

# Bits and Hits

## Estate-planning Blog Success Shows That Where's a Will, There's a Way Forward

**H**yman Darling admits to being somewhat skeptical when he was first presented with the idea.

He didn't know much about blogging, and what he did know had him rather concerned about just how big an investment in time he would need to make — and also about whether he'd see a real return on that investment. And there was a different kind of concern: "I was a little afraid of sharing information with the world, putting myself out there, and possibly being wrong."

More than three years later, Darling no longer has any real doubts. He told *BusinessWest* that, while his role as primary contributor to Bacon Wilson's estate-planning blog does indeed absorb some of his precious time, the work is generating much-needed visibility for himself and the Springfield-based law firm — and some business in the form of a few new clients each month or so.

Meanwhile, the blog — called 'Estate Planning Bits' (you can peruse it at [bwlaw.blogs.com/estate\\_planning\\_bits](http://bwlaw.blogs.com/estate_planning_bits)), is garnering something else: No. 1 status on Google when one searches 'estate planning blogs.' Actually, it's been first or second (flip-flopping with an offering from a California-based law firm) over the past several months, said Christine Pilch, the firm's marketing director, noting quickly that it has been at the top for the past several weeks.

She attributes this ranking to consistently fresh content — there are new postings almost every week — and pieces that inform, educate, and, in some cases, inspire people to take action on issues such as a will, power of attorney, and others.

"What's solidified our standing is that, over the past 26

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August 20, 2008  
**HIPAA language and authorizations - its affects upon long-term care**

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) provides that absent a written statement from a patient, a health care provider cannot disclose medical information to anyone other than the patient or the person appointed under state law to make health care decisions for the patient. In the event that a health care provider fails to comply with HIPAA, there are civil penalties plus a criminal fine of \$50,000.00 and up to one year of imprisonment for each occurrence.

As such, doctors, hospitals and other health care providers are extremely reluctant to release any information absent a release from the patient. The inability to obtain information about a loved one can be very upsetting especially when the information regards the treatment as part of long-term care.

Therefore, you should consider executing a document specifically authorizing the release of this information to loved ones so they can access the necessary medical information to make a well-informed decision about your medical treatment if you are unable to make these decisions yourself due to a temporary or permanent condition.

In the Commonwealth of Massachusetts, a Health Care Proxy is the appropriate document to provide this release. Your estate planning attorney can create such a HIPAA Authorization for you.

By: **Todd C. Ratner, Esquire**

August 20, 2008 at 08:00 AM | [Permalink](#) | [Comments \(0\)](#) | [TrackBack \(0\)](#) | [Share This](#)

August 13, 2008  
**Ethical wills - bequeath your values along with your valuables**

To my daughter, I leave my love of laughter,  
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 July 2008  
 June 2008  
 May 2008  
 April 2008  
 March 2008  
 February 2008  
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months, we've been posting once a week, and the posts are good — this is relevant, strong content," she said, adding that no one really knows precisely what goes into generating a No. 1 ranking on Google. "What I do know is that people are spending a lot of time on this blog, and what that tells Google is that there is good content, worthy of being No. 1."

Darling, chair of Bacon Wilson's Estate Planning Department, said his submissions, which take the form of general information and not legal advice, have drawn responses from people across the region, across the country, and even beyond. Indeed, there was a question from a gentleman in Turkey whose mother is living in Massachusetts.

Some "regulars" have emerged, he said, referring to what he called frequent responders, adding that inquiries arrive regarding posted content — but also some totally unrelated mat-

ters. "I got a question about immigration law, which I don't know much about," said Darling, adding that he does his best to refer those with questions to others who can help them.

Recent postings on 'Estate Planning Bits' include "HIPAA language and authorizations — its effects upon long-term care," by Todd Ratner, another of the firm's estate planning specialists; "Ethical wills — bequeath your values along with your valuables," by Gina Barry; "Caring for the caregiver; a real dilemma families face in an age of living longer," by Darling; and "Reverend King's kids — sibling squabble — a primer on fiduciary duties," by Ratner.

All of these postings have drawn substantial numbers of hits, said Pilch, which shows that the topics are of interest, and people are seeing the name 'Bacon Wilson.'

This was the idea, she said, when she initiated discussions

with the firm's attorneys — and especially the marketing committee — on the concept of blogging early in 2005. The medium was starting to take off, she explained, and although few law firms were part of the movement at the time, she saw it as the wave of the future and a way to enhance the firm's Web site.

"Even at that early point, search engines were loving blog content because it was fresh," she explained. "With most law firm Web sites, you put it up, and people look at it once, primarily because it doesn't change; there will be an item if a new partner is added, for example, but generally, these sites don't change their content, so they fall back in the search-engine rankings.

"We like to be at the forefront of anything new that's coming — anything that will push us to the next level from a marketing perspective," she continued. "And it's been a home run for us."

While enthusiastic about the promise of blogs, Pilch was nonetheless concerned about the requisite commitment to frequent new postings that such an undertaking mandates, and she didn't proceed until she had it from Darling and several of the firm's other lawyers.

The firm started with blogs on estate planning and employment, and later added ones on bankruptcy and family law, said Pilch, noting that the 'Estate Planning Bits' has enjoyed the most visits — roughly 35 a day, and growing by a hit per day each month, by her estimates — and that aforementioned highest ranking on Google.

Again, she attributes this to fresh content and the general subject matter, which is important to a wide audience, especially Baby Boomers who have elderly parents — and are themselves

approaching retirement age. “These are topics that are relevant for large numbers of people.”

Darling agreed, noting that many of the responses to his postings come in the form of questions about assets and how to protect them from taxes or going toward paying for nursing-home care.

“Wills and long-term care

planning — those seem to be the most popular items,” he said. “People want to know asset-protection planning will prevent money from being spent on a nursing home or long-term care facility. I would have thought that some of my postings on taxes would attract more attention, but I don’t get too many questions on them from the public; instead, I get them from accountants.”

While ‘Estate Planning Bits’ was designed to disseminate information, Darling will sometimes offer some personal advice — and his opinions — to those who write back with questions. In fact, he has a common refrain for those with questions about how to protect assets so they can leave them for the next generation.

“I tell them that it’s OK to spend some of their money —

they worked for it, and they don’t have to leave it all to their children,” he told *BusinessWest*, adding that being able to offer such commentary is one of the more enjoyable aspects of having a blog. “They earned their money, and it’s OK to spend it.” ❖

—George O’Brien