

未雨绸缪话遗嘱

Make a Will, Make your Wish

徐亚华律师

"天有不测风云,人有旦夕祸福"。古往今来,应验无数。无论是2001年的911事件,使原本一个风和日丽,秋高气爽的普通日子,演变成一个震惊世人的黑色星期二;还是就在刚刚过去的新冠病毒肆虐,导致全球停摆的三年,无数生命之花凋零。无辜的生命在世贸大厦的双子楼里,在五角大楼的边角一隅,在宾夕法尼亚州小镇郊外的荒漠田野上,在世界各州各地,有的甚至未及告别亲人故友,转瞬逝去。无需多言,形形色色的交通事故,林林总总的意外事件,每时每刻在世界的每个角落上演。

然而,失去亲人的惨痛经历留给家属的不仅仅是无穷无尽的思念和哀伤,也留下了繁琐复杂的一系列未了尘事,尤其是那些还未订立遗嘱的故人。

每年的八月份是美国的"遗嘱制定月"(August is National Make a Will Month)。据问卷调查统计,全美至少67%的成年人未订立遗嘱或安排遗产分配计划。

在此,本文简单扼要地介绍遗嘱这种常用的处理死后财产的法律保障的遗产规划工具,不涉及有关如何避免联邦或各州的

遗产税的财务规划方法及法律途径等。

一般而言,遗产继承过程必须按照非常正规的认证程序来受理执行,循规蹈矩,严谨客观,目的是为了尊重立遗嘱人的生前心愿或维护该州遗产法的保护人次序来执行认证过程。遗产认证(Probate)是由当事人(死者)居住地或遗产(房产)所在地的郡巡回法庭的"遗嘱登记部门"(Register of Wills)来负责受理的司法行为。

所谓遗嘱(Will),是指由18岁以上心智健全者在至少两位成年人作为见证人(非遗嘱受益人)面前签署的一份规定其财产和债务如何分配处理的正式法律文书。遗嘱形式虽各有千秋,但万变不离其宗,必须具备正规格式的所有要求。遗嘱可以无限次改动,但每改动一次,在此之前订立的就自动失效,以订立人生前订立的最后一份为准。改动时也必须按照正规要求,仍需两位见证人。另外,如果离婚后遗嘱未加改动,原遗嘱中有关原配偶的条款即自动失效,除非明确表明其条款不受离婚事实的影响。如果遗嘱订立后再婚或添加子嗣,先前的遗嘱将被视为无效。因此,一旦有人生重大事件发

生,如结婚离婚子女出生应当尽快作出相应规划,以防不测,避免纠纷。做了遗嘱,平时出外旅行时内心笃定减少牵挂,遗产也可按自己的意愿捐赠或捐献心仪的慈善组织,继续为慈善事业发挥影响力。虽然做了遗嘱仍需要认证(Probate),但认证过程就会相对简单,费用也不昂贵。

如生前未订立遗嘱,其生后的遗产分配就按照各州的"未留遗嘱死亡财产分配法"(Intestate Law)来处置决定。目前,在马里兰州,未亡人(配偶)和子女均可以享受遗产继承权。配偶的享受金额视其子女的年龄,人数而异。总之,订立遗嘱,改动遗嘱正是为了最大程度地按照自己的意愿来控制分配死后财产,从而避免继承人为了财产明争暗斗,钩心斗角,家庭失和,恩断义绝的悲剧发生,譬如沸沸扬扬的香港的龚如心遗产纠纷案。

遗嘱的订立及其后的认证程序是至关重要的法律手续。如既想避免遗产税收和诉讼费用,又能获得心灵的安定平和,不妨聘请专业律师来为您规划起草。订立遗嘱的目的和有点无非是至少以下三点:

其一为保证财产安然地传送给下一代或可靠人士,使之发扬光大;

其二为避免出现生后家人朋友,为财产争斗杯葛,反目为仇,以致对簿公堂;

其三为防止旁人主观臆断,曲解本人意愿,致使财产外流。

不管出于何种动机,说到底,产业被妥善安排,往往是告慰在六尺之深,九泉之下的先人往生安息的最好的方式之一。

如有法律问题,请向徐亚华诚信律师事务所咨询。本文内容仅供参考,具体案例个别咨询。此外,作为有资格的证婚人,请预约徐亚华律师为新人们主持室内外证婚仪式,见证喜结良缘,送上美好祝福!本所将继续克尽克业,为有需之士提供专业法律服务和释疑解惑。正如本所的服务宗旨所言,"以诚为本,取信与众",为广大同胞提供:移民法,婚姻法,合同法,遗嘱法,商业纠纷,委托书学历翻译公证认证等各项专业法律服务。电话:(301)294-0660。电邮:EvaXuLaw18@Gmail.Com。



NATIONAL ASIAN PACIFIC
CENTER ON AGING

我们从收到的电话和信件中选择了几个有关长者福利资格的问题,希望在本月的专栏中分享这些资讯。如果您对 Medicare(红蓝卡)、Medicaid(白卡)、平价医疗法案健康保险市场、社会保障退休福利、补充保障收入或 COVID/流感疫苗接种有其他疑问,您可以通过三种方式联系我们的年长者帮助中心:

电话留言:(普通话) 1-800-683-7427;
(粤语) 1-800-582-4218;(英语) 1-800-336-2722

电子邮件: askNAPCA@napca.org

邮寄地址: NAPCA Senior Assistance
Center, 1511 Third Avenue, Suite 914,
Seattle, WA 98101

<问题1> 我自62岁起就领取了社会保障退休金(SSRB)。当我达到完全退休年龄

(FRA)时,我的退休金会增加吗?

不会。由于您在达到完全退休年龄前开始领取退休金,减少后的金额是永久固定的。受益人只有在达到完全退休年龄时领取退休金,才能领取全额。受益人也可以申请推迟领取退休金(最晚延至70岁),而根据延迟的时间,退休金每年会增长约8%。

<问题2> 我是美国公民,58岁。我丈夫刚刚去世。他已领取社会保障退休金。我现在可以领取遗属福利吗,还是应该等到达到退休年龄才领取?即使我可以领取配偶福利,我还能获得额外的生活援助吗?

年满60岁即可申请遗属福利,但若您60岁时就申请,终生只能领取部分。如果您有资格领取自己的个人退休福利,您最早可以在62岁时改为领取个人退休福利。您可以选择领取金额更高的那个。如果您在达到完全退休年龄后申请遗属福利,您将获得已故配偶100%的社会保障退休金。

如果您的收入有限,您现在可能有资格

享受 Medicaid(白卡)的医疗补助。当您年满65岁时,您应该申请 Medicare(红蓝卡),并且可以根据您的收入和资产尝试申请补充保障收入(SPI)和/或 Medicare 节省计划(MSP)。

<问题3> 我65岁,到今年9月已经来美国10年了。我提交了永居申请,很快就会拿到绿卡。我什么时候可以加入 Medicare(红蓝卡)?我听说有5年的等待期,所以收到绿卡后我必须等待5年吗?

要获得加入 Medicare(红蓝卡)的资格,个人必须年满65岁,并且是美国公民或在美国合法居住至少连续5年。您不必在整个5年内都是永久居民,但在注册 Medicare 时需要成为永久居民。您的初始注册期(IEP)是从您得到通知成为永久居民并收到绿卡时开始,持续3个月。

<问题4> 我的 Medicaid(白卡)资格检查是什么时候?我何时会收到州政府的续保信?我至今还没有收到州政府的来信,我

应该怎么办?

您收到 Medicaid(白卡)资格检查通知的时间取决于您当前 Medicaid 的结束日期。一般来说,Medicaid 受益人会在承保结束日期前30至60天收到续保通知,但各州都有各自的标准。Medicaid 资格检查目前正在进行中,并将持续整个2023年,预计按序审核到2024年。

请密切关注您所在州的卫生部发送的所有通知,以保证您的续保顺利进行,避免失去保险。因此,您需要确保您向卫生部提供的联系方式是有效的。如果您认为您应该已经收到资格检查档但尚未收到,您可以致电当地的 Medicaid 办公室查询。

国家亚太老龄化中心(NAPCA)是一个非营利组织,致力于改善亚裔美国人、夏威夷原住民和太平洋岛民

(AANHPI)年长者及其家人的生活品质。NAPCA 年长者帮助中心面向年长者及其看护人提供五种不同语言的服务。



LIVE! CASINO & HOTEL MARYLAND DEBUTS 'KOHO': THE FIRST KOREAN BBQ RESTAURANT IN ANNE ARUNDEL COUNTY

New KOHO Korean BBQ House Opens in Partnership with Local Restaurateurs Nick Son and Steven Wang

Hanover, MD (August 17, 2023) - Live! Casino & Hotel Maryland today announced the grand opening of KOHO Korean BBQ House, the property's newest dining venue. The premier restaurant is located off the casino floor adjacent to The Cheesecake Factory and features the highest quality Korean BBQ meats and traditional Korean entrees.

"As the home to the first Korean BBQ restaurant in Anne Arundel County, Live! brings a new experience to its guests that they can't find elsewhere in the area," said Ryan Eller, Executive Vice President & General Manager at Live! Casino & Hotel Maryland. "We are especially proud to partner with local restaurateurs Nick Son and Steven Wang, whose restaurants are wildly popular around the region. Their concept for a unique and authentic Korean dining experience pairs perfectly with the energy and excitement of our property."

KOHO Korean BBQ House offers an elevated Korean dining experience that is both delicious and interactive, allowing guests to cook their own food right at the table. Whether diners are meat lovers or vegetarians, the extensive menu has something for everyone. KOHO features an inclusive selection of traditional Korean dishes, the highest quality meats, desserts, soju (rice-based alcohol) and drinks. The new dining venue is complete with a full bar, outdoor patio and a private dining and event area.

"This restaurant has been a long-time dream of ours and we are delighted to see our partnership with

Live! come to life as we declare the restaurant open for business," said KOHO co-owner Nick Son. "We strive to bring local residents and tourists alike the culinary adventure of Korean BBQ and to bring that to a market that has never had this cuisine adds to the thrill."

KOHO is open seven days a week: Sunday-Thursday from 11:00 a.m.-11:00 p.m. and Friday-Saturday from 11:00 a.m.-12:00 a.m. Guests can make a reservation by visiting <https://kohobbq.com/contact/>, or walk in from the casino floor or the mall. Dine in for an exciting culinary experience or order a meal-to-go from the expansive takeout menu.

For more information on KOHO Korean BBQ House, visit <https://maryland.livecasinohotel.com/dine-and-drink/korea-house>.

For more information on Live! Casino & Hotel, visit maryland.livecasinohotel.com.

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ABOUT LIVE! CASINO & HOTEL MARYLAND

The five-time AAA Four Diamond rated Live! Casino & Hotel Maryland opened in 2012 and is one of the largest and most luxurious commercial casinos in the country. Offering guests a range of activities including gaming, entertainment, world-class dining and hotel accommodations, Live! Casino & Hotel is consistently ranked the top tourist attraction in the state and was named one of the top 10 hotels in Maryland by U.S. News & World Report. Located between Washington, D.C. and Baltimore, and adjacent to the popular Arundel Mills Mall with free garage parking, the property features one of the area's biggest entertainment venues, The HALL at Live!,

along with Maryland's #1 Sportsbook with partner FanDuel at Sports & Social Maryland. Other amenities include nearly 200 live action table games and 4,000 slot machines, a large Poker Room, two High Limit Rooms featuring onsite masseuse, and the Orchid Gaming & Smoking Patio. The award-winning hotel features 310 luxury guest rooms and The Cordish Art Collection complete with more than 40 pieces of contemporary art from world-renowned artists including Andy Warhol. Multiple dining options, including Zagat-rated The Prime Rib, and guest services round out the experience at Live! Casino & Hotel Maryland. Live! Casino & Hotel Maryland is owned and operated by a company that is affiliated with The Cordish Companies. More information can be found at LiveCasinoHotel.com.

ABOUT THE CORDISH COMPANIES

The Cordish Companies' origins date back to 1910 and encompass four generations of privately-held, family ownership. During the past ten decades, The Cordish Companies has grown into a global leader in Commercial Real Estate; Entertainment Districts; Sports-Anchored Developments; Gaming; Hotels; Residential Properties; Restaurants; International Development; Coworking Spaces; and Private Equity. One of the largest and most respected developers in the world, The Cordish Companies has been awarded an unprecedented seven Urban Land Institute Awards for Excellence for public-private developments that are of unique significance to the cities in which they are located. The Cordish Companies has developed and operates highly acclaimed dining, entertainment and hospitality destinations throughout the United States,

many falling under The Cordish Companies' Live! Brand, highly regarded as one of the premier entertainment brands in the country. In gaming, The Cordish Companies has developed among the most successful casino hotel resorts in the world including the Hard Rock Hotel & Casino Hollywood, Hard Rock Hotel & Casino Tampa and Live! Casino & Hotel Maryland. Welcoming over 55 million visitors per year, these developments are among the highest profile dining, entertainment, gaming, hotel and sports-anchored destinations in the country. Over the generations, The Cordish Companies has remained true to the family's core values of quality, entrepreneurial spirit, long-term personal relationships, and integrity. As a testimony to the long-term vision of its family leadership, The Cordish Companies still owns and manages virtually every business it has created. For more information visit www.cordish.com or follow us on Twitter.

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