SkarlatosZonarich

April 6, 2020 | E-Alert

Estate Planning During COVID-19

COVID-19 has motivated clients to contact the SZ estate planning team about updating estate planning documents. The team at SZ have had the capability for a long time to work with estate planning clients remotely through video

conferencing and emailing draft documents - and continue to do so, unhindered during the COVID-19 shutdown. The challenge presented by COVID-19 is that of document execution.

In Pennsylvania, financial power of attorney documents must be both notarized and witnessed by two non-agent adults. The notary requirement can be satisfied if an attorney signs an affidavit, later notarized, to the effect that the attorney also witnessed the execution of the power of attorney. The practical challenge here is that three individuals are thus required to watch the signing of a financial power of attorney – a difficult feat for many during a time of “sheltering in place."

On April 2, 2020, the Department of State has temporarily suspended the in-person notary requirement to witnessing the signing of a financial power of attorney, last will and testament and living wills. Notaries may now use video conference technology to notarize estate planning documents.

While the relaxing of the in-person notarization requirement is a good first step, there is still the two disinterested witness requirement for financial power of attorney. Hopefully, this requirement will be relaxed in the near future to allow for video conferencing, as well.

Should you have questions regarding your estate planning documents, contact one of our estate planning attorneys.

This article, as well as further updates in regard to other legal implications related to Coronavirus pandemic, can be found on our COVID-19 Response webpage. https://www.skarlatoszonarich.com/covid-19.

If you have any questions, please contact a member of the Estate Planning Team at SkarlatosZonarich:

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mVkM2M2YjAiLCJtIjoibWFpbF9scCIsImMiOiIwMDAwMDAwMC0wMDAwLTAwMDAtMDAwMC0wMDAwMDAwMDAwMDAifQ)

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SZ COVID-19 Resources (https://www.skarlatoszonarich.com/so/3eN50WYbi/c?w=Cl7EYxlHENgnGw1yIouZbJAG7dxJC9c4B_QuZaqEyz4.eyJ1IjoiaHR0cHM6Ly9za2FybGF0b3N6b25hcmljaC5jb20vY292aWQtMTkiLCJyIjoiOWJmMDMyNTYtMTA0NS00YzlhLTJmZTMtNGM5NzYyZjhhMGVlIiwibSI6Im1haWxfbHAiLCJjIjoiMDAwMDAwMDAtMDAwMC0wMDAwLTAwMDAtMDAwMDAwMDAwMDAwIn0)

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