

# Everyone Should Have A Living Will

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According to information provided by Plan-My-Estate.com an estate planning and asset protection resource web site, a living will, known in most states as a Directive to Physicians or Healthcare Directive, sets out your wishes about what extended medical treatment should be withheld or provided if you become unable to communicate those wishes. The directive creates a contract with the attending doctor. Once the doctor receives a properly signed and witnessed directive, he or she is under a duty either to honor its instructions or to make sure you are transferred to the care of another doctor who will.

There is an old saying, "nothing is sure in life except death and taxes". Whether you like it or not, someday you will die. How you die and how it effects the people you leave behind can be affected by whether or not you have a living will.

Say you feel that if you develop an inevitably fatal illness, you do not want any extreme measures taken to prolong your suffering or to cause you additional suffering or loss of dignity while you are dying. Say you have a massive stroke and end up in a coma and according to the doctors you are brain dead or completely unresponsive. You are being kept alive by a bunch of machines and tubes. Now say you had previously told someone, your spouse, one of your children or a parent, that you did not want to be kept alive by extreme measures. That person tells the doctor that you would not want to be kept alive by a machine, however, another family member, who can not take the thought of your dying, tells the doctor that you wanted to be kept alive by any means possible. Now, there is a problem. Remember the seven (7) year court battle over Terri Schiavo.

Both family members love you and both want to do what is best, however they disagree and end up causing great emotional distress to each other and to other people who love you, as well as forcing you to be kept alive against your wishes while the matter is being settled, and as well as running up considerable medical and legal expenses that have to be paid by someone. None of this would have taken place had you taken the time to have a living will prepared.

Conversely, say that you would like to receive all medical treatment that is available, no matter what. Since you can not speak for yourself, your spouse or a loved one, not knowing your wishes and who believes in dying with dignity, tells the doctor to turn off the machines and let you die. No one else knows what you wanted so the machines are turned off and you die. Had you taken the time to have a living will prepared they would have tried to keep you alive.

The foregoing examples are very black and white and most incidences will vary in various shades of grey, however I hope that you will understand the point that I am trying to get across.

Note: I am not an attorney or a doctor and none of the foregoing should be construed as legal or medical advice. This article is written strictly as my opinion based on life experiences through both my personal life and my work as a private investigator when investigating family disputes. As in all matters of law you should always consult an attorney before taking on any legal endeavor.

Whether you are married, single, young, old, healthy or ill, a living will is an inexpensive way of insuring that your wishes are carried out in the event that something untoward happens. It could also spare your loved ones the emotional distress of being forced to make such an important decision for you.

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