

**Know Your Rights.
They are important.
Period.**

The information in this brochure is designed to give you an overview of the documents that are available to protect the rights of same-gender couples and LGBT individuals. The information is not a substitute for professional legal advice. And is not intended to form an attorney/client relationship.

Please visit our website for more information on the rights of same-gender couples and LGBT individuals. The website provides information on the areas of law we practice as well as links to other appropriate websites. Our URL is <http://www.ireneolszewski.com>.

If we can be of service, please do not hesitate to contact us to schedule your free consultation.



**Proudly
Serving the
LGBT
Community**



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**Client-Focused
Legal Solutions**

**LEGAL
DOCUMENTS
FOR
SAME-GENDER
COUPLES
&
LGBT
INDIVIDUALS**



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Please note that this brochure specifically discusses documents for LGBT individuals and same-gender couples who will NOT be entering into Civil Union. If you are considering Civil Union, please request our brochure "Before Entering Into Civil Union" or visit the LGBT section of our website at <http://www.ireneolszewski.com> for additional information.

What Legal Documents of Protections Are Available?

Whether you are single or in a committed same-gender relationship, there are a variety of legal documents of protection that may be appropriate for you to consider. A licensed attorney can help you to choose the legal documents that would be most appropriate for your specific personal needs. The following are some examples:

◇ Custody & Control of Bodily Remains & Effects

Absent Civil Union, your partner has no legal right to claim your bodily remains, arrange for your funeral, burial, or cremation, or publish your obituary. Your biological family has these rights and can override any decisions made by your partner. You may execute a special document giving your partner the authority to make these and other related decisions. A single LGBT person may also consider executing such a document if she/he wishes to prevent control of such final decisions by family members.

◇ Co-Parent Adoption

If you and your partner plan to have a child together, the party who will not

be the biological parent may wish to establish parental rights by adopting the child. This is important whether or not you choose to enter into Civil Union. The State of Connecticut allows co-parent adoption among same-gender couples. A licensed attorney can facilitate this process for you.

◇ Designation of Decision-Maker

Our State statutes provide for certain "powers" and rights that you may grant to another person over the age of 18 who is not related to you by blood. For example, unless you choose to enter into Civil Union, your partner does not have the automatic right to be admitted to your hospital room or intensive care bedside, the right to be notified in advance if the hospital or skilled nursing facility at which you are a patient decides to change your room, or the right to participate in legal proceedings if you are the victim of a homicide. If you choose NOT to enter into Civil Union, you may confer such rights upon your partner — or if you are a single person, to another person of your choosing — by executing a special document.

Documents Everyone Should Consider

◇ Wills & Trusts

Clearly, a Last Will & Testament (or simply a "Will") is not exclusively designed to protect same-gender couples and/or LGBT individuals. If you own real estate or personal property and you wish to control how it is distributed upon your death, a Will may be the appropriate way to ensure that your wishes are respected. If you are in a same-gender relationship and will *not* be entering into Civil Union,

remember that your partner is not considered a biological family member for purposes of your estate. This means that she/he has no legal right to your property unless you have made the appropriate legal designations. In some instances, depending upon factors such as the value of your assets, tax considerations, and/or specific objectives, a Trust may be the appropriate legal vehicle for managing your estate. The proper estate plan will ensure that your wishes, needs and objectives are met.

◇ Power of Attorney

A Power of Attorney allows your partner (or other trusted person) to manage your affairs such as banking and real estate transactions, if you are unable to do so.

◇ Advanced Directives/Health Care Representative

Your Health Care Representative is a person over the age of 18 who would ensure that your wishes regarding life support and other medical decisions are carried out if you are incapacitated and unable to speak for yourself.

◇ Designation of Conservator

If you become mentally incompetent due to traumatic brain injury or dementia, for example, you may designate your partner or other trusted adult to serve as your conservator.

FOR MORE INFORMATION
Call us for a consultation:
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Visit our website:
<http://www.ireneolszewski.com>