Trust and Estate Planning News and Updates

The Good News, Updates, and Important Information From Your Friends at **Unruh, Turner, Burke & Frees.**

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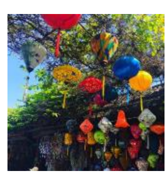
What Now?! Understanding What The Government's New Law Does To Your Retirement Accounts | By David M. Frees, III

Just before the end of the year, the SECURE (Setting Every Community Up for Retirement Enhancement) Act was passed by Congress. It fundamentally changed some of the most important rules governing IRAs and retirement assets. These changes, which became effective almost immediately, will affect estate planning for almost everyone who has IRA or other retirement accounts such as 403(b) and 401(k) accounts. While not every clients' beneficiaries are automatically in danger of a big tax hit, **EVERYONE who has a retirement account needs to understand how it works and how it may change your estate planning strategies and possibly your documents (including wills, trusts and powers of attorney). To get the full overview, please read my open letter to clients at http://bit.ly/UTBFSecureAct, but here's a brief summary.**

Generally speaking, if you are married, your spouse will inherit your retirement account assets with no change to the law. However, when the second spouse dies, the new rules essentially, and with only a few exceptions, eliminate "stretch IRAs" and instead say beneficiaries of qualified retirement accounts, such as individual retirement accounts and 401(k) plans, need to withdraw all of the money out of those accounts **(including Roth IRAs)** within 10 years, instead of over their life expectancy - as was previously allowed. ***(Con't on Page 3)***

PEOPLE AND PETS | David and Robin Frees took a mutual "birthday" vacation to Thailand and Vietnam. Here are just a few of the pictures from their trip. **Send your own pictures of travel, pets or milestone events (like birthdays, anniversaries, etc.) to lsnyder@utbf.com to win a prize!**



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SPRING 2020

HIGHLIGHTS IN THIS ISSUE

SEE INSERT FOR UPCOMING EVENTS

4.21 Panel Discussion on Planned Giving at the Colonial Theatre in Phoenixville

4.23 Spring Executor Training – What Your Heirs Need To Know, In Advance, If You're No Longer There? Get Our Exclusive Executor Training Before It's Sold Out.

Spotlight on the Colonial Theatre|

The Colonial Theatre's mission is to nurture community by celebrating the power of film and the performing arts to entertain, inform, and reveal meaning. Built in 1902, the non-profit, independent theatre has survived over a century of economic, social, and cultural changes, including an economic downturn in the Borough of Phoenixville. Many attribute the town's present-day popularity and health to the theatre's neon glow, as it attracts tens of thousands of visitors annually. Their spending – an average of $35 per person outside of the theatre – helps sustain local business and propel the regional economy. Quality of life, employee satisfaction, property values, mental health, and civic engagement are also enhanced by a community's commitment to the arts and culture.

An independent nonprofit, the Colonial programs 3,500 films, concerts, and special events (Blobfest, speakers, book signings, food and film pairings) each year, providing Chester County residents and visitors with an array of convenient arts and cultural experiences. New film releases, beloved classics, cult and fright night films, and performers spanning genres from classical to new wave can be found on the Colonial's screens and stage. A major building expansion completed in 2017 added two more theatres to the Colonial's existing 1903 auditorium and lobby, as well as a bar and rental suite with rooftop deck.

The Colonial Theatre survives only through the generosity of members and donors. In fact, tax-deductible donations and planned gifts are critical to daily operations, as well as another century of arts and culture in this community. See why Guidestar and Charity Navigator have awarded the Colonial with their highest marks for fiscal responsibility and efficiency by viewing their annual reports at www.thecolonialtheatre.com.

SEE INSERT FOR MORE INFORMATION, OR TO REGISTER FOR THE APRIL 21ST PANEL DISCUSSION WITH DAVID AND DOUG, CALL EMILY SIMMONS AT (610) 917-1228.

COMPLIMENTARY ATTORNEY CALL IN HOURS - WEDNESDAY, MAY 27, 2020

Have a quick question about your estate plan, elder law, being an executor or trustee, and/or changes in the estate or inheritance tax laws? We've set aside time on Wednesday, May 27, 2020 as a bonus for our existing clients. This time is limited and is on a first come/first served basis.

CLIENT BONUS CALL IN HOURS:
1:30 pm to 3:00 pm.
Dial 610-933-8069 to get your free call.
This is an exclusive UTBF client benefit.

You will have up to ten minutes of free attorney time, but note that charges may apply if you need formal legal representation or help. You will never be charged unless you agree to the fee in advance.

Spring Executor Training |

The Fall Executor Training held in our West Chester office **sold out** quickly and the attendees reported that they appreciated the helpful checklists and information, and that they felt better informed after the 3 hours spent with David, Doug and Andrew.

Clients now have an opportunity to sign up for the Spring Executor Training. We can fit a maximum of 20 people. If you have not already done so, please contact Lisa DiRico or Lisa Snyder at **610-933-8069 to register and pay.**

Date: Thursday, April 23th, 9:30 AM to 12:30 pm
Cost: You pay only $97 per person, ~~Regular cost $297~~
Location: Our West Chester office boardroom, 17 W. Gay St

SECURE Act *(Cont'd from Page 1)* There are no required minimum distributions within that time frame, but the account balance must be zero after the 10th year. As a result, your heirs (unless they are minors, are chronically ill, or disabled) will pay the income tax on those assets much sooner than they would have under prior law by "stretching" the withdrawals over the beneficiary's life expectancy.

You probably don't have to be too concerned if you have smaller IRAs or retirement accounts (for these purposes "smaller" IRAs are generally those where, when divided among your children, each child would receive $200,000 or less), adult children (who are all currently healthy) and all of them are the direct or contingent beneficiaries (after your spouse).

But, if you have a will or trust that contains IRA trusts and/or you have named one or more of those trusts as a beneficiary of your IRA or retirement accounts rather than a child or grandchild directly, then the trusts will no longer operate as intended and you should call our office at 610.933.8069 to schedule a brief telephone conference with one of our lawyers to review your options.

There is no charge for the call and there are solutions available that cost between $750 and $1500.00 so that your heirs will continue to get all the asset protection/divorce protection you wanted them to have and the negative tax effects of the new law can be minimized. The appointments to sign the newly "repaired trusts" will be under an hour in most cases.

If you have a "stand alone" IRA trust (which has always been the best practice for those with larger IRAs and retirement accounts), it is probably structured as a "Conduit Trust" and will no longer work as you expected. While the Internal Revenue code still recognizes conduit trusts, it may be important to change the trust to an accumulation trust or a hybrid trust depending on your particular circumstances. In this case, you should call to review the situation with one of our trust and estate attorneys (Doug, David and Andrew). Once we have verified the best approach to updating the trust to comply with the new law, we will also schedule you for an appointment to revise the trust.

In these cases, you will almost certainly elect to fix the old trust but the costs and the time to do so will be as low and as efficient as possible.

Finally, if your estate planning documents were executed before 2012 (whether or not you have retirement accounts), you should call to schedule an update of your planning (which, due to many changes in the law since that time, may now no longer function as intended). Simply call 610.933.8069 and ask for a planning update questionnaire and appointment.

Again, we apologize that Congress saw fit to pass a law that has so many negative effects on so many of you. However, we are dedicated to making sure that your planning is customized to your needs and goals and that it functions as intended. Due to the new law, that may no longer be the case, and we are here to help you to find out for sure. Be sure to read the full article at http://bit.ly/UTBFSecureAct and review the FAQs, then contact our office if you would like to discuss your estate plan.

Get to Know A Local Charitable Gem (Colonial Theatre) And Discover (For Free):

- What's wrong with 90% or more of American wills, trusts and estate plans – is yours one of them?
- What you must know about the SECURE Act and how it will change IRA & 401(k) planning forever, and,
- How to include and support vital local charities without harming your heirs or creating more work and delays for executors and trustees

If you'd like to get the answers to these questions and more, join us for free when Dave and Doug host a panel discussion on April 21st at 11 am at the Colonial's Berry Theatre. See Insert For Registration.

Safe Practices for Avoiding Illness | Germs lurk in places like light switches, television remotes, and telephones, in rooms that otherwise appear clean. Use the same rules for at home and the office as for when you need to travel. Here are a few hints:

Wash Your Hands: Frequent hand washing has been proven to reduce the transfer of colds and viruses, and will prevent bacteria getting from whatever it is you're touching to your mouth, eyes, or nose.

Cleaning Wipes: Wipe down frequently touched surfaces to make your life a whole lot cleaner. Key places to spray for germs include the phone, door knobs, toilet handle, ice bucket, remote control, and faucet handles.

Glassware: Don't reuse glasses and mugs at home, use a clean one every meal. When travelling, run your cup under hot water for a minute or two before using it; this will kill most bacteria. Or pack your own cup.

Ditch the Bedspread: Most hotels do not wash heavy bedspreads after each guest, ask the hotel how often the staff washes the bedspreads. Or bring your own blanket and remove the hotel's altogether.

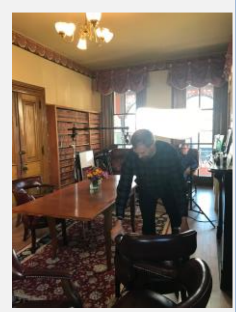
The current coronavirus outbreak highlights a longstanding problem in travel, what do you do when a contagious disease breaks out in an area you are scheduled to visit? Check the CDC and State Department recommendations, corporate events may cancel or your firm may restrict or cancel travel due to concerns. If you have to travel in the upcoming months:

Avoid Dense Crowds: Keeping away from dense crowds (as in metros, markets, concerts) is probably a good idea. In general, viral germs spread more quickly in densely populated areas.

Wear an Effective Mask: The reliability of face masks is somewhat uncertain. Look for masks rated as N95 and use when you are not going to be able to avoid crowds of people.

Spring Website Overhaul |

Lights, Camera, Action! To better serve you, we have been working hard to make improvements to our websites so you can find the information you need to make good decisions about your estate planning. Sneak peek of our "We Believe" Video is coming soon! Please join us on Facebook to be notified, and be alerted of other firm announcements.



Our Facebook Page: @UTBFTrustEstates

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The Fall Executor training sold out quickly so if you want to give you another opportunity to get this exclusive training for you and/or your executor…

Do you want to learn what executors and trustees have to do to do a good job and to avoid personal liability?

Do you have a child or grandchild who will be your executor and you want them to know and to understand the job?

JOIN US (AND BRING YOUR EXECUTOR) FOR THE SPRING VIP CLIENT EXECUTOR TRAINING: THURSDAY, APRIL 23, 2020

Here are just a few specific things that this live half-day event will reveal:

- The master checklists and systems for executors of small and large estates
- The secrets that the smartest executors use to minimize or eliminate expenses, probate fees, and liability exposure (yes, executors can be sued)
- When to hire lawyers, accountants, financial advisers and how to negotiate/ understand their fees
- The two things you can never do when it comes to a decedents' homeowners and car insurance policies
- How to eliminate or minimize the estate's need for the probate court in order to save money, resources and valuable time
- The seven secrets to the fastest and safest ways to end an estate
- What to do with personal memos, and how to understand wills and trusts
- How to handle digital assets, email accounts, online photos and the social media of a deceased party
- The difference between wills, trusts and "testamentary trusts" (and why those differences really matter)
- Why you have to file way more tax returns than you thought and how to avoid trouble (with the state and/or the IRS), interest and penalties…

Call Lisa Snyder or Lisa DiRico at 610-933-8069 to register.

If the meeting is sold out, we'll put you on the waitlist for the next one.

Date: ~~Thursday, April 23, 2020~~ Postponed. New Date TBD

Time: 9:30 am until 12:30 pm (registration between 9 and 9:30)

Location: UTBF West Chester office, 17 W. Gay Street, West Chester PA

Value: You won't pay this, but all of the above has a value in excess of $1,110.00. However, to thank you for being a VIP client, we've reduce that to… $97/person. Why? Because our best clients are our best educated clients and their families.

Heard About The SECURE Act And Would Like To Know How It Impacts You And Your Heirs? Interested In How To Incorporate Charitable Giving Into Your Estate Planning? Or Have Questions About Protecting Your Heirs From Divorce And Lawsuits?

Our own David M. Frees, III and Douglas L. Kaune (w/their special guests) will lead a Panel discussion on "Securing your Family and Legacy: Understanding Changes to the SECURE Act" at the Colonial Theatre (Phoenixville). In this short event, you'll learn how to truly protect your heirs, what's wrong with almost all American's wills & trusts, and how the federal government's most recent law "The SECURE Act" changes IRAs & 401(k)'s for the worse…and what to do about it. This event is a partnership between the Colonial and French & Pickering Creeks Conservation Trust. Admission is free but seats are limited and should be reserved ahead of time at http://bit.ly/UTBFColonial or by calling Emily Simmons at the Colonial Theatre (610) 917-1228.

Date: ~~Tuesday, April 21, 2020~~ Postponed. New Date TBD

Time: 11 am – 12 pm

Place: Colonial Theatre, 227 Bridge Street, Phoenixville (in the Berry Theatre)

Cost: FREE BUT MUST REGISTER IN ADVANCE

DAVE'S BIRTHDAY – AND HE'S THE ONE GIVING GIFTS

Dave's Birthday is coming up again at the end of March (and between you and me, it's a big one). To say thank you for being a great client and for referring some many other great clients to the firm, Dave has a few thank you birthday gifts to give away.

1) **If your assets include a business, a vacation home, or assets in excess of $2 million (or if you're just curious) he's giving away 20 copies (to the first to request them) of his book, *Estate Planning Secrets of the Affluent*. To claim yours, send an email to lsnyder@utbf.com and say "Birthday Book" in the subject line and she'll let you know if you won a copy.**
2) **As you may also know, Dave and I worked long hours to produce a great UTBF hard bound journal. If you'd like one for Dave's birthday, be one of the first 10 to email Lsnyder@utbf.com with "journal" in the subject line.**

If you just loathe email, you can always call Lisa Snyder at 610-933-8069 to get one of these gifts!