

**IN THE FINAL ANALYSIS, IT'S NOT HOW MUCH YOU LEAVE YOUR FAMILY THAT COUNTS
IT'S HOW MUCH THE GOVERNMENT LETS THEM KEEP**

Correira & Correira LLP - Top Lawyers with Three Decades of Service Protecting Your Estate

Almost 30 years ago when Attorney David Correira passed the bar exam and told other lawyers he was going to start a practice specializing in trusts and estates, and estate planning and elder law, many didn't think he had the right idea. Attorney Correira explains, "many lawyers said you couldn't make a living doing that kind of work and most never heard the term elder law." In fact says Correira, "lawyers did not consider elder law an area of legal practice, no law schools had courses on the subject, and bar associations had no practice area sections devoted to the topic." Twenty-eight years later, not only is elder law considered an important area of the law, but it is possible to get an advanced law degree in the subject area. At the same time Correira became a leading practitioner in estate planning locally, and was involved in developing the practice of elder law; he is known for his expertise throughout Massachusetts, Rhode Island and Florida as well as on a national level.

When Correira first started practicing, he was among only seven lawyers in Bristol County, Massachusetts and in Rhode Island who said they were exclusively elder law attorneys. Of the four in Bristol County at that time, one is no longer practicing, another is a retired probate judge, and the third is now a probate judge in Norfolk County. He is the last remaining of the original four. "While there were a handful of other lawyers who were starting to practice in the field, most were not doing so full-time and were combining the practice with general practice areas, family law and/or real estate law," says Correira. Correira's firm deals exclusively with all areas of trusts and estates including litigation in probate court and superior court; tax planning and tax appeals; Medicaid and Medicaid appeals, estate administration and estate planning; and elder law and disability planning as well as special needs trusts and structured settlements. They also handle disputes with trustees, beneficiaries and shareholders. His son Eric D. Correira is his law partner.

When asked about his leadership role in the field, Correira chuckled and explained that "one of the reasons I became a leader in elder law and estate planning and related litigation had nothing to do with 'a plan' per se; it was because I was one of the few lawyers who were trying to figure it all out especially after major changes in the federal law in 1993. We were literally making up the law as we went along." He explains, "some of us would get together and joke that we were practicing law, really 'practicing,' but in the process we did things that seemed to be for some at the time as 'miraculous' for clients and their families. Today, dozens of those planning techniques and strategies are considered standard practice. There were a number of us in Massachusetts who got involved in suggesting state regulations to interpret

federal law, we litigated administrative appeals, Superior Court cases, and Appellate Court matters which resulted in setting legal precedent and/or requiring the Commonwealth of Massachusetts to write new regulations or to comply with federal law," he says. "Things we knew were correct based on our interpretation of the law had to be tried and sometimes tested, it was like being handed a chess board and a book of rules when no other person had played the game before," he added.

"We were involved in changes to the Massachusetts estate tax, and the implementation of the health care proxy and power of attorney laws, along with probate reform and the uniform trust act and the prudent investor law," Correira notes. "I remember one informal group I belonged to, we met monthly for several years at Bickford's in Braintree eating breakfast sharing problems and cases and new planning techniques which were in their infancy and were revolutionizing the fields of estate planning, and trust and property law," he adds.

Correira, a frequent speaker and writer on various estate planning and elder law topics was recently asked to edit and rewrite the second edition of "Massachusetts Elder Law," an over 2,000 page comprehensive treatise on elder law and related topics including estate tax planning and trust and estate litigation and related areas like special needs trusts. The book is published by Lexis/Nexis, one of two major legal publishers in the United States and it will be available in August. He is in the process of editing a new practice series for lawyers titled "Massachusetts Estate Planning & Probate." Previously, Attorney Correira wrote two chapters for the "Personal and Financial Planning" series published by West Law, the other national legal publisher. Also, he has had numerous articles published in various legal publications including *ESTATE PLANNING* and *TRUSTS & ESTATES* the leading practitioner journals, *Massachusetts* and *Rhode Island Lawyer's Weekly*, and the *Rhode Island Bar Journal*.

Recently, Correira and his son Eric Correira wrote several chapters for *MCLE New England's* three set treatise on Rhode Island Probate and Estate Planning and did a presentations for the Rhode Island Bar Association at its annual meeting and for the Massachusetts Bar Association's annual Probate Conference. They have also written and spoken about Florida estate planning. Correira has spoken at America Bar Association annual meetings and for the Canadian Academy of Elder Law Attorneys and at a number of law schools in Europe. He has been active in the National Academy of Elder Law Attorneys chairing one of its sections and the Massachusetts Chapter where he served

on the Board of Directors. Attorney Correira is a past-president of the Bristol County Estate Planning Council and a past director of the Norfolk & Plymouth Estate Planning Council. He served for many years on the programs committee of the Boston Estate Planning Council and is a member of the Rhode Island Estate Planning Council.

Besides writing and speaking and bar involvement, Correira has taught courses on estate and gift taxation and estate planning including at his alma mater, the New England School of Law in Boston and at Suffolk University Law School's Advanced Legal Studies program. He is known for assisting many lawyers in creating elder law practices and for training paralegals and new lawyers who have worked in his firm and/or completed internships, clerkships, or law associate orientation programs.

Correira was one of the first lawyers to participate in the Bristol County Probate Court/Volunteer Lawyer of the Day program and for fifteen years was a participant in the Rhode Island Bar Association's Volunteer Lawyer Program handling various cases for the elderly and disabled at no charge. He accepted major state and federal court cases for National Center for Missing & Exploited Children involving international cross border child abduction as well as cases involving physical and sexual abuse of minors. He has sponsored debate, moot court, and pre-law programs and scholarships for high school and college students including at Somerset High School, Bridgewater State College (now University), and the University of Rhode Island.

In the early 90s, he accepted a court appointed case for a local Veteran in Swansea who had been subject to financial elder abuse. Attorney Correira says, he still remembers the day the judge called him to the bench at the "side bar" after he argued a case requesting he take a special court assignment which could cause a negative impact in the community and place him out front in a difficult situation. One result of the case was that the local Veteran's Agent who was working for Somerset, Swansea, and Seekonk lost his

job and faced criminal charges and was convicted in Bristol County Superior Court for taking advantage of local Veteran's and their widows.

Attorney Correira has received a number of recognitions for his volunteer service including the Citizen Scholarship Foundation Volunteer of the Year Award for his work as Endowment Committee & Investments Chairman; the Bridgewater State College Award for Community Service and Professionalism; the Massachusetts Bar Association Pro Bono Award; and Pro Bono Awards from the Rhode Island Supreme Court and Rhode Island Bar Association.

Attorney Eric D. Correira has begun to receive notoriety as well and was named a Rising Star by Super Lawyers and is AV rated by Martindale-Hubbell, the highest rating given to a lawyer and usually not before someone has been practicing for at least ten years; he has been practicing for eight and is the primary lawyer for Florida matters. Also, he is very active with the Rhode Island Bar Association as a member of the editorial board of the Rhode Island Bar Journal and as a volunteer for the Rhode Island Bar Association Annual Meeting.

Correira & Correira's local office is on Rt. 6 in Swansea. Other offices are in Boston, Mansfield, Providence, and Naples Florida. Their website is CorreiraLaw.com and EstatePlanningElderLaw.com.



(Photos L to R) Attorney David J. Correira, Attorney Eric D. Correira, Beverly DiCesaro, Senior Paralegal; *Massachusetts Elder Law*, 2nd ed. edited by Attorney David J. Correira and the Rhode Island practice series volumes on *Estate Planning and Probate* with chapter contributions from Attorneys David J. Correira and Eric D. Correira.



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Large Firm Reach with Small Firm Service

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