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Emergency arrangement

Dear Sir or Madam,

In this newsletter we would like to give you a short overview over steps which should be taken as a precaution against emergencies.

Medical emergency

Even for a lawyer, this emergency only occurs once our health is affected. As a precautionary measure, all general preventative steps should be taken. These are, for example, a healthy and balanced diet, drinking plenty of liquid, exercising on a regular basis like walking or swimming, sufficient sleep, moderation when it comes to alcohol and avoiding tobacco. A working day of ten hours or more, immediately followed by a two-hour intensive fitness session, do not necessarily have a beneficial effect on your health. Of course, each body reacts differently, thus an individual approach is required.

If you travel you will need a travel pharmacy, your health insurance card and, if travelling far, plenty of cash.

Advance Care Directive

As a safeguard against incapacitation, it is recommended to set up an Advance Care Directive. Its form is subject to the regulations for the last will and testament. The content determines who is in charge of assets in the event of incapacitation. The mandate can be extensive or short.

Here an example for a short version:

Advance Care Directive

I, *name, surname*, hereby declare:

1. In the event of my incapacity to act I appoint the following persons, in descending order, as responsible for my personal care and for taking care of my estate, and consequently as my legal representatives.
 - a. My wife/my husband *name/surname*
 - b. In the event of his/her absence my daughter/my son *name/surname*
2. The Advance Care Directive and consequently the legal representation in all legal matters are comprehensively valid in every respect.

[Place and date of issue]

[Signature of applicant]

Please note: the Advance Care Directive is only valid if it has been handwritten in its entirety, including date and signature.

For further information about the Advance Care Directive we refer to our [artax newsletter](#) about this topic (in German only).

Provisions for the event of death

Provisions for this should be made in full mental capacity. For married couples, a prenuptial agreement and an inheritance contract are recommended. A testament settles individual issues. Such documents should be deposited with the inheritance office. Here we also refer to the [artax newsletter](#) about this issue.

In the event of incapacity to act

In many families or households, often one person takes care of finances. To ensure legal capacity is maintained, it is recommended that you set up a list with general information, about where documents and data are stored. This includes banking data, point of contacts with banks and insurances, and so on. It also makes sense to list persons who can be fully trusted and persons who should be treated with caution. This list needs to be reviewed regularly and should be discussed every other year with the spouse or with the other members of the family.

Asset overview

An asset overview plus an insurance folder are certainly helpful for any necessary actions, both for the acting person and, should the worst come to the worst, for the representative. Please note: married couples need to be aware that the spouse's accounts are blocked until the estate distribution. The partner should always have a cash reserve at his or her disposal.

Bestowals

Should you be in a position to have assets at your disposal then bestowals during your lifetime are recommended. They create more joy than legacies or inheritance.

In the event of death

This needs to be mentioned, too. From a certain age on, any wishes about place and manner of funerals should be written down in a reasonable manner as well.

Patient Decree and Organ Donor Card

Your family doctor should have your Patient Decree at his disposal. In an emergency, such a decree governs all your wishes regarding medical treatment. In the worst case, the waiting lists for organ donations are long, and here a declaration of willingness to donate organs in the event of death will be extremely helpful.

Kind regards

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