

# Elder Law Today



SURPRENANT & BENESKI  
Estate, Tax, Medicaid and Disability Planning



www.myfamilyestateplanning.com

November, 2010

35 Arnold Street, New Bedford, MA 02740  
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## Thank You!

November brings Thanksgiving. It is my favorite holiday. Dan and I have so much to be grateful for and we wanted to take some time to acknowledge those people who have made so much of a difference to us. Of course our parents, Bob and Diane Surprenant, are the first we want to thank. Dad may be semi-retired but he is always there to take a meeting or speaking engagement in order to make our life easier. Most of all dad provides us with 40 years of business/legal experience and guidance which keeps us on track. We wouldn't be anywhere near as successful without him. Then of course there is Diane (mom) who is a mother tigress. She is always there to volunteer when someone is out of the office unexpectedly and to check in when she thinks we need a kind word.

We are so grateful to our spouses and children who understand when we have to go to a night meeting to increase our knowledge, or travel for the same reason, or work late to make sure the clients work is done right and on time without making us feel bad for taking extra time. In my case, my children are old enough to recognize when mom is not around but understand that it is for their benefit and also that we should always give our best to those who trust us and rely upon us.

We are of course extremely grateful for you, the people who trust us to take care of yourselves, friends and family. We promise to take really great care of anyone you refer to us. The majority of our business is referral-based. We are proud of that fact because we believe it validates our great service. You wouldn't refer if we didn't do a great job. Our clients are like precious gifts to us. We want to develop a life-long relationship with you. When you call us a year or two after our initial engagement because you need our help, we are so happy that we did a good enough job that we were the ones you came to when you need help. We'll try to never let you down.

Some people who are not publicly acknowledged as often as they deserve are our staff. **We have the best staff in the world!!!** If you are happy with our firm, Dan and I may set the tone, but it is our wonderful staff who fulfill the promise. You may know our three terrific case managers from your work with us. But you can't know how much they do for you or us. Joelle volunteered to come in on the long weekend to make sure our phones were re-installed. She volunteered her poor husband to move a really heavy copier so that it would be more convenient to make client copies. Erin offered to bring in her own personal computer and lent us a personal desk to help us out. Ashley came in five hours on a Saturday to make sure client work was ready to go and kept her normal cheery and patient voice when over 100 people called her in one morning. Leah offered to bring in her own table to sort work helps us and out with an extra evening seminar on short notice regularly and came in on the weekend to move boxes. We need to mention Jillian, who after just six months as receptionist agreed to train as a case manager and take on extra responsibility. She is the best receptionist we have had. Jenna (our new receptionist) started with us the week the phone system crashed and her computer was acting crazy. She has exhibited patience and kindness that makes us sure she'll be a terrific addition to our team. Ainsley, one of our interns, brought us homemade chocolate chip cookies to cheer us during a difficult time. Linda and Brandon volunteer their time to make sure we bring you our clients the best services. We are sure they both will be amazing professionals.

Our marketing staff is amazing. Maria Lawton (our community liaison) and Karen Leary (her assistant) make sure we are seen and heard from regularly in the community. This newsletter is formatted by Karen and produced by Maria. We write the articles but they make sure it gets done. You may think of us as Surprenant & Beneski, P.C. As Robert and Dan Surprenant and Michelle Beneski, but Surprenant & Beneski is so much more than us, It is a group of wonderful professionals who truly care about each other and about you, our clients and friends. As the owners of this terrific business, thank you to you our clients, family, friends and staff. Our success is your success. THANK YOU!!!

At Thanksgiving we say "THANK YOU" to all of you who are so much a source of support, success and happiness. We couldn't do it without any of you. We hope you will continue supporting us in the future!

Thank you so much,

Michelle Beneski and Dan Surprenant

*Our Office will be closed on  
Thursday & Friday, November 25th & 26th  
in celebration of Thanksgiving.  
We will reopen Monday, November 29th.*

***Happy Thanksgiving!***



**Mark Your Calendars For These Upcoming Events in November  
Estate Planning 101 presentations! Call 1-800-929-0491 to reserve your seat! You can  
also register by going on-line to: [www.myfamilyestateplanning.com](http://www.myfamilyestateplanning.com)**

***Is it Time to get your Ducks in a Row?***

**Tuesday, November 9th (code: Hyannis) 1:30pm-3:00pm**

Cape Cod Island Association of Realtors Conference Center, 22 Mid Tech Drive, West Yarmouth

**Thursday, November 11th (code: Cedars) 6:30pm-8:00pm – *Veteran Benefits Only***

Cedars Assisted Living, 628 Old Westport Road, Dartmouth, MA 02747

**Thursday, November 18th (code: Autumn Glen) 6:30pm-8:00pm**

Autumn Glen Assisted Living, 239 Cross Road, Dartmouth, MA 02747

***Here's What You'll Learn...***

- How living trusts avoid probate, why wills don't and what good trust planning costs.
- How your Healthcare Proxy, Living Will and the new HIPAA release must work together.
- How to avoid death taxes, guarantee IRA stretch outs and plan for disabled kids or grandkids.
- How to "bulletproof" your children's and grandchildren's inheritances from their divorces, debts, lawsuits, medical expenses, irresponsible life styles and transfers out of your bloodline.
- How to protect your home and savings from \$8,300/month nursing home bills and Medicaid without buying long-term care insurance – even if you or a loved one is in a nursing home now.
- How qualified veterans and their spouses can get up to \$1949/month for at-home health care or assisted living costs from a little-known VA benefit for non-service connected disabilities.



Elder Law Attorneys Reveals the Legal Steps You Should Consider Right Now If Your  
Loved One Is In a Nursing Home Or About To Enter One Soon.

## **Loss, Grief and Healing**

What is Grief? Why is it important to grieve the losses in our lives? Is grief only about the death of a loved one? How does grief feel and what is “normal” when it comes to grieving? What happens when those who have experienced a loss do not allow themselves to grieve? Can we grieve for our loved ones prior to their death? How can we support the grieving person? What resources are available for those who are grieving?

Grief is a universal experience which occurs after a loss. This loss may be due to the death of a loved one or may be related to a myriad of other losses such as loss of health or a loved one’s health, loss of home, and loss of a job, etc. Grief profoundly affects us on an emotional, mental, spiritual, social, physical and financial level. The experience of grief is different for everyone but there are many feeling and emotions commonly associated with grief which include confusion, anger, guilt, disbelief, anxiety disinterest in life, feeling crazy, feeling disconnected from others, panic, feelings of hopelessness, disturbed sleep patterns, erratic appetite, irritability and numerous others. These feeling and emotions are a very normal part of the grieving process, yet often leave the bereaved convinced their experience of grief is abnormal and that there is something wrong with them.

It is essential and necessary that we grieve the losses in our lives. Unresolved grief can lead to various social and emotional problems. People often try to avoid the grief process by becoming excessively busy or engaging in rather extreme behaviors such as working intensely long hours resulting in isolation from family and friends, eating or shopping in an out of control manner, drinking alcohol or using recreational drugs in immoderate amounts. All of these behaviors hinder the grief process which truly cannot be avoided if one is to have genuine peace with the ability to create a new life.

When a loved one has been suffering with a long term illness such as Alzheimer’s Disease (or other forms of dementia), or certain types of cancers, family members grieve for the changes in their loved one over an extended period of time. The diminutive or not so subtle changes in a loved one’s memory, behavior or personality are perceived as “little deaths along the way”. This type of grief is often referred to as anticipatory grief and is to be expected when an illness lingers. It is not unusual for a family member to feel a sense of relief after the death of a loved who has suffered many months or years and it should not be perceived as being unfeeling or insensitive.

The best way to assist a grieving person is to simply be emotionally available and to listen. According to Dr. Rachel Remen, “Listening is the oldest and perhaps the most powerful tool of healing”. Being emotionally available to a grieving person involves allowing him/her to feel to express their emotions and to accept the intensity of their emotion without judging or criticizing. Recommending and encouraging a grief support group or individual counseling can also be helpful. Support groups allow members to share feelings and to realize that they are not alone in their grief. Ideas and information are disseminated to group members. Individual counseling may be appropriate for those people who are more comfortable sharing on a one to one basis or who feel they need more individual attention and time. Journal Writing is another tool to promote healing. According to James W. Pennebakes, Ph.D., a pioneer in the area of expressive writing and physiological/emotional healing, “Writing about emotional upheavals in our lives can improve physical and mental health”. Research published in the Journal Medical Association in 1999 on his work supports his assertion.

Grieving the loss of a cherished loved one is a life-long process. The intensity of early grief should lessen over time but only if the grieving process is able to unfold allowing healing, peace and ultimately transformation.

***This article was submitted by Jennifer Marszalek, MSW, LICSW, psychotherapist in private practice specializing in loss, grief and healing. Jennifer can be reached at (508) 287-1948***

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**Thank YOU  
for recognizing our efforts by  
sending your friends & family!**

Carol Bailey                      Hauptman & Hauptman  
Gerard Richard                  Jack Kowlawski  
Sacred Hearts Nursing Home   John Markey  
Ed Metivier

We invest 100% of our time & energy to delivering first-class service to our clients. As a result, our valued clients, partners, & friends refer their family, clients, friends & associates to us. We build strong, lifelong relationships, one person at a time!

The Law Firm of Surprenant & Beneski, P.C. will be on a panel of professionals who will give information at the caregivers seminar for The Southeastern Massachusetts Alzheimer's Partnership.

The seminar will take place on Wednesday, November 10 from 4:30-6:30pm at the Fairhaven COA . Topics to be discussed:

- Elder Law
- Reverse Mortgages
- Alzheimer Association Programs
- Adult Day Health Programs

If you are interested in attending, please RSVP to Kathy Givens at 508-999-0404 x247

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