

Woman's Day

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on food, beauty and
around the house

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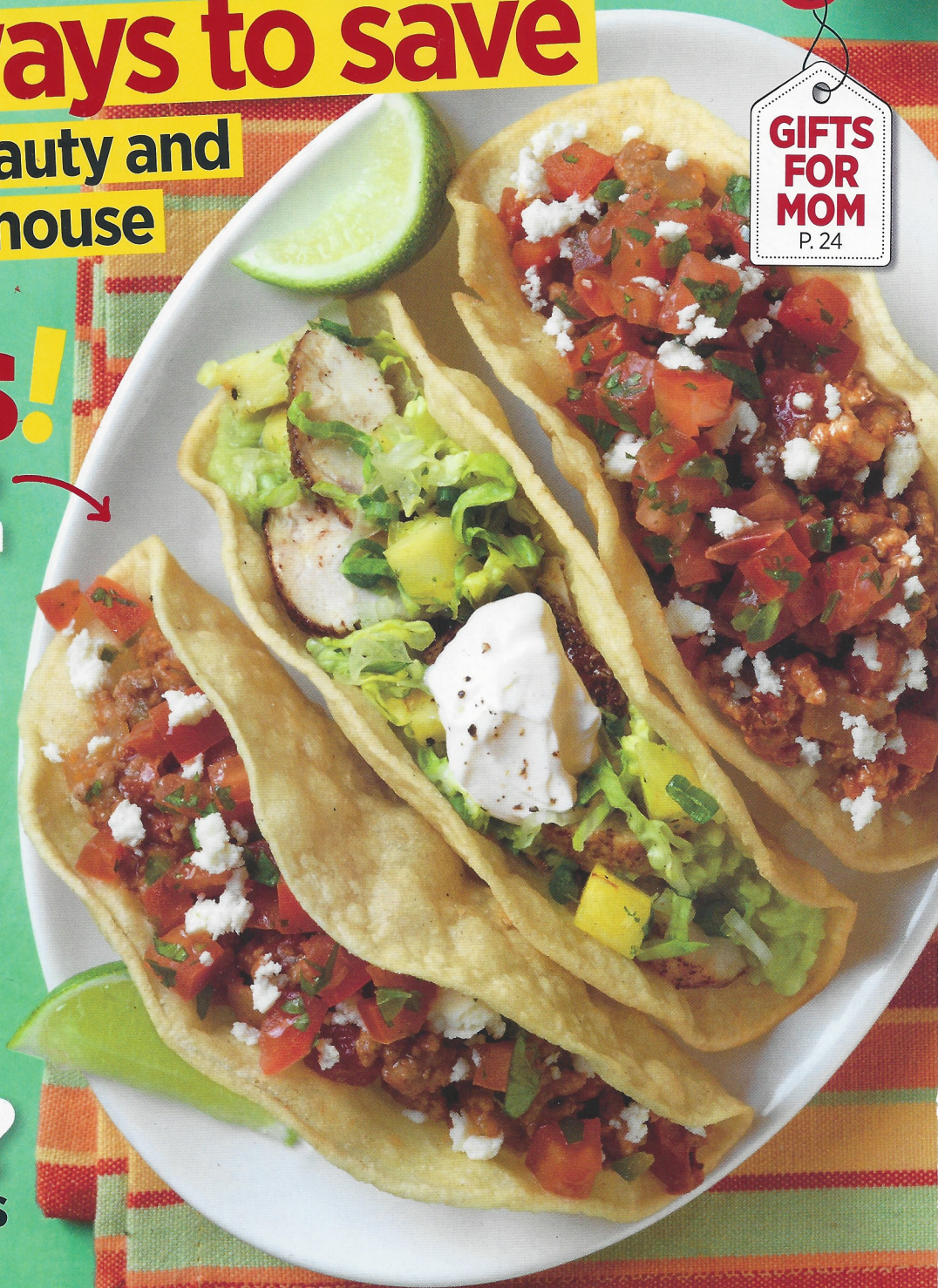
CAN'T SLEEP?

Snooze how-tos

END PAPER CLUTTER! Easy tricks, P. 42

GIFTS
FOR
MOM

P. 24



Fast, easy financial fix



by MP DUNLEAVEY

THIS MONTH'S MISSION: Write up a will

WHAT'S THE PAYOFF?

You'll have peace of mind knowing that your family will be cared for after your death, and your important belongings will go to whom you choose.

WHY YOU

SHOULDN'T AVOID IT

As hard as it is to think about a time when you're not here, you don't want to leave the people you love with big, painful questions.



Take stock

Forget Hollywood's take on wills: Who will get your yacht and villa in Tuscany? Who gets disinherited? For regular people, a will is simply the legal way to state your wishes for how you want your assets and your kids to be taken care of after you die.

DO THIS

✓ Have a serious conversation with your spouse about the best guardian for your children if, heaven forbid, you both died before they turn 18. If you don't name

someone and you both pass away at the same time, your children's fate is up to a judge, and no one wants a stranger making that call. You may not feel 100% comfortable with anyone else raising your children, but don't let that uncertainty hold you up, says Liza Hanks, a lawyer and author of *The Mom's Guide to Wills & Estate Planning*. Pick the best person you can right now—you can change guardians at any time.

✓ Make a list of your most important personal effects, whether that's Grandma's diamond ring or your Dolly Parton albums. A will lets you lay out who gets what. If you die without one, state law determines where your stuff goes. "You and your spouse should have separate wills to allocate your

individual possessions," says Mary Randolph, author of *The Executor's Guide*. Joint items like a house or car will normally pass to the co-owner (usually your spouse).

✓ Organize your assets and check your beneficiaries. Even if you haven't saved much, you may have investment and insurance accounts and other assets that will need to be distributed after you die. Your financial accounts, such as a 401(k) or IRA, would go to the beneficiary on each account, so make sure you name the right person. The same goes for your life insurance policy: You don't want a deceased parent or ex-husband listed instead of your kids. It's easy to update a will once you have one in case your circumstances change.

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SMALL Change

2

Choose your key people

You need to fill four important roles when setting up a will, and because this can take time, you want to identify the people before you create the document.

DO THIS

- ✓ Contact the person you've chosen as your children's **guardian** to make sure she's on board. She doesn't have to sign anything to show her consent, but knowing you've discussed it will give you peace of mind.
- ✓ Select the **executor**, the person who makes sure that your wishes are carried out. In some cases, your will might pass through probate (a court-

supervised review), so that person should be able to handle dealing with legal affairs or an attorney. The executor doesn't need special skills—she just has to be honest and organized. Again, you'll want to contact the person to make sure she doesn't have any objections.

- ✓ Pick two or three **witnesses**. If you're creating your own will and not using a lawyer, you'll need at least two witnesses (depending on where you live) who are 18 or older. They shouldn't benefit from the will in any way. They don't need to read your will; they simply need to watch you sign it in their presence, and then sign it themselves in front of you and each other—that's crucial. If your will were contested for some reason, the witnesses might be called upon to verify that you seemed clear-minded when they signed the document, and that no one forced you to sign it.

3

Create your will

These days there are a few ways you can make a will. The simplest is to write your intentions in your own handwriting, which is called a holographic will. Half of U.S. states consider a handwritten document valid in court (check with your state court clerk to see what is

required). Keep a copy in a fireproof lockbox or a safe-deposit box, and tell your executor and children's guardian where it is.

Asking a lawyer to draw up your will is the best way to make sure it's comprehensive. That costs around \$200 or more, depending on the complexity of your situation (things get more involved if you have a business or assets from a previous marriage). That said, it might be worth the peace of mind to seek

legal guidance.

A solid middle ground is to use a software program like Quicken WillMaker Plus (\$70) or LegalZoom (\$69). These programs walk you through a series of questions, and add conditions that are specific to the laws of your state.

Whichever method you choose, power through the discomfort of thinking about such an unpleasant topic—and do it now. That way you can get on with your life and enjoy the people you love.

MP DUNLEAVEY, WD's personal finance columnist, is the author of *Money Can Buy Happiness*.

MAKE YOUR END-OF-LIFE WISHES KNOWN

A will is critical, but just as key are legal documents that state how you'd want to be cared for should you become ill or injured and unable to speak for yourself. Now's a good time to draw these up as well:

► HEALTHCARE PROXY

Also known as a healthcare power of attorney, this enables you to name an agent to make medical decisions for you if you can't. Many states' health department websites have simple forms to download.

► **LIVING WILL** Here's where you make clear how you want to be taken care of—for instance, whether or not you'd want to be kept alive on a respirator if need be. Some states use an advance care directive, which combines a living will with a healthcare proxy.

► POWER OF ATTORNEY FOR FINANCES

This is the person who handles your financial matters if you can't. You can have a lawyer draw this up or use a service like *nolo.com*.

"I made a small change"

Attorney Tara Wilson of Andover, MA, had many of her own estate planning documents in order. But after her grandmother fell ill at 84 and her relatives disagreed on her care, the court appointed a stranger as guardian, overruling her grandmother's wishes.



“The guardian kept her from her loved ones, put a reverse mortgage on her house, moved her to a nursing home and squandered her savings. From all this I learned that I needed to name a second and third choice for healthcare proxy and power of attorney, and add a provision to my will that the court is not to appoint anyone else to represent the interests of my children. And I keep my will up to date.”

COMING NEXT MONTH
Part 10 of WD's 12-part Small Change series will help you plan for the unexpected. Read them all at womansday.com/smallchange

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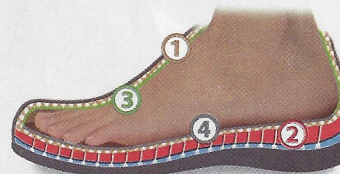
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