

Firm Opinions™

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Lori & Gary

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You Think!**

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But Aren't We Your Parents?

*How to Protect Your
Child in College...*



Consider the following story.

A child leaves his parents' Texas home to attend college in Florida. When he is 19 years old and still attending school in Florida he is in a serious car accident, requiring a Care Flight to the nearest trauma center. His parents are notified by a school friend and immediately leave Texas for Florida. Upon arriving at the hospital in Florida, the doctors will tell the parents **nothing** about the status of their child's condition or injuries.

After several days in recovery, the hospital **will not** release the child upon the parents' request to relocate him to a rehabilitation facility in Texas. The child's landlord **will not** allow the parents to break the child's lease. The parents return home to institute a very costly and, at this point, a time-consuming, guardianship proceeding. They return to Florida with their stack of court papers, collect their child, take care of his lease arrangement and return home to Texas for months of physical therapy and rehabilitation.

*What happened? Weren't they his parents?
Couldn't they speak for their own child?*

Legally, the answer is "NO." While the thought of something happening to our children that might

leave them unable to speak for themselves is a difficult topic to consider, much less fully discuss with them, we think it is an important topic to address—**before your children leave home.**

The legal age of majority in Texas, and in many other states, is 18. While most of us who have long surpassed the age of 18 still consider an individual of this age to be a "child"...legally, that "child" is an adult who is responsible for his or her own decision-making. Absent proper estate planning, there is no legal right for parents to make decisions for their children after they attain the legal age of majority.

We strongly urge our clients to have documents prepared that will allow the parents to act like "mom and dad" in the event of an emergency situation, disability or other incapacity—whether temporary or permanent.

We recommend having the following documents prepared: Statutory Durable Power of Attorney, Medical Power of Attorney, HIPAA Authorization, and Directive to Physicians.

For more information on how to protect your child, watch our video: Ashmorelaw.com/video/How-To-Protect-Your-Child-In-College.cfm

SUMMER BOATING SAFETY TIPS

What's the key to a safe and memorable day on the water? Education and Preparedness.

Here are a few tips on how to stay safe while boating this summer:

1. Life Jackets

Make sure everyone on the boat wears a life jacket. The U.S. Coast Guard estimates that “life jackets could have saved the lives of more than 80 percent of boating fatality victims.” Even the most experienced swimmers can run into trouble depending on weather, water conditions, etc.

Not only should everyone on the boat be wearing a life jacket, but each person, especially children, should have a well-fitted life jacket. Children should not be in an adult life jacket or one that is too large. The U.S. Coast Guard’s website provides a helpful brochure on how to choose the right life jacket: http://www.uscgboating.org/images/howtochoosetherightlifejacket_brochure.pdf

2. Engine

Before starting the boat engine, make sure no one is swimming nearby. Also, swimmers should never swim near the boat while the engine is on or idling.

3. Alcohol

The driver of the boat should not consume alcohol. Operating a boat under the influence of alcohol is illegal and can have severe consequences.

4. Weather

Check the weather forecast before going out on the boat. If you notice any sudden changes including high winds, dark skies, lightning, or choppy water, get to land as soon as possible.

Being educated and prepared will help create fun-filled adventures on the water!

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Firm Events



JCC
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St. Anne Elementary Career Day



The 20th Annual
Katy Trail 5k





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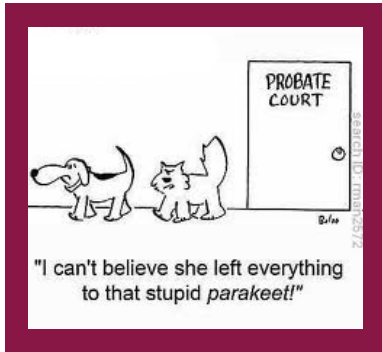
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Question & Answer

What is the standard child visitation schedule in Texas?

For children age 3 or older, the standard visitation schedule used by the courts typically involves visitation to the non-custodial parent as follows:

- Every 1st, 3rd, and 5th weekend;
- One evening during school weeks;
- A part of the evening on the child's birthday;
- 30 days in the summer;
- Alternating holidays based on whether the year is an even-numbered or odd-numbered year.

If the parents can come to a different agreement as to child visitation and the agreement appears to the court to be in the best interest of the child, the court will likely accept the parents' proposed visitation schedule.