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arts

By SUSAN McMILLAN

"People are messy," or so my partner frequently reminds me. After three years of hearing this, I'll admit she is right. It is exactly because she is so right that Nolo's *A Legal Guide for Lesbian & Gay Couples* is such a great book. *People are messy* and there are legal consequences to this, like it or not.

If you own nothing, live alone, have no kids or pets, or don't care what happens to your property, read no further. Otherwise, read on and learn how to protect yourself, your kids, and your wishes. Yes, the law can be intimidating but this book will help clear the way. You've heard "ignorance of the law is no defense." Well, it's no protection either. Since things *do get messy* it's better to plan ahead rather than foolishly hope things will just work out.

Nolo's guide does not oversimplify. And it is not a book of legal forms that require a law degree to decipher. It easily but thoroughly walks you through some typical experiences a gay or lesbian couple might experience: renting together, buying a home, estate planning, living together contracts, medical and financial matters, having / adopting / fostering children, and the unfortunate separations that sometimes blind-side us. If you have decided to go to a lawyer to deal with these matters, the guide will educate you so you are a well informed client.

Ok. Let's review. Fact #1: people are messy. Fact #2: people die, so let's look at the chapter on estate planning. This is the legal subject people love to avoid but it is really important to make your wishes known since you won't be here to help later. Whether it involves your children, your dog, or your grandmother's quilt, you may really want things to go a certain way after you die. The Nolo guide will walk you through some typical will provisions, the technical parts (specifics about words and witnesses), storing, and changing your will. A sample is provided which offers a

Legal Self-Help For Couples

Ignorance of the law is no defense – well, it's no protection either.

A Legal Guide for Lesbian & Gay Couples
by Attorneys Hayden Curry, Denis Clifford & Frederick Hertz
12th Edition, 288 pp. incl. 39 forms
February 2004, Nolo Press

simple answer to uncomplicated estate planning. This document is critical if you don't want your legal heirs to have all your stuff.

This book is thorough. The special issues encountered when one partner is transgender are mentioned several times, as are the questions involved with a partner from a foreign land. There is frequent mention of the implications of current DP, CU and marriage laws. Domestic violence in same-sex relationships is discussed. Specific references to LGBT resources, books, websites and organizations are offered throughout the book.

Written by three attorneys and updated as needed since its first publication in 1980, the book has an interesting history. One of the original authors, still listed on this 12th edition, was Hayden Curry. He was an active participant in the Bay area's gay community and died of AIDS in 1991. The acknowledgments give special thanks to the folks who scrutinized the original manuscript in California nearly 25 years ago. One of the people recognized is

Phyllis Lyon, the pioneer who married Del Martin, her partner of 51 years, in San Francisco earlier this year.

So you buy the book and write your own will, change your name, or create a durable power of attorney. Will it hold up in court? You are not an attorney, but some of these documents require just that you include certain information, type it out, and sign it. If the circumstances are not complicated, and you follow the suggestions in this book, you'll most likely create a valid document. And there is a very important consequence of all this work. The discussion with your partner will encourage you to clarify your expectations.

The book is available for \$22 to \$30 depending on if you buy it retail, at www.nolo.com, or you choose to download the e-book.

Whether you and your partner choose to write simple documents yourself or be better prepared to meet with a lawyer, this book is worth the investment. Sit down, talk it out, write down your wishes, and read Nolo's guide. Sure, we're all messy but we don't have to be uninformed. ▼

Susan McMillan is the assistant editor of OITM, a law school graduate and a veterinarian. She is currently en route to Alaska for the summer with her partner.