

*PREPARING
FOR
LIFE AFTER DEATH*

Presented By: F. Xavier Starkes, Esq.
November 6, 2024

A close-up, angled view of a wooden gavel with a silver band resting on a document. The document is titled "LAST WILL AND TESTAMENT" in large, bold, serif capital letters. Below the title, the words "AND TESTAMENT" are visible. The document is on a dark wooden surface. The background of the slide is a solid dark blue with a gold-colored L-shaped decorative element in the bottom left corner.

LAST WILL
AND TESTAMENT

... being o
this instrum



STARKES
LAW FIRM, L.L.C.

F. Xavier Starkes

AREAS OF PRACTICE

- Auto Accidents
- Workers' Compensation
- Wrongful Death
- 18 Wheeler Accidents
- Medical Malpractice
- Wills & POAs
- Camp Lejeune Litigation

**EVERYONE AT MY FUNERAL
GETS A STUN GUN...**



**LAST ONE STANDING
GETS ALL MY STUFF.**

WILL

- Everyone (over 18) needs a Will (even with no assets) Why does an 18 year-old need a will?

What is the purpose of a Will?

- Name Personal Representative
- Name Trustee or Guardian for minor children
- Leave assets to who you want to
- Husbands and Wives need separate Wills

Properly executed Will

- Requires witnesses and a notary

**Wills can be revoked*

WHAT HAPPENS IF YOU EXPIRE WITHOUT A WILL

Intestate Succession (*SC Code of Laws Section 62-2-101 et seq*)

- Spouse if no children
- If children, $\frac{1}{2}$ to spouse and $\frac{1}{2}$ to children of decedent
(note that step-children are not heirs)
- If no spouse, all to children of decedent
- If no spouse or children, then to parents of decedent
- If no spouse, children or parents, then to siblings of decedent
- If no spouse, children, parents or siblings, then to aunts & uncles

WHAT HAPPENS IF YOU EXPIRE WITHOUT A WILL

Cont'd

- If no aunts and uncles, then to grandparents of decedent
- The State does not take your property, but the State does dictate who gets your property

POA

- Gives someone the legal authority to conduct your business
 - POA can act as if he or she is you. Most People assume Spouse is automatically their POA
 - The person who acts as your POA is called your AGENT
- MUST TRUST THE PERSON YOU WANT AS YOUR AGENT
- MUST BE filed by the county where the person giving the POA resides
- Don't wait until it's too late
- Principal must be mentally competent

POA Cont'd

- Properly executed POA
 - Requires witnesses and a notary

**POA can be revoked*

- *Must be mentally competent to revoke POA*

LIVING WILL

- You provide instructions for your medical care, or for the termination of medical support in certain circumstances.
- Basically, you decide if you want to live or die
- You indicate whether you want nutrition or not.

HEALTHCARE POA

- Gives the POA authority to make MEDICAL decisions for you.

PROVERBS 13:22

A good person leaves an inheritance for their children's children, but a sinner's wealth is stored up for the righteous.

QUESTIONS



The logo for Starkes Law Firm, L.L.C. is centered at the top. It consists of the word "STARKES" in a large, bold, serif font, with "LAW FIRM, L.L.C." in a smaller, bold, serif font below it, all contained within a white rectangular box with a blue border and a decorative arched top.

STARKES
LAW FIRM, L.L.C.

TELEPHONE: (803) 758-2882

FACSIMILE: (803) 758-2454

TOLL FREE: (866)605-7800

EMAIL: XAVIER@STARKESLAWFIRM.COM

A decorative graphic in the bottom right corner featuring a thick, curved gold swoosh that sweeps upwards and to the right, set against a dark blue background.