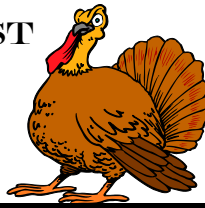


KH LAW NEWS

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**November
2010**



November Presents

Holiday Tips for Divorced Parents
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Holiday Tips for Divorced Parents: by Attorney Mark L. Krueger

The holiday season can be especially draining during a divorce. Generally, the first major holiday following the divorce is the most dramatic. Divorced parents must communicate with even more patience, understanding, respect and tolerance than married couples to plan holiday travel, family get-togethers and gift-giving. Juggling schedules during marriage is hard enough and is even more difficult during and after divorce. Here are some tips for making sure everyone enjoys the holidays:

Plan Ahead: If possible, develop a parenting schedule *before* the holidays. Avoid scheduling the children for activities with both parents on the same day. Instead, try to arrange for each parent to spend the entire day with the children on alternating years. For example, dad could have them for the day in all odd-numbered years and mom in all even-numbered years.

Also, remember that certain holidays have more or less importance in different families. It may be that Thanksgiving is the holiday where one side of the family gathers all together and Christmas is spent with the individual family members on their own. In those situations, recognize the significance of the holiday and offer that those particular holidays are spent with said parent. The other can then enjoy the Christmas holidays.

You could also consider spending a holiday a day after or before the holiday itself. Children generally do not mind extending holidays for the obvious reasons. Although Christmas Day is only December 25, many intact families spend the holiday on a day other than the 25th.

Keep Your Word: Stick to the agreed schedule. Arrive on time to pick up the children or drop them off. You can be assured that the children will know what time they are supposed to be at the other parent's house for the holidays and running late for any reason will add additional stress to the children as well as to the parent sitting and waiting for his or her children.

Keep in Touch: If the children are not with you for the holidays, call them and be sure to send cards or e-mail. Also, remember their birthdays and significant holidays making sure that their gifts arrive on time for their birthday or the holiday. If the children are with the other parent during the holiday or event, call the children once, have an enjoyable discussion and then let it go. Remember when the children are with the other parent it is their time to be with their mother or father as well as that parent's extended family. Multiple phone calls only raises the stress level at both ends of the line.

Let the Children Keep in Touch: If the children spend the holiday with you, let them speak with the other parent. Give the children any cards or e-mails from the other parent and read the messages to young children who cannot read. If the children are too young to call, help them make or receive a call, and let them have a quiet moment to speak with the other parent. Make sure to avoid planning an exciting activity like gift-opening at the same time that the children are scheduled to speak with the other parent.

The Art of Gift-Giving: Coordinate gift-giving of the children with the other parent. Do not give your child a cell phone if you know the other parent is also giving your child a phone. Also, do not give a child a gift that you know in advance will not be tolerated by the other parent. A hunting rifle for a 12 year old may be a great gift between a father and a son but may not be acceptable for the mother. Discuss what each of you are planning to get for your child well in advance of the holiday. Also remember that simply because you give a gift to the child does not mean that gift must remain in your house.

Give Your Child Permission to Love Both Parents: If the child is too young to handle the task, help them buy or make a gift and card for the other parent. You are doing your child a favor, not your ex-spouse, because you are giving your child permission to love the other parent which is really the best gift that you can give.



If you'd like more information regarding divorce or child custody/placement, please call Attorney Mark L. Krueger at (866) 455-2993.



Mark Krueger, Michelle Hernandez, Dera Johnsen-Tracy and Brandon Tracy in San Diego, CA during the Fall AAEPA Summit

ESTATE TAX UNCERTAINTY DOESN'T STOP KH ESTATE PLANNING ATTORNEYS FROM FINDING SOLUTIONS

Even though Congress has not yet acted on the sunset of the law concerning the Federal Estate Tax, which would result in taxing estates over \$1 million starting in 2011, Attorney Michelle Hernandez and Attorney Dera Johnsen-Tracy are making sure they are prepared for what unfolds. Michelle and Dera attended an educational conference in San Diego, CA the first week of October hosted by the American Academy of Estate Planning Attorneys, which had a focus on planning strategies to handle the estate tax uncertainty.

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.

Taking Care of Rover After You're Gone

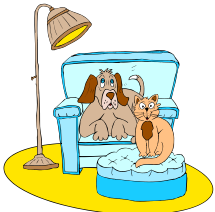


Your pet may have been with you for years. In fact, pet ownership can likely lead to a higher life expectancy. A report by *The British Journal of Health Psychology* found that pet ownership resulted in lower blood pressure, lower cholesterol, and better overall health. In fact, pets may be especially helpful when you are in the greatest need. A study in *Public Health Reports* found the heart attack survival rate among pet owners was 28% higher than among those without pets. Many people suspect these health benefits of pet ownership result from the companionship the pet provides. In many cases, pets are considered a member of the family.

We plan for our human family members with a Will, a Living Trust, and other vehicles to ensure they are taken care of. However, we often forget about our furry and feathered family members or assume that one of our surviving family members will take on their care. However, if we do not make arrangements for our pets, they may join the hundreds of thousands of sad pets who end up in shelters or are euthanized because their owner is no longer able to take care of and provide for them. For example, according to the ASPCA, 2-3% of pets entering shelters each year do so because of the death or disability of their owner. That is between 120,000 to 240,000 loving cats and dogs who end up in shelters, or worse, because of their owner's death or disability. None of us like to consider our own mortality. When doing your planning, don't forget the pet members of your family. These loving, vulnerable members of your family need you to plan for them, too.

While you cannot prevent your own death or disability, you can prevent your loving pet from ending up in a shelter or being euthanized at your death. You can arrange with your friends or family for someone to be your pet's caretaker upon your death or disability. The estate plan you create for your family should include a "Pet Trust," a trust which ensures that your loving pet is cared for even after you are gone. An estate planning attorney can designate the primary caretaker in your Trust. You should also name an alternate caretaker, in case your primary caretaker is unable or unwilling to fill that role when the time comes. Additionally, the ideal caretaker for your pet may not have the financial resources to meet your pet's needs, particularly if your pet has specialized dietary and health concerns. You can leave a list of your pet's foods, medicines, veterinarian, and other useful information for your pet's caretaker. Your Trust can set aside some money to provide for your pet's food and medical needs for the remainder of your pet's years. Your Trustee will administer that money and is under a duty to use the money that you set aside for your pet's needs. If you choose, you can even pay your pet's caretaker a monthly stipend or a set sum for taking on this responsibility. If you have no friends or family to act as caregiver for your pet, consider designating a charitable organization such as Best Friends (www.bestfriends.org), Bideawee (www.bideawee.org), or a similar pet adoption / rescue agency to take your pet, along with a donation, to the charity as part of your estate plan. A qualified estate planning attorney, one who focuses his or her practice in estate planning, will know how to craft a Pet Trust to provide for your loving pet.

Your pet has provided you with love and affection. Now, you can do something to ensure that someone is there to love and care for your pet, even if you are no longer able to do so. Do the loving thing, call your estate planning attorney today to arrange for a Pet Trust.



This article by the American Academy of Estate Planning Attorneys (AAEPA) was brought to you by Krueger & Hernandez SC. Attorneys Michelle T.L. Hernandez and Dera L. Johnsen-Tracy are active members of the AAEPA and have extensive legal experience in the area of estate planning. To schedule your free consultation today, simply call (800) 431-9776.

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If you would prefer to receive our monthly newsletter by email, please email breceptionist@kh-law.net and let us know to add you to our email list.



KH KUDOS

Happy Birthday to Tricia Klitzke! 11/20



Congratulations to Kayleigh Robinson! She has been apart of the Krueger & Hernandez team for three Years!

Happy Thanksgiving from the Team of Krueger & Hernandez!

Mark L. Krueger Michelle T.L. Hernandez
Dera L. Johnsen-Tracy Matthew S. Kaiser
Renee Nehring Tricia Klitzke
Christan Mellum Stacie Ray Kayleigh Robinson
Katelyn Lenerz Shelley Craker
Eileen Shanks



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