

YOUNG LAWYERS

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YOUNG LAWYERS SECTION TO JOIN “WILLS FOR HEROES” PROJECT

In early 2008, former YLS Chair Tomas Vernon proposed that the state of West Virginia join the growing number of states that have signed on to the national “Wills for Heroes” project. His proposal provided the necessary first steps, and the YLS Executive Committee has continued his charge to provide free wills and medical powers of attorney to first responders across West Virginia.

Established shortly after the September 11, 2001, terrorist attacks by attorney Anthony Hayes, a partner at Nelson Mullins Riley & Scarborough, LLP, in Columbia, South Carolina, the Wills for Heroes Foundation works nationwide with affiliate organizations to provide free wills and other estate planning documents to first responders, including police officers, firefighters and paramedics. Since November 2001, the Wills for Heroes program has provided more than 7,000 estate planning documents nationwide.

The Young Lawyer Section of the

West Virginia State Bar seeks to add West Virginia to this nationwide project. Recent events and tragedies in this state involving first responders has prompted a realization that many of our police officers, firefighters and paramedics lack the time and money to seek out an attorney for a will or medical power of attorney. Given the high risk nature of their professions, these brave men and women are daily at risk and need this basic estate planning in the event of a tragedy. Yet, in the zeal of their desire to protect and serve others, first responders often fail to think of themselves. If successful, this project would allow a one stop opportunity to obtain a will and medical power of attorney free of charge.

Last month, I had the privilege to speak at the West Virginia EMS annual meeting, and the enthusiasm for this project was overwhelming. Many recounted stories of how they knew they needed a will, but their work hours and monetary situation prevent them from making repeat trips to an

attorney. Similarly, while most attorneys in this state offer more than reasonable rates for wills and estate planning documents, the minimal pay many of these first responders earn creates a lopsided balance test between attorney fees or health insurance. Obviously, the need for health insurance wins out every time.

Therefore, to establish this program in West Virginia, the YLS Executive Committee is making an application to join the Wills for Heroes nationwide project. Once approved, the YLS will establish two pilot counties in which to start the program. Under the current concept, a day (usually a Saturday from 10 am - 4 pm) will be established at a local firehouse or law office in that county. All first responders in the designated county will receive a questionnaire to complete prior to arriving. Once they arrive, the questionnaire will be reviewed by a paralegal or attorney for completion. The first responder would then meet with an attorney who will plug the information into a tem-

plate will and adjust as necessary. The will would then be printed, signed and notarized, and the individual can leave that day with a completed document.

While simplistic in nature, the YLS needs time to complete the approval process, organize and publicize the initiative. We will soon be looking to the attorneys throughout the state to assist in their respective county initiative. If you are interested, please let me or your local YLS representative know. The larger contention of attorneys in a given area will assist in our selection of the pilot counties. Ultimately, it is hoped that the project will be statewide within two years.

Finally, I would be remiss if I did not mention the involvement of another individual in this initiative, Donna Donathan, of Huntington. She is an Associate Professor at Marshall University teaching Legal Assistants, and has been a driving force in bringing this project to West Virginia. She, along with the Legal Assistants/ Paralegal of Southern West Virginia (LAPSWV), have volunteered to assist in this project, and be present on the designated days to assist the first responders and attorneys. Their time and assistance will be necessary as this project moves forward.

I am excited by the enthusiasm for this project, and confident that the attorneys throughout this state will continue to donate their time and resources to the brave men and women that serve and protect our families and communities.

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