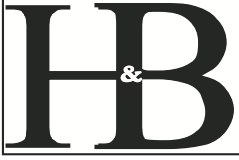




September  
October  
2011

PARTNERS IN PLANNING



FRIENDS FOR LIFE

THE LAW OFFICES OF  
HOYT & BRYAN, LLC



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## Legislative Changes to Durable Power of Attorney Statute

We previously reported most of the changes implemented by the Florida Legislature earlier this year, but there is still one more change that is critically important that becomes effective next month. On October 1, 2011, Florida's new Power of Attorney Act will become effective for all powers of attorney used in the state of Florida. While the goal of the legislature in adopting the Act was to address perceived defects in the current law, the new Act contains many new execution and other requirements that differ significantly from current law.

Before addressing some of the changes, let's first review what a power of attorney is and what it's designed to do. A power of attorney is a directive in whereby you appoint one or more individuals to legally act on your behalf. The individual executing the document is called the "principal" and the individual named to act on behalf of the principal is referred to as the "agent". Under traditional common law, a power of attorney only worked when the principal was mentally capable of acting, but was physically unavailable. This traditional use failed to address the period of the principal's mental disability, the timeframe when most people actually want the power of attorney to be effective. To address this issue, states enacted "durable" power of attorney statutes, which allow the principal to grant the agent authority to act even when the principal loses capacity to act on their own behalf. A properly drafted durable power of attorney continues to be the cornerstone for disability planning in most estate plans and is critical for the avoidance of guardianship proceedings in the event you become incapacitated.

Although a full review of the legislative changes imposed by the legislature is beyond the scope of this article, let's review some of the more significant changes. Many people have historically relied on very simple powers of attorney that contain a one-paragraph blanket grant of authority to act, effectively stating something to the effect of "my Agent is authorized to do any act I could do if present and capable." After October 1, signing this form of power of attorney...

## UPCOMING SPECIALTY WORKSHOPS

**PLANNING FOR YOUR PETS**  
September 22, 2011 at 6:00 p.m.

**SPECIAL PEOPLE, SPECIAL  
PLANNING**  
October 18, 2011 at 6:00 p.m.

**WHAT TO DO WHEN  
SOMEONE DIES**  
November 10, 2011 at 6:00 p.m.

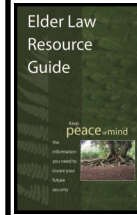
**A MATTER OF TRUST**  
November 30, 2011 at 6:00 p.m.

*For more information or to RSVP,  
please call 407-977-8080  
or info@HoytBryan.com*

## H&B NEWS

*Hoyt & Bryan, LLC  
Elder Law  
Resource Guide  
is now available!*

*Stop by our office or contact us  
at 407-977-8080 for a copy.*



- Planning Checklists
  - Professional Listings
  - Housing Options
  - Health Information
  - Local Services
  - Government Services
- AND MORE...

## UPCOMING EDUCATIONAL WORKSHOPS & EVENTS

### SEPTEMBER

Office Closed - Labor Day  
Monday, September 5, 2011

Truth About Medicaid Planning  
Wed., September 7, 2011 at 9:30 a.m.

Advisor Lunch & Learn  
Tuesday, September 6, 2011 at 12:00 p.m.

Planning For Your Pets  
Thursday, September 22, 2011 at 6:00 p.m.

Truth About Estate Planning  
Tuesday, September 13, 2011 at 9:30 a.m.  
Thursday, September 29, 2011 at 6:00 p.m.

Nuts and Bolts I  
Thursday, September 1, 2011 at 6:00 p.m.

### OCTOBER

Office Closed - Columbus Day  
Monday, October 10, 2011

Advisor Lunch & Learn  
Tuesday, October 4, 2011 at 12:00 p.m.

Truth About Medicaid Planning  
Wednesday, October 5, 2011 at 9:30 a.m.

Truth About Estate Planning  
Tuesday, October 11, 2011 at 6:00 p.m.  
Thursday, October 27, 2011 at 9:30 a.m.

Special People, Special Planning  
Tuesday, October 18, 2011 at 6:00 p.m.

Alzheimer's Association Memory Walk  
Saturday, October 22, 2011 at Lake Eola

### NOVEMBER

Office Closed - Thanksgiving  
November 24-25, 2011

Advisor Lunch & Learn  
Tuesday, November 1, 2011 at 12:00 p.m.

Truth About Medicaid Planning  
Wednesday, November 2, 2011 at 9:30 a.m.

Truth About Estate Planning  
Tuesday, November 8, 2011 at 9:30 a.m.  
Thursday, November 17, 2011 at 6:00 p.m.

Opportunities In Estate Planning  
November 10-11, 2011  
16hrs CE, CPE, CFP Credits

What To Do When Someone Dies  
Thursday, November 10, 2011 at 6:00 p.m.

A Matter of Trust  
Wednesday, November 30, 2011 at 6:00 p.m.

All public workshops are complimentary and are held in our Learning Center.  
To RSVP please call 407-977-8080 or visit HoytBryan.com for more information.

## Peanut Butter Pumpkin Cookies



1 (16 1/2 ounce) roll Pillsbury create n  
bake refrigerated peanut butter cookies  
1 egg yolk  
1/2 cup all purpose flour  
1/3 cup orange decorator sugar crystals  
14 twisted butter flavor pretzel stick, broken in half

1. Heat oven to 350. Spray cookie sheets with cooking spray. Using electric mixer on medium speed, blend cookie dough, egg yolk and flour until well blended.

2. Pour sugar crystals into small bowl. Shape dough into 28 (1 inch) balls; roll in sugar crystals. Insert 1 pretzel piece into each ball for pumpkin stem. Using the tip of a teaspoon or cheese spreader, make lines around sides for pumpkin ridges. Place balls 2 inches apart on cookie sheets.

3. Bake 9-11 minutes or just until set in center when touched with fingertip. Cool 2 minutes; remove from cookie sheets to cooling racks. Cool completely, about 10 minutes. Decorate with green frosting if desired.



Saturday, October 22, 2011  
Lake Eola Park  
Downtown Orlando

*Registration: 8:00 a.m. ~ Walk begins: 9:00 a.m.*

The Alzheimer's Association Memory Walk® is the nation's largest event to raise awareness and funds for Alzheimer care, support and research – and it calls on volunteers of all ages to become champions in the fight against this fatal disease. Since 1989, Memory Walk has raised more than \$230 million for our cause. By joining Memory Walk, you'll be walking with a purpose – and MOVING us ever closer to a world without Alzheimer's.

Our team at Hoyt & Bryan has participated in the Alzheimer's Association Memory Walk® for the past 9 years. If you would like to join our team and walk with us or simply make a donation, please call 407-977-8080 or visit <http://2011walktoendalz.kintera.org/Orlando/hoytandbryan>. We would like to thank those of you who continue to support our efforts in walking for a cure.

*To Sign –Up or Donate, please visit:*

[2011walktoendalz.kintera.org/Orlando/hoytandbryan](http://2011walktoendalz.kintera.org/Orlando/hoytandbryan)