

# Elder Law

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**Q. All of my children are grown and I want to remarry. Do I need to see an Elder Law attorney?**

**A.** While a second marriage may feel like a fresh start for many couples recovering from divorce or the death of a first spouse, second marriages contain a host of estate planning challenges, especially when it comes to distributing assets amongst a now “blended family”. Couples entering into second marriages frequently have children from different marriages and have different objectives when it comes to passing assets at death or divorce. Each spouse likely has assets that he or she brought into the second marriage and has at least some expectation that the assets accumulated during a previous marriage will endure for the



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benefit of the children of that marriage. Often times, spouses are concerned with providing for their surviving spouse, but not at the expense of disinheriting their children. Property given outright to a surviving spouse may never make it to the first spouse’s descendants, as it can be spent unnecessarily, mismanaged, or claimed by the surviving spouse’s subsequent spouse through divorce. Fortunately, with a well-constructed estate plan, it is possible to address these concerns.



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*A t t o r n e y s*

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