

## Military OneSource Podcast — Making Your Final Wishes Known

### Episode transcript

#### Intro voiceover:

Welcome to the Military OneSource podcast. Military OneSource is an official program of the Defense Department, with tools, information and resources to help families navigate all aspects of military life. For more information, visit [militaryonesource.mil](http://militaryonesource.mil).

#### Bruce Moody:

Welcome to the podcast. I'm Bruce Moody. Today we're going to talk about an online course called Making Your Final Wishes Known. We're going to explain all about this course with our guest today, who is Traci Voelke. Traci, welcome to the podcast.

#### Traci J. Voelke:

Thank you so much. Thanks for having me.

#### Bruce Moody:

We are happy to have you with us today. I think the best thing to do, in terms of getting started, is to really get to know you. Can you explain yourself and what brings you to us today?

#### Traci J. Voelke:

Well, I am the surviving spouse of Major Paul Voelke, who was killed in Afghanistan in 2012. Prior to Paul's death, I was a military spouse for 12 years, and I practiced law as an attorney in multiple jurisdictions every time we had moved. And after his death, I started working for the Army JAG Legal Assistance Office, helping military members and families with estate planning and family law. And I started getting involved in a lot of the issues that impact our surviving families, a lot of the legal issues, and became the Army's subject matter expert on surviving families and probate and estate planning. So, I was asked to be the subject matter expert in this working group.

**Bruce Moody:**

Obviously very sorry for your loss, but grateful for all the work that you've done since then, which again is what brings us together today, specifically this online course. Again, it's called Making Your Final Wishes Known. Can you give us a general idea of what this course is, what it's intended to do?

**Traci J. Voelke:**

Yeah. So this course is really about explaining all the different documents and decisions that have to be made when we're facing our end-of-life wishes. There's a lot of different terminology and different concepts that come into play when we're preparing for the end of our lives. So, this is provided to give an overview to our Department of Defense service members on the different things that they should start considering when they're planning for this event.

**Bruce Moody:**

So, two-part question. Who is eligible to take this course and what might they benefit from taking the course?

**Traci J. Voelke:**

Well, the great news is that this is a free online course, so anybody can take this course, even non-military can find it and take the course. And I think the benefit here is that we can talk about ways and what really needs to be done to prepare for your end of life. And you don't have to pay an attorney for this. Normally you would hire an attorney and go to an attorney's office, and it'd be very expensive and costly and time-consuming to get all of this information. But this is sort of a breakdown of all those considerations. It's free and there's a lot of military-specific terminology and lingo that can be provided in this course.

**Bruce Moody:**

Our military community is very young. Maybe this is a topic that's not on the forefront of their mind, but maybe it would be helpful at this point to explain why this is such an important topic.

**Traci J. Voelke:**

Yes, I'm happy to do that. So it's really important because so many times in my practice I get people who might be dealing with the loss of a parent, or anyone really, and they always say, "I wish I would've known that we could do X, Y and Z. Had I known, we would not be involved in an expensive probate process," or "Had we known, I would have wanted this particular item to go to another person." It's a hard topic, it's hard to discuss, and I think as service members, we have to put some of this out of our mind because we have a job to do, and we don't want to think about what would happen. But ideally, we want to make sure that our family members that are left behind can grieve a loss and don't have to deal with a lot of the quirky nuances that can come with a death and all of the paperwork that's involved with that.

**Bruce Moody:**

Yes, I'm aware of some of that. Quirky nuances can also take a lot of time and a lot of effort and a lot of money. Maybe it would be helpful to give some specific areas that this course covers.

**Traci J. Voelke:**

Absolutely. So we discuss your traditional wills and trust, and the difference between those two products. And then we also talk about ways to avoid probate, because many of us think that, well, I have a will and so everything's good and I've taken care of my family when I pass. But that's not always the case because wills get probated.

We take assets that don't have named beneficiaries to probate. So part of the course is discussing the different ways to pass assets upon death and the different triggers that happen with that passage. And so there are some pretty simple things that you can do to simplify things in the rare event that something would happen.

And also, it's great to help your parents and your siblings and your other family members when they're thinking about these things because if you're going to be the one taking care of an estate after someone passes, you want your life to be as easy as possible so that you can get onto the hard grief work that needs to be done.

So I think that estate planning is one of the things that we talk about. Now when I say estate planning, people get alarmed because they envision a mansion in the countryside. "Well, I don't have an estate, so I don't have to think about these things." But your estate is everything that you own. Your estate is your iPhone, that's part of your estate. So we want to make sure that your property gets to where you desire it to go and your financial assets as well.

So we talk about that estate planning and part of that are powers of attorney. I like to say powers of attorney are sometimes more important than your will because let's say you're married and you die without a will, the law says all of your assets pass to your spouse. But if you become incapacitated, the law doesn't say what happens next.

So in the rare event that you're in a coma and need someone to manage your assets, if you don't plan and have these powers of attorney, your relatives may be forced to file a guardianship over you in court, which is an expensive and tedious process. And so many times in my practice, people will come to us after the person has lost the capacity and then it is too late.

So all of this preplanning can really save a lot of angst and stress for your family members. And it's one of those things where, as humans, we probably don't want to think about it all the time, but if we take this course, we visit our local legal assistance offices or our attorneys and get it prepared, then hopefully we don't have to think about it long term. We can think about it every 10 years or so, update what we need to update, but we can put it out of our mind after that.

**Bruce Moody:**

Tracy, there's so much I want to pull from what you just said. So very, very interesting. You referenced the estate planning. Maybe you could just revisit that because I think what you're saying is you may look at your life and say, "I don't have an estate. I don't have a lot of assets, so I don't really need to worry about this."

But there's a lot more than just the will that can get tangled up in the event of your incapacitation, and that can cause a lot of angst and stress and bills, frankly, for the family. Can you get back in to talking about a service member who may see themselves as not having a lot of assets, still really needing to think about this issue?

**Traci J. Voelke:**

Absolutely. Well, one thing to point out with that is that almost all service members have at least something called SGLI, which is the life insurance. And that is currently at \$500,000. So that's not nothing. That's a big asset. So at the bare minimum, they have that and maybe that's the only asset that they really have.

They have children, and so passing assets to minors, to children under 18 can be very tricky in the estate planning context. And so you may think that there's nothing there, but structuring how that SGLI is given to your children is essential. It can cause many headaches if it's not done properly.

So we've got the SGLI asset, and then we're living somewhere, right? We have clothes on our back, we have furniture and things like that, so all of that has to be managed in some way. And the easier that we can make that for the loved ones that are left behind, I think then they can get onto the hard work of the grief and the loss.

**Bruce Moody:**

If you don't mind, I'd also like to touch on probate. This is a topic ... I'm of a certain age where I have friends who are dealing with losses in the families, and I can tell you they come back, and the difference in the stories regarding probate goes down to two lines: people knew about it and prepared for it, and then people had no idea. Could you maybe take a moment and just talk about what this is and maybe what this course does to prepare people for this?

**Traci Voelke:**

Absolutely. So yes, you hit the nail on the head with probate being our dirty word in estate planning.

So we want to avoid the probate process and wills go to probate. But our course talks to you about ways that you can name beneficiary designations so that those assets stay out of the probate process.

We want assets ideally to pass by operation of law upon death and not go through the probate process. And we talk about living revocable trusts as a way to do that if they're funded properly. And we talk about naming pay-on-death beneficiaries in certain instances, not for minor children, as ways to avoid that process.

And the great part about it is, with legal assistance attorneys but also with this course, you're not paying an attorney to produce products that you don't necessarily need. We get to tell you what we really think without that motivation that we have to charge you something for it. So these are designed to really get to the meat of avoiding probate.

**Bruce Moody:**

How long does it take to complete the course? Can you do it as a couple? Can you complete it partially and return to it? How does it work?

**Traci J. Voelke:**

Yeah, so it's online, so certainly you can take it as a couple. We say about 45 minutes to two hours to go through it, but you can start and stop and come back to different sections of the course. So, it's not something you have to digest in one sitting. You can come back to a section that you need more information on. And then there's also sort of a role-play scenario where you get to kind of pick your own ending and choose what you're going to do, and then it kind of walks you through: OK, you've made this decision, now here's the impact of that decision.

**Bruce Moody:**

Oh my. OK. Well, this is very, very interesting, Tracy. Thank you so much for this. We have a bunch of links in the program notes that get into this course, but also estate planning and other issues. And you've touched on this briefly, but can you talk about just the emotional payoff of taking a course like this and having your affairs in order?

**Traci J. Voelke:**

Yeah. I think there's some peace of mind to that, to know that everything is structured the way you want it for you and your family, that your family is going to have the least amount of paperwork to go through upon death.

Because when someone passes, there is a lot of paperwork, and some of it's unavoidable. But if we can make sure that our assets are passed to our family members for the least amount of money and as quickly as possible, it just sort of puts to bed a lot of those aching, what-ifs and what-ifs and what would happen.

And I think especially for our military families who do face harm's way on a daily basis, knowing that they've done everything they can to plan, those documents and vehicles that they put into place will be able to take care of their family easier. I think it allows them then to go and do their work a little more peacefully.

**Bruce Moody:**

Traci Voelke, thank you so much for a very interesting conversation. Appreciate you spending some time with us today.

**Traci J. Voelke:**

Thank you for having me.

**Bruce Moody:**

Absolutely. And I want to remind everybody that Military OneSource is an official resource of the Defense Department. We always value hearing from you. Click on the link in the program notes, send us a question, a comment, maybe an idea for a future podcast episode, and be sure to subscribe to this podcast wherever you listen to your podcasts, because we cover a wide range of topics to help military families navigate military life. I'm Bruce Moody. Thank you so much for listening. Take care. Bye-bye.