

What is Probate? Even though you have a Will, Probate may still be required. Probate is the court-monitored procedure for transferring title of a deceased person's property to the beneficiaries of the Estate. If there is a valid Will, your Estate will need to be Probated if (1) the Estate (as opposed to a Trust, discussed below) owns real estate or (2) if the total Probate Estate value is greater than \$100,000.00.

Trusts - Trusts are legal entities which own property in the name of the Trust as opposed to someone owning property in his or her individual name (for example, a piece of land owned by the Jane Doe Trust as opposed to owned by Jane Doe). Trusts, when properly created and funded, can avoid the Probate process because a Trust appoints a person, called a "Trustee," to administer the trust estate. Instead of going to court to have a judge appoint a person to be in charge through the Probate process, the Trustee is already in a position of authority to begin administering Trust assets. However, to avoid Probate, it is very important that Trusts inventories be kept up-to-date.

Community Property Agreements - If a Trust does not own the real estate of a married couple, the couple can record a document called a Community Property Agreement directing the transfer of marital assets upon the death of one spouse. This transfers property to the surviving spouse outside the Probate process.

Once the appropriate documents have been prepared and executed, it is important to review them every few years to make sure that they reflect your current wishes and that no changes need to be made. The more up-to-date your estate plan is, the easier things will be for your family in the future. Bottom line: if you want to ensure that your wishes are followed, record them on paper in one or a combination of the above documents. Don't leave these important things to chance. If you have any questions regarding these matters you should contact an Elder Law attorney to discuss your options.

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Coeur d'Alene



Playland Pier", Coeur d'Alene, ID circa 1959

The waterfront of downtown Coeur d'Alene has long been the place for laughter, friendships and memories for more than 75 years. In 1942, The 'Playland Pier'

—later named *Barbary Coast*, was opened and hosted an amusement park that included a Ferris Wheel, bumper cars, Carousel, miniature train, and swings that went out over the water. There were fond memories created for almost every child (and young at heart) from the mid 1940's through the 1970's. Between the opening of Farragut Naval Training Station and Coeur d'Alene's history as a tourist and vacation destination, this pier became a hugely popular destination. As ownership changed, the 1960's and 1970's began to see shine fading

from the popularity of the park. The rides started becoming run down, the crowds dissipated and the Coeur d'Alene waterfront was ready for a new phase.

During America's bi-centennial in 1976, the pier that is now known as *Independence Point* was dedicated. By 1986 the Coeur d'Alene waterfront skyline changed again with the building of the 18 story Coeur d'Alene Resort Tower. The shine is once again on the heart of Coeur d'Alene and the destination spot is now as popular as it ever was and is a premier location to watch fireworks and soak up the sun. The face of Coeur d'Alene pier may have changed, but the memories continue to live on.



Independence point, Coeur d'Alene, Id. 2012