

# NASH LAW FIRM

People have good reasons for crossing the Arkansas River to get from Chenal to the Nash Law Firm, 103 Park Drive, Maumelle. Firm founder Mary Nash heads a team of lawyers who specialize in estate planning, a service everyone needs.

“If you have a dollar and two relatives, you need to plan your estate!” declares Mary Nash with a smile on her face, but she is absolutely serious. “You would be astounded at the stories I hear—when it’s too late to do much about it. And the real tragedy,” Mary continues, “is most of the grief, often caused by family members, could have been averted, if the person with that buck had just done a little planning.”

“For example, on the day of Mom’s funeral, Sister Sue calls Brother Bob and says, in the most pathetic, little voice possible, ‘Bob, Honey, I can’t go to Mama’s funeral. I’m just too sick.’

“Of course, Brother Bob feels terrible and says, ‘Okay, Darlin’, you take good care of yourself.”

“When the funeral and graveside services are over, Bob drives over to Mama’s house, and discovers that Sister Sue has cleaned out the house, taking everything she wanted and then some. What can Bob do? Not a thing. The division of property hadn’t been planned for.”

Mary Nash may have grown up on a little 9-acre farm outside of Charlotte, North Carolina, but you never would know that if you didn’t ask. Mary is as passionate about Arkansas, her adopted state, as she is about the two other loves of her life—her family and the law.

In addition to her two biological children—Robin, a Spanish teacher, and Jim, a theater technician, and her biological grandson Nash, Mary is “Mammare” to 14 “heart-adopted” grandchildren, Mary’s term for kids she

mentors, grandmothers, and loves, ranging in age from 6 months to 35 years.

As for Arkansas, after a stint in Europe and Washington, D.C., Mary longed to return to the Charlotte of her youth, but Charlotte had changed, grown too big. Some friends suggested Arkansas, “and it was just what I was looking for!” said Mary. “It’s on the same latitude as Charlotte, so the weather’s the same. The trees are the same! And there are plenty of places to canoe, bicycle, hike, kayak, sail—you name it! It’s a nature-lover’s paradise, and that’s me!”

Then there’s the law, a profession that she planned to enter from the time she was a young girl, telling her daddy’s well-respected, attorney friend she wanted to be a lawyer, too. He told her, “It’s an honorable profession. You’ll do well.” The gift of a “big, old law book from him, which I probably couldn’t even understand,” sealed the deal.

Today, Mary is known as an “elder law attorney,” and she laughingly points out, “That’s not to be confused with an ‘elder attorney!’” The Nash Law Firm ([www.maumellelaw.com](http://www.maumellelaw.com), (501) 851-0040) is recognized for its work in estate planning, asset protection, guardianships, trusts (living trusts, pet trusts, gun trusts, irrevocable trusts, and more), VA pensions, Medicaid applications, and Medicaid pre-planning.

The five attorneys in the firm each have an area of expertise, but all work on estate planning: Mary Nash—all facets of elder law; Retired Judge Roger Harrod—family law; Kacey Ziegler—real estate and family law; Jon Shirron—tax law; Elizabeth Richardson—business law. The firm does not handle





*Photos provided by Cunningham Photography*

accident, personal injury, or medical malpractice cases.

Mary's passion for her work has led her to write three books on her chosen specialty—Helping Hands across Time, Keeping Family Money in the Family, available on Amazon, Living Trusts, Estate Planning in Arkansas (presently out of print), and The Greed Factor, A Lawyer's Guide to Minimizing Greed in Your Family (currently "under construction," and available soon on Amazon).

When asked about fees, Mary says, "We work very, very hard to make our services affordable. It's simple really, you pay now and get what you want,

or you pay more later when your estate is disposed of through Probate, maybe contrary to your wishes. And in truth, we represent the whole family, pets, too!" And you can take that to the bank, because when you visit the Nash Law Firm, you're sure to meet Bear, the firm's "pupalegal" and Mary's well-behaved, constant companion.

Need another reason to use the Nash Law Firm? "If you need heart surgery," Mary says, "you're not going to your dentist. For your estate planning, go to someone who does this all the time. That's what we do and do well, passionately well." ❖





**NASH**  
LAW FIRM

Nash Law Firm provides the top legal representation throughout Arkansas in the areas of elder law, estate planning and family law.

Our clients' needs always come first. Whether you're planning for your family or facing a difficult custody issue, we've got you covered.

We have built our expertise in the following areas through years of hard work and experience:

- |                 |                               |
|-----------------|-------------------------------|
| Estate Planning | VA Aid and Attendance Pension |
| Elder Law       | Medicaid                      |
| Trusts          | Business Law                  |
| Wills           | Real Estate                   |
| Guardianships   | Tax Planning and Controversy  |
| Family Law      |                               |
| Adoptions       |                               |

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Serving and protecting the legal needs of Arkansas' youth and families

# A DASH OF NASH



*Elizabeth Richardson, Attorney  
Nash Law Firm*

## Step-Parent Adoptions

What if Cinderella and her step-mother got along? What if her step-mother provided care, support, companionship, structure, and friendship to Cinderella? What a different tale that would have been! What if Cinderella was adopted by her step-mother? Well, in real life, this is usually the case. Thankfully, outside of fairy tales, step-parents are not evil. And in a situation where the biological mother or father is no longer able, or willing, to be part of his or her child's life a step-parent adoption may be appropriate. Step-parent adoptions are important to consider in estate planning, because they ensure your step-child is able to inherit from your estate. Below are some general considerations about step-parent adoptions in Arkansas, to keep in mind when deciding if this route is best for your family.

**Consent** of both biological mother and father is normally required. The spouse of the adopting step-parent should file their formal consent with the court. Gaining consent from the non-custodial biological parent is also generally required, although there are exceptions.

**Psychological and emotional considerations** If your child is old enough to understand the concept of adoption, it is important to remember this may cause emotional confusion. If the child is over the age of ten (10), he will have to testify that he consents to the adoption. This can be scary for young children. For that reason, I prefer holding the final hearing in the Judge's Chambers, if the Judge allows, because a court room setting can be intimidating for the child, the parents, and sometimes, yes, even an experienced attorney.

**Child support considerations** Once a step-parent adoption is finalized you are no longer entitled to collect child support from the biological parent. Although, you can collect any past child support that is in arrears even after the adoption is finalized.

**This is a whole family process** If the biological grandparents are involved in your child's life, it may be a good idea to let them know upfront about your plans. Especially if you wish for them to continue to be involved in your child's life.

**Inheritance** Once legally adopted, the child no longer has a right to inherit from his biological parent's estate. There are exceptions, such as provisions made in a Will or Trust after the child has been legally adopted. But, the child now can inherit from the adopted parent's estate.

**Effect of a Final Decree** The effect of the final decree is that the step-parent is now the legal parent of the child, with all of the rights and responsibilities of a biological parent. After the decree is entered, the court will order that a new birth certificate be issued, listing the step-parent on the official birth certificate. If you choose to change the last name of the child, the new last name will also be changed on the birth certificate.

If you are considering a step-parent adoption, and would like more information, please give us a call at the Nash Law Firm.

The above is for informational purposes only and is not intended as legal advice. If you are considering a Step-Parent adoption, it will be important to consult an attorney who can provide you with individualized guidance.

*Elizabeth Richardson joined the Nash Law Firm in 2016. In addition to step-parent adoptions, Elizabeth's practice focuses on estate planning and business law. Elizabeth was named one of Arkansas Life's 2017 Top Attorneys. She is dedicated to providing exceptional legal services to her clients.*

*Elizabeth graduated from the University of Arkansas School of Law in 2012 and was admitted to the Arkansas Bar in April of 2014. She has a degree in Environmental Science from Westminster College in Fulton, Missouri.*