

The Three Things In Life You Can't Avoid

BY GREGORY OLIVEROS

The old expression, "There are two things in life that are unavoidable, death and taxes," is in fact, not wholly accurate. There are three things in life that are absolutely unavoidable: death, taxes, and the law. This article will first examine why many people go out of their way to avoid the law and will conclude by offering a compelling reason why this attitude should stop.

We live in a society that is driven by countless laws. Our lives are governed by the Constitution, federal and state laws and in many cases private law (i.e. contracts). With literally hundreds and hundreds of laws enacted, year in and year out, it is not surprising that most of the public, including attorneys, are simply overwhelmed with the law. It is this phenomenon that has me concerned. I suspect that few are not confused by the complexities of the law, including the lawmakers themselves.

As a practicing attorney, I come into contact with fairly bright people that have given up trying to interpret the law. I don't blame them. While legal principles are, for the most part, conceptually straight forward and easy to understand, statutory law, (those laws written by the legislature), is without a doubt confusing to the reasonably competent person. For example, a particular statute (Oregon revised Statute 112.025) indicates:

If the decedent leaves a surviving spouse and issue, the intestate share of the surviving spouse is:

(1) If there are surviving issue of the decedent all of whom are issue of the surviving spouse also, the entire net

intestate estate.

I understand the meaning of this statute and perhaps you do too. However, I have had to spend hundreds of hours to know what this (and other laws) means. The point is, while the law is written for the masses, the law is not written for the masses to understand. This is sad but true.

The statute states that if a person, who is married, dies without a will, the surviving spouse will inherit the entire estate even if the couple has children who are living. Under this law what would happen if: (1) The surviving spouse has been missing for twenty years and is mistakenly presumed dead? (2) Or if two surviving spouses come forward claiming the right to the estate? (3) Or if the surviving spouse dies one minute later?

As you can see, being knowledgeable about the law requires more than just having the ability to understand the meaning of a statute. One must also possess the ability to analyze key facts and determine whether those facts apply to a particular law. Earlier in this article, I indicated that one can not escape the effect laws have in our daily lives. Its impact is felt by all and for the most part is understood by very few. For good reason I can appreciate why most folks rely on attorneys to guide them through their legal problems. It only makes sense.

However, this method should not relieve anybody of their duty to keep generally abreast of current legal trends and hot legal issues. It is in your best interest to learn as much as you can about the law, especially when you are making decisions which can have dire

legal consequences.

Here are three things you can do to protect yourself from unnecessary legal problems down the road. Number one, use what's out there. You will be surprised to find that there are many resources available to the public which explain, in "plain English," the legal implications of entering into a given transaction or situation? Number two, do not be afraid to ask the other side tough questions when entering into any agreement or contract. Honest people are never afraid to respond to such inquiries. Finally, don't hesitate consulting an attorney over what appears to be a small matter. Many of the large cases that attorneys work on were small cases that grew only because the client thought he knew the intricacies of the law. Getting your law degree by watching "L.A. Law" just doesn't cut it.

One final thought. I am certain of the following propositions; number one, all of us will pay taxes. Number two, none of us will live forever. Number three, at least one of you will take this advice and as a result will avoid some form of legal grief at some time in the future.

In my next article we will explore strategies for selecting an attorney. As a contributing writer to *The Portland Observer*, I hope to explore the various legal issues that have an impact on our collective and individual lives. I personally invite you to let me know which issues you would like discussed in upcoming editions of the paper. Please send your request to *The Portland Observer*, attention Gregory Oliveros. See you next month.

HEALTH HINTS

Don't ignore these symptoms: frequent heartburn; chest pains that could be mistaken for angina; difficulty swallowing; belching; regurgitation of acid fluid into your throat. These symptoms could be signs of a serious digestive problem.

Gastroesophageal reflux disease (GERD) is the most common malady of the esophagus. Symptoms occur in an estimated seven percent of the adult population daily, and 29 percent of the adult population monthly. Left untreated, reflux disease can lead to ulcers of the esophagus and to digestive disorders.

If you think you have reflux disease, see your doctor. If the symptoms are mild, you'll probably be told to take antacids, lose weight if you're overweight, avoid smoking and alcohol, and eat smaller but more frequent meals, and elevate the head of your bed—reflux problems are more common during the night. For more serious symptoms your doctor can prescribe an H₂ receptor antagonist—a drug that increases the speed with which food passes through the stomach and into the intestines. Nizatidine, one H₂ receptor, has recently been proven effective for symptomatic relief and healing of reflux esophagitis, at 150 mg twice a day. Only your doctor can tell you which treatment is best for you.



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- 2 kitchens, Upstairs kitchen could be 4th bedroom
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- Large lot: 50' x 125'
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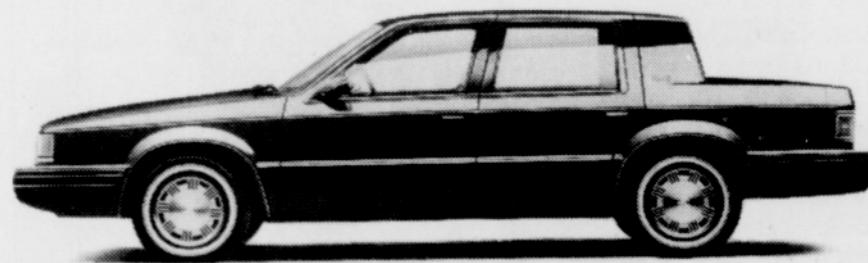
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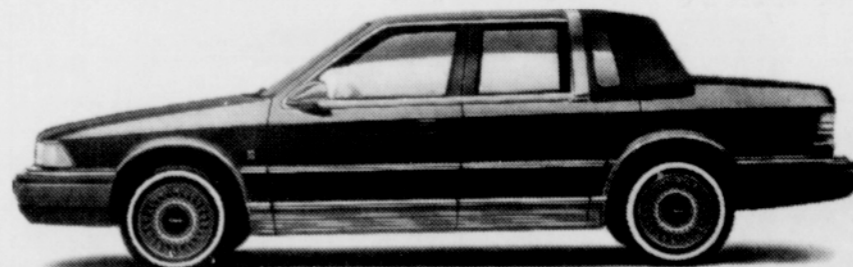
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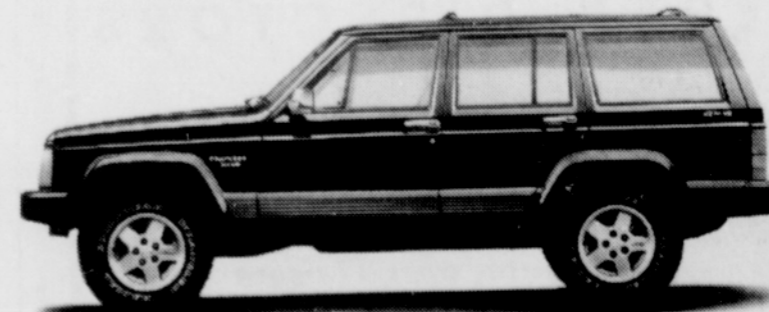
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