One approach to planning for long-term care is what's become known as "Medicaid Planning". Nursing home care is quite expensive and often depletes an elderly person's limited resources.

Medicare does not pay for long-term care at a nursing home, although some private insurance plans do. The income requirements for Medicaid are about \$2,000.00 or less in assets.

In Alabama, Medicaid also has a five-year "look-back period" which involves Medicaid examining the integrity of financial transactions going back five years in an attempt to prevent the elderly from transferring assets shortly before going on Medicaid. A Qualified Income Trust and other trust devices may be used to help plan for long-term care.

In-Home Care

While some Americans will have to go to nursing homes to get the care they need, many seniors simply require a little assistance around the house with household chores. For these people, there are qualified elder assistance programs in the Tennessee Valley such as American Senior Assistance Program (ASAP) who can take care of care needs and provide trusted advice.

Another option for veterans and their spouses is the Aid & Attendance program from the Department of Veterans Affairs. Under this program, veterans who served during wartime, and their survivors, may be eligible for monetary payments if they require in-home care for functions like bathing, eating, and dressing. Aid & Attendance benefits are available to family members who perform these tasks.

Staying Vigilant Against Elder Exploitation

Unfortunately, elder abuse happens far more often than we like to think. In fact, according to the National Council on Aging, one in ten elderly Americans have experienced abuse. Abuse can take many different forms, including physical abuse, sexual abuse, emotional abuse, neglect, financial abuse, and deprivation of resources.

To prevent abuse, it's important to know the signs – sudden mood swings, unexplained withdrawals or account activity, lashing out, bedsores, pressure marks, abrasions, poor hygiene, and unusual weight fluctuation. In Alabama, if you suspect elder abuse, call Adult Protective Services toll free at 1-800-458-7214. This Fall, as you gather around the table with family members and loved ones, consider having a frank and open discussion with elderly parents and offer assistance where it's desired. A little planning now can go a long way in the future.

Client's Bill of Rights

Lawyers will tell you that it is impossible to offer a guarantee in the legal business. **WRONG!** We say that law firm clients should settle for nothing less! Remember, your attorney works for you – not the other way around.

At Martinson & Beason we believe we can promise our clients quality service with personal attention. We believe that as our client you are entitled to have the:

1. Right to loyalty to you and your cause.
2. Right to be updated regularly and in a timely manner as to the progress of your case.
3. Right to our respect.
4. Right to expect competence from our firm and all who work here.
5. Right to know the truth about your case.
6. Right to prompt attention from us.
7. Right to have your legal rights and options explained in plain English without legal mumbo jumbo.
8. Right to a fair written fee agreement with our firm.
9. Right to a fair fee for the work we do.
10. Right to make the ultimate decision on your case.



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Holiday Recipe: Brianna Sieja's Spiced Pecans

Instructions

1. In a large bowl, beat 1 egg until frothy.
2. Add ½ cup of sugar, 2 teaspoons of cinnamon and ½ teaspoon of salt
3. Mix in 3 cups of pecan halves and stir until coated.
4. Pour pecans evenly on a lightly greased rimmed baking sheet.
5. Bake the pecans at 325 degrees for 20 minutes
6. Immediately remove pecans from pan onto wax paper and break apart any clusters

(The pecans may seem soggy or soft at first, but after a few minutes they will dry out.)

Brianna Sieja is the wife of Martinson & Beason attorney Andrew Sieja.



The Martinson & Beason Family hopes that you and your family enjoy this holiday season and all of the wonderful traditions that surround it!

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<http://www.facebook.com/martinsonandbeason>



BBB Rating: A+



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