



KH LAW NEWS

BRINGING YOU OUR BEST

MARCH 2010



This Month's Lucky Issue Features:

KH Anniversary
St. John's School Gala
KH Biggest Loser Update

Influences of High Conflict Divorce

FREE Living Trust Seminars!
Check us out online!

KH Services

How to Avoid Estate Planning Minefields
From All of Us

Referral Thank You

Influences of High Conflict Divorce

For those of you living in Sauk County and the surrounding areas, I am sure you have heard of the recent shooting. A 13-year old boy shot and killed his father while his father reclined in his chair. The news is shocking but the stories that have come out since the discovery of this tragedy have only made it more concerning. The media reports that this child was at the heart of a 7 year custody and placement battle between his divorced parents. Every case is different, however, this gives us an opportunity to review how a high conflict divorce influences our children.

Divorce is difficult on everyone involved; however, it is most difficult on children. According to some studies children can be harmed by the drawn out, chronic, high conflict fighting that occurs between parents. Continued fighting can erode the relationships within the family and hostility between the parents can significantly hinder the adjustment of the children. Some doctors have reported that the negative influences on children in a high conflict divorce can include feelings of disillusionment, fear, insecurity, vulnerability, conflicts of loyalty, and fear of expressing love for one parent in the presence of the other.

Another risk is a psychological regression called "splitting". This is when the child views one parent as "good" and the other as "bad". Some indicators of this are aggression, withdrawal, insecurity and worry when transitioning between parents, reluctance to express affection, guilt and more. Younger children may show signs of regression which include temper tantrums and bedwetting. School age children have problems in school in that they may fight with peers, have behavioral problems in the classroom or struggle with their school work. Adolescents are at risk of rebellion, substance abuse, sexual acting out and other serious or self-destructive behaviors.

It is easy to fall in the trap of an adversarial and litigious divorce. However, there are ways to avoid this emotionally draining and costly road. Mediation can and has helped many families set aside their differences and come to an agreement regarding the children and finances. Parties that agree to their divorce terms are more likely to follow the divorce judgment. Also, retaining an experienced family law attorney can be extremely helpful in avoiding these pitfalls. A good divorce lawyer can help you obtain your desired results in a manner that is beneficial to everyone and does not harm the children. Also, family counseling may be appropriate as well as individual counseling for the children.

There are cases where litigation and high conflict divorces are unavoidable. Generally, these cases involve some form of domestic violence, alcohol, drug abuse, or mental health issues. Nonetheless, a parent must always keep in mind the needs of their children and what is in their best interests.

Krueger & Hernandez is a firm where children matter most. If you are in need of an attorney for divorce, please contact Attorneys Angela Nichols Philipp and Mark L. Krueger at (866) 455-2993. They are experienced family law attorneys that can help you with all issues of your divorce and post-divorce matters. Angela Nichols Philipp is also a trained mediator with training in mediating domestic violence cases.

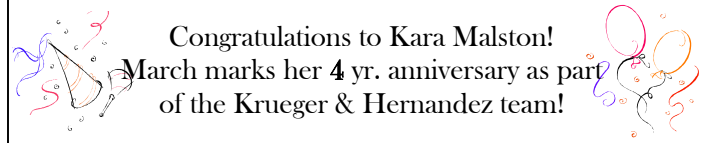


Disclaimer

The information provided in this newsletter is not intended to serve as specific legal advice. Viewing this information does not constitute an attorney-client relationship. All testimonials are released by express consent of our clients.

For all your legal needs:

Divorce	Injuries from Accidents	Estate Planning
Real Estate	Vaccine Injury Litigation	Family Matters
Adoption	Workers Compensation	Products Liability
Criminal/Traffic	Professional Malpractice	Mediation
Guardianship	Employment/Discrimination	Business Needs
Personal Contract	Probate/Trust Administration	Funeral Trusts
	Personal/Business Litigation	



March 6th is Baraboo's 3rd Annual Gala for St. John's School. This is also Krueger & Hernandez's 3rd year in donating a Will Package for their auction! This event has raised over \$25,000 over the past two years, and Krueger & Hernandez is proud to help! Our own Atty. Angela Nichols Philipp is instrumental in planning this event.



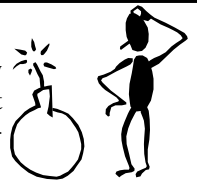
Thank you to our clients for all of our recent referrals! Remember, if you know of a friend or family member in need of legal assistance, we are here to help! Call today at (800) 431-9776 or visit us on the web at www.KH-LAW.net!



Krueger & Hernandez is holding FREE Living Trust seminars in Madison! Seminars will be held on March 16th, 17th, and 18th. For more information or to register, call (800) 431-9776 or visit us on the web! www.KH-LAW.net

How to Avoid Estate Planning Minefields: You Don't Know What You Don't Know

Some things seem like they should be easy--and they are easy. However, some things simply appear easy--even when they are very difficult. For example, crossing a field of fifty yards seems simple, right? However, if that field is a minefield, it might be a very hazardous crossing, indeed! On the surface, both fields might appear the same to the ordinary person. However, experts can spot the hidden problems which the ordinary person may not.



This is equally true for estate planning. Let's look at two couples, the Browns and the Robinsons. The Browns have a very substantial and complicated estate which may benefit from tax planning. They own a sizable business. They each have a prior marriage and their marriage together is somewhat rocky. It's easy to see the mines in that field and know that they would benefit from consulting with an estate planning attorney.

The Robinsons have more modest assets of approximately \$200,000. They have a great marriage and two wonderful kids aged 12 and 15. It appears on the surface that they might be able to save some money and use a "do-it-yourself" estate planning method like online forms or software at little or no cost. The problem is that the Robinsons have a hidden mine in their estate plan.

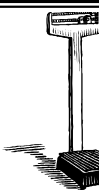
The Robinsons' case looks simple to the untrained eye. However, the Robinsons' primary asset is Jake Robinson's 401k which he started right out of college, before he even met his wife, Sally. Jake named his ex-wife, Allison, as beneficiary. Of course, Jake assumes that his 401k will go to his current wife, Sally, because he will name her as the primary beneficiary in his Will or Trust. *Jake doesn't know what he doesn't know, i.e.* that his Will or Trust will *not* control his 401k.

While the Robinsons could "save" some money by using some free or inexpensive, "do-it-yourself" software, doing so will end up costing them everything because Jake's 401k will go to Allison at his death, even if Jake names Sally in his Will or Trust. Only an experienced estate planning attorney who focuses his or her practice in that field will have the knowledge and expertise to spot and defuse the mines which you may encounter. Some other hazards which you might encounter are:

- Property ownership issues (Joint Tenancy, Community Property, etc.)
- Assets with beneficiary designations (e.g. brokerage and bank accounts)
- Life Insurance
- Blended family issues
- Leaving assets outright to minor children

Your estate planning attorney can guide you through the minefield and safely to the other side. For example, the attorney would have advised Jake to complete a new beneficiary designation form naming Sally as the primary beneficiary of his 401k. While Jake could have done this himself, he didn't know there was a problem. *He didn't know what he didn't know.* Don't make the same mistake that Jake did. See an experienced estate planning attorney.

Attorneys Michelle T.L. Hernandez and Dera L. Johnsen-Tracy are members of the American Academy of Estate Planning Attorneys and have extensive legal experience in this area. To schedule your free consultation today, simply call (800) 431-9776.



Biggest Loser Monthly Update
Our teams are still going strong! Our weekly healthy lunches are helping everyone stay focused! Be sure to tune in next month for the final results!!!!

Are you online? We are! You can find us all over the web!
Check us out:
www.KH-LAW.net
Become a fan of "Krueger & Hernandez SC" on Facebook
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HAVE A SAFE AND HAPPY ST. PATRICK'S DAY!

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Renee Nehring Eileen Shanks Kayleigh Robinson
Stacie Ray Shelley Craker Kara Malston Rynae Stefan

