



TILL DEATH DO US PART? Why All Couples Need an Estate Plan

Love in the 21st century takes many forms, and for a growing number of couples, “forever” doesn’t always include a marriage license. While a deeply personal choice, being unmarried adds layers of legal and financial complexity that can’t be ignored, especially when it comes to protecting your assets and loved ones.

Imagine this: You have built a life with your partner, maybe even bought a home and had children together. You share future plans, dreams, and the bills. But without the legal protections of marriage, what happens when one of you passes away? And what happens if one of you becomes incapacitated?

THE IMPORTANT QUESTIONS YOU SHOULD BE ASKING:

- Who makes medical decisions for you or your partner? Without a marriage license or legal documents, it will probably not be the person you want.
- Who inherits what? Again, without marriage or legal documents, your significant other may not end up with any of your estate.
- How would your children be provided for? It all depends on who the biological parents are and the line of “blood” relationship. Unless you have an estate plan in place to ensure your children are cared for by the people you want, the law will choose.
- Most importantly, how can you avoid a court process and potential conflict during an already emotional and stressful time?

THE LEGAL REALITY FOR UNMARRIED COUPLES

Unlike married couples who automatically receive certain legal protections, unmarried couples must take deliberate steps to ensure their wishes are honored. In the eyes of the law, unmarried partners

get no special rights, regardless of how long they have been together or how intertwined their lives may be. In some states, there is still something called “common-law” marriage, which recognizes long-term relationships without legal marriage. However, this is no longer the law in South Carolina unless you were together before the law changed.

This legal disconnect becomes starkly apparent in moments of crisis. If you are hospitalized, your partner may be denied visitation rights or the ability to make medical decisions on your behalf. If you pass away without proper planning, your partner could be left with nothing — not even the home you have shared for decades.

According to a recent survey by Caring.com, only 24% of Americans have a will. This omission leaves millions of Americans vulnerable to painful legal and financial complications that can compound grief with unnecessary hardship. And it’s completely avoidable.

THE UNMARRIED COUPLE’S ESTATE PLANNING CHECKLIST

Here is a closer look at key areas where unmarried couples need to be especially proactive in their estate planning.

HOME SWEET HOME, BUT WHOSE NAME IS ON THE DEED?

Many unmarried couples purchase a home together. However, without a will or living trust that clearly outlines ownership and inheritance wishes, the surviving partner might face significant challenges. Here’s why.

Intestacy Laws: If you die without a will, your state’s intestacy laws dictate who inherits your property. These laws typically favor spouses and blood relatives, meaning your unmarried partner may be left with limited or no rights to the home you shared.



Tax Implications: Inheritance laws for married couples often come with tax benefits that unmarried couples do not receive. The surviving partner could face a hefty estate tax bill, potentially forcing them to sell assets to cover the costs.

Title Matters: How you title your property significantly impacts what happens after death. Joint tenancy with rights of survivorship offers some protection, but this approach does not address other estate planning concerns and may have unintended tax consequences.

PROVIDING FOR YOUR CHILDREN

Having children together adds another layer of complexity for unmarried couples. Here is how a lack of proper estate planning can create significant hardship.

Guardianship Concerns: If one parent passes away, the surviving parent might not automatically have legal guardianship rights (especially if that person isn’t the biological or legally adoptive parent, as is often the case with same sex couples). This could lead to legal battles with other family members or even state intervention in extreme cases.

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Procrastination Got You Down?

THE ZEIGARNIK EFFECT COULD BE THE KEY TO YOUR SUCCESS

Take a moment to reflect on your high school years. Were you the student who completed all your assignments well before the deadline? Or were you the student waiting until the last second to get started? Maybe you thought you could still do it in time with a passing grade, or perhaps you didn't know where to begin. Regardless of the reason, you procrastinated.

Many people associate procrastination with schoolwork, but you can procrastinate about work, household chores, and even fun experiences like vacation planning. Those who struggle with procrastination have likely tried countless strategies to improve their efforts, from adjusting their environment to utilizing time management applications. However, we often overlook one strategy that's been around for over a century. The next time you procrastinate, try using the Zeigarnik Effect to your advantage.

The Zeigarnik Effect is a phenomenon wherein people remember unfinished tasks better than completed ones. Here's how it works: When you have tasks you need to do, don't commit to finishing them in a day or assigning yourself a deadline.

Instead, commit to doing them for five minutes. Once those five minutes have passed, you can step away from the task. However, oftentimes, you continue working because you've found your flow and don't want to leave it unfinished.

If you continue to leave your tasks unfinished after starting them, try breaking them down into smaller steps. Each time you accomplish one of the smaller tasks, you gain motivation to continue your project. If you need to step away from your desk for more than a few minutes, write down the unfinished task. Doing so will keep it at the top of your mind, ensuring you return later to finish. This strategy shifts your mindset and increases productivity while avoiding the stress of starting something new.

Unfortunately, procrastination can be a roadblock to a happier, more fulfilling life. So, if other strategies have failed you previously, try the Zeigarnik Effect!



Big Dreams, Small Budget

DESTINATION DUPES THAT DELIVER

Have you been planning, saving, and dreaming about the perfect getaway only to realize your bucket list destination comes with a bucketload of expenses? Don't put away that passport yet! Some of the most talked about travel locales today are destination dupes — places offering all the charm, culture, and excitement of big-name hot spots without the sky-high price tag. Let's get packing with these wallet-friendly wonders that let you travel big!

Liverpool for London

London is one of the most popular cities for tourists, and it doesn't come cheap. But, if you have your heart set on experiencing British history, a tasty pint, and great places to explore on foot, Liverpool is quickly becoming a beloved alternative to the country's

capital. Highly walkable, minus the chaos of London's hustle and bustle, Liverpool offers so much to see and a truly British experience. Not only does it have entertainment and charm, it's the birthplace of The Beatles. Though you will miss out on Buckingham Palace, you can experience rock royalty at the famous Cavern Club, where some of Britain's greatest rock bands performed.

Kraków for Rome

Though Poland may seem worlds apart from Italy, Kraków has the same fairytale charm and old-school style as Rome. Unlike Rome, Kraków has more breathing room and a far more laid-back atmosphere. If the history of Rome calls to you, you'll find many historical sites in the city to explore, including the Wawel Castle. And foodies



can enjoy a wide variety of cuisines, from traditional Polish to Middle Eastern dishes.

Budapest for Barcelona

Barcelona tops many people's list of must-see cities, making the summers incredibly busy and expensive. If you want an architectural treat with a fascinating history akin to Spain's central city, you can head to Hungary. Budapest is the country's largest city and features buildings representing many eras of design, from art nouveau to baroque. You'll also find a history museum for everyone in your family, from the House of Terror to the Museum of Fine Art.

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Inheritance Complications: Without a will or trust, your children might not automatically inherit your assets as intended. Again, intestacy laws could mean your assets are divided in ways you would not have chosen, potentially leaving your children with inadequate financial support.

Blended Family Challenges: If either partner has children from previous relationships, the potential for conflict multiplies. Without clear documentation, children from previous relationships may find themselves at odds with the surviving partner, creating painful family rifts during an already difficult time.

HEALTH CARE DECISIONS AND END-OF-LIFE CARE

Perhaps the most immediate concern for unmarried couples is handling medical emergencies and end-of-life decisions.

Medical Decision-Making: Without health care directives, your partner may have no legal right to make medical decisions on your behalf if you become incapacitated.

Hospital Visitation Rights: In some health care facilities, only family members are allowed to visit patients in intensive care. Without proper documentation, your partner could be denied access during critical moments.

Funeral and Burial Decisions: Legal next of kin typically make funeral arrangements. Without documentation stating your wishes, your partner may have no say in how your remains are handled, even if you've discussed your preferences extensively.

OTHER MODERN CONSIDERATIONS

In our increasingly digital world, estate planning must also address digital assets. From social media to cryptocurrency, digital assets must be specifically addressed in your estate plan to ensure your partner can access them.

If you own a business, clear succession planning is essential to prevent disruption and protect your partner's financial interests.

While many consider pets family members, the law views them as property. Specific provisions must be made to ensure your beloved pets continue to receive proper care.

Estate planning is not just for the wealthy or the elderly — it is for anyone who wants to protect the people and assets they cherish, because to be realistic, anything can happen at any time. For unmarried couples, creating a legally sound estate plan is not just a good idea — it's essential. However, a traditional estate plan, DIY plan, or cheap legal plan is not sufficient. Instead, you need a Life & Legacy Plan.

Our experienced legal team at Stratton and Reynolds can help you create a tailored estate plan for your life and legacy. We will guide you to understand all the complexities and design a personalized plan that makes it as simple as possible so that when one of you becomes incapacitated or dies, the survivor will have all the support they need without the mess. This includes:

Clearly Addressing Ownership of All Assets and Avoiding Probate:

We will work with you to determine the best way to handle the transfer of all jointly and separately owned assets — including your home, bank accounts, investments, retirement accounts, and personal property — in a way that minimizes tax burdens, avoids probate court, and ensures a smooth and seamless transition for your surviving partner. This means your loved ones can focus on healing and honoring your memory, not battling legal complexities.

Establishing Guardianship and Financial Provisions for Children:

If you have children together or separately, we will work with you to legally designate guardians, establish trusts if needed, and ensure your children's financial well-being is protected. If you have children from previous relationships, we will take extra care to minimize or eliminate potential conflicts between your children and your surviving partner, ensuring a smoother transition and honoring your wishes.

Planning for Incapacity of Either Partner: We will put in place powers of attorney and health care directives so your partner can seamlessly manage affairs and make medical decisions on your behalf if you become unable to do so yourself.

YOUR NEXT STEPS FOR PEACE OF MIND

Don't wait until it is too late — take proactive steps today to protect the ones you love. Schedule a consultation with a member of our experienced legal team to get started. Together, we can build a plan that provides clarity, security, and peace of mind for you and your family, no matter what the future holds.

Call 803-358-7214 or complete our contact form to schedule your free consultation.

This article is a service of Stratton and Reynolds. We don't just draft documents; we ensure you make informed and empowered decisions about life and death, for yourself and the people you love. That's why we offer a Life & Legacy Planning@Session, during which you will get more financially organized than you've ever been before and make all the best choices for the people you love. You can begin by calling our office today to schedule a Life & Legacy Planning Session.

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Family Picnics Made Easy

DITCH THE STRESS, EMBRACE THE FUN

When was the last time you gathered the family, threw down a blanket, and enjoyed a meal together in the warm sun? A picnic is the perfect warm weather activity, but the planning and food prep can make it seem like more hassle than it's worth. The truth is, however, that picnics don't have to be complicated. Here are four tips for planning easy family picnics.

PICK THE PERFECT PICNIC SPOT.

When choosing a location for your picnic, think about how your family would like to spend the day. A park with open fields and playground equipment keeps kids entertained between bites, but a park isn't the only option. The beach, a local lake, or a mountain picnic area are all fantastic for a family picnic. Just remember bug spray and sunscreen and find a shady spot on hot days.

DON'T OVERTHINK THE MENU.

Picnics are all about the food, but that doesn't mean you have to fuss over the menu. Keep things simple, and choose items that can withstand time outside the cooler. Easy-to-eat options like sandwiches, fruit, and finger foods are tasty and quick to prepare. Add variety with veggies and hummus or cheese and crackers.

For an extra treat, grab premade cookies or brownies. Lemonade, juice, and fruit-infused water are refreshing options and keep everyone hydrated without the caffeine. Bring an insulated cooler for drinks and food, and don't forget wet wipes for easy cleanup.

CREATE A COZY, KID-FRIENDLY SETUP.

The picnic blanket is a great start, but you can take things up a notch with a



few extras. Plush blankets, throw pillows, and lawn chairs offer comfortable sitting and lounging options. Pack entertainment as well; outdoor games, like Frisbee and ring toss, and a portable speaker to add to the fun.

DON'T FORGET — IT'S ABOUT FAMILY!

Family outings shouldn't be stressful; the best ones are sometimes the simplest. Instead of worrying about perfect details, focus on spending time together outdoors, relaxing, and enjoying good food and even better company.