



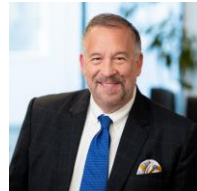
# Trust and Estate Planning News and Updates

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

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## **Protecting Your Legacy & Bulletproofing Your Estate: Discovering The Hidden Weak Spots in Your Estate Plan – And How to Fix Them** By: David M. Frees III, JD

If you've taken the time to create a will, revocable trust, powers of attorney (for financial decision making and medical care), a living will, and or one or more irrevocable trusts, you're already ahead of the curve.



But here's the hard truth: even a well-thought-out estate plan can unravel over time, or in the face of challenges from disgruntled heirs, legal technicalities, outdated documents, or questions about your capacity.

And while we all hope that our wills and plans don't get challenged (or fail to work properly) you never know about relationships of children, their spouses or others who might influence them.

And, any one or all of these factors can all place your legacy—and your family's financial future—at risk. Worse yet, often, the greatest threats come not from poor planning, but from inattention, the passage of time, and a failure to coordinate beneficiary designations and asset ownership with your estate planning documents.

In our many decades of experience advising high-net-worth families, we've been very successful in helping them to avoid problems. But we've also seen too many court cases involving plans that falter, not because the intentions were wrong—but because the execution wasn't bulletproof, and the ongoing attention just wasn't there.

And when plans fail, it's not generally the lawyer or the judge who suffers—it's your family, your wishes, and your legacy that pay the price.

This article is your step by step guide to doing what you can to protect what matters most and making sure that you're getting great advice from your estate planning team.

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**CONNECTING WITH US** | Join our FB pages to get alerts of new articles and upcoming events we are planning.

Private Client Facebook Group at <https://bit.ly/UTBFPCG> and UTBF Trust and Estates Facebook Page at [@UTBFTrustEstates](https://www.facebook.com/UTBFTrustEstates)

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## SPRING 2025

### HIGHLIGHTS

**Page 1**  
**Protecting Your Legacy**

**Page 2**  
**Find out why Dave and  
Phoenixville Mayor Pete  
Urscheler are smiling!**



**Page 3**  
**PA Grantor Trusts: New  
Rules For Some  
Clients' Trusts**

**Page 4 Fly Eagles Fly!**



### SEE INSERT

**SPECIAL NEEDS  
TRUSTS VIRTUAL  
SEMINAR  
COMING UP ON  
MAY 21<sup>st</sup>**

**Bulletproofing** *(Continued from Page 1)* Think of it as an insider’s “secret” checklist based on years of trust and estate experience, psychological insight, and enhanced communication strategies to prevent the most common (and most devastating) will challenge problems.

### Key Areas Where Estate Plans Break Down (And What to Do About Them)

- Outdated Documents
- Challenges to Mental Capacity or Undue Influence
- Informal or Improper Execution of Documents
- Failure to Update Documents After Life Changes
- Poorly Chosen or Unprepared Executors, Trustees, Agents and Trust Protectors
- Lack of Clarity and Specificity in Key Provisions
- Missing or Incomplete Documentation of Formalities
- Lack of Coordination Between Estate Plan and Asset Titles/Beneficiaries
- Including a No Contest Clause – What you need to know
- Using the “wrong” approach for the situation

There are ways to make the accuracy, success, and survival of your planning more likely: careful and regular planning, strategic thinking, documenting your “testamentary capacity” and health issues, as well as training and mentoring of trustees, executors, agents, and trust protectors, attention to coordinating TOD and beneficiary designations with your estate planning documents. These are often ignored but can all mean the difference between a successful and a flawed or failed plan.

For the full text of this article and the step by step guide visit: <https://bit.ly/UTBFLegacy>.

### Spotlight on Events |



The firm’s annual holiday party took place at La Sponda in Downingtown. Pictured are Janine, Lisa, Anylise and Kristen. It was a fun way to relax and celebrate another successful year of effectively serving our clients.



To the left, David Frees with Phoenixville Mayor Peter Urscheler and Citizen Advocacy Executive Director Alicia Warner DeMont at the annual fundraiser. **Email Lisa ([lsnyder@utbf.com](mailto:lsnyder@utbf.com)) to be entered to win one of the silent auction packages (see insert for details)!**

Lisa is pictured to right with Jason Arbacheski and Karen Simmons of the Chester County Community Foundation. On behalf of UTBF, Lisa sampled all 11 desserts at their Sweet Charity event, and reports all were delicious. Don’t miss this sweet event next year!



## New Law Alert - Pennsylvania Adopts Federal Grantor Trust Rules in 2025 |

If you are a trustee, beneficiary, or grantor of an irrevocable grantor trust, Pennsylvania's new tax law may impact you. **NOTE:** PA never honored grantor trusts – until now.

Governor Josh Shapiro signed Senate Bill 815 (S.B. 815) into law on December 14, 2023. As a result, effective January 1, 2025, Pennsylvania's taxation of irrevocable grantor trusts now aligns with the federal rules.

For tax years beginning in 2025, income from a resident or nonresident grantor trust will be taxed directly to the grantor, rather than the trust, if the grantor is treated as the owner under federal tax law.

**Note:** Most irrevocable trusts are NOT grantor trusts but it's important to understand these new rules if you are a trustee, beneficiary or grantor.

### Key Changes Under the New Rules:

- Pennsylvania will no longer tax grantor trusts as separate entities. Income from these trusts will now be taxed to the grantor, regardless of whether it is distributed.
- Trust assets will no longer be reduced by tax payments, allowing them to grow tax-free for beneficiaries.
- Transactions between a grantor and their grantor trust will no longer trigger state tax recognition, e.g. a sale of a business interest in exchange for a promissory note.

These changes may present new planning opportunities and create new filing requirements and tax liabilities. We recommend that you discuss them with your legal, financial planning, and accounting team.

Please read our detailed article: <https://bit.ly/UTBFgrantor>.



## Special Needs Planning and Trust Webinar |



We are in the final stages of preparation for our upcoming virtual webinar on Special Needs Planning.

If you are interested in attending, or have a loved one with special needs, please email Lisa Snyder at [lsnyder@utbf.com](mailto:lsnyder@utbf.com) to be added to the registration list.

DATE: Wednesday, May 21, 2025 TIME: 9:30 AM

**See insert for more information.** We will email the access link a few days before and the morning of the webinar. **Remember that you will be entered into the drawing for the Yeti cooler (winner announced after the webinar).**

This publication is intended to educate the general public about estate and trust planning. It is not intended to be legal advice. Every case is different. Before acting on any of this information, please seek and retain an attorney.



## It's Spring! Time to Refresh Your Routine and Surroundings |

Are you feeling a bit unsettled or disorganized? Schedule fifteen minutes each week on each of the “springtime” tasks below to feel more in control and centered. Even better, schedule 15 minutes daily to declutter and another block of time daily for movement.

**Kitchen:** Go through your refrigerator and pantry and throw out old/expired items. Make a weekly menu plan so when you buy groceries, you have fresh produce available each week and exactly what you need.

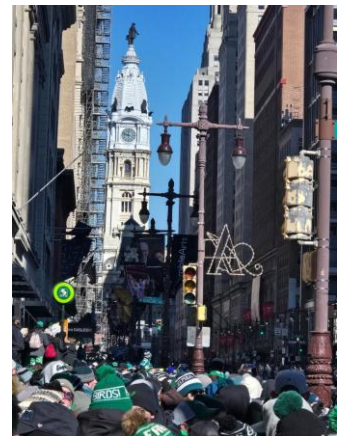
**Personal care:** Go through your bathroom/mud room and throw out expired sunscreen, bug spray, makeup and anything else that has been sitting unused for years.

**Home office:** Tackle the dreaded paper piles. Have a recycle bin handy for junk mail, shred paperwork you no longer need, and file anything you need to keep.

**Fitness:** Set goals for your spring (better weather) fitness routine. Aim to get outside every day for some movement, and don't forget to add in some strength training sessions each week.

## FLY EAGLES FLY |

Doug & two of his sons braved the cold and crowds to celebrate the Super Bowl win!



# UPCOMING WEBINAR: SPECIAL NEEDS TRUSTS & ESTATE PLANNING IN PENNSYLVANIA

## Have a loved one with special needs?

Join us on **Wednesday, May 21st at 9:30 AM** for an informative webinar on Special Needs Trusts as a key part of estate planning in Pennsylvania. This session will cover essential strategies to protect and provide for loved ones with special needs while preserving eligibility for government benefits.



**Date:** Wednesday, May 21, 2025



**Time:** 9:30 AM (EST)



**Location:** Online via Zoom (link will be provided before the webinar)

## Why Establish a Special Needs Trust?

- ✓ Protect your loved one's eligibility for Medicaid and Supplemental Security Income (SSI) and their access to trust assets
- ✓ Ensure financial security for a loved one with special needs
- ✓ Provide for quality-of-life expenses not covered by government benefits
- ✓ Maintain control over how assets are managed and distributed

## Register Today!

Email Lisa Snyder at [lsnyder@utbf.com](mailto:lsnyder@utbf.com) or call the office at **610-933-8069**. **You will be entered to win a Yeti cooler.**

**2025 UTBF Webinars** (Get on the list! Registering also gets you entered to win the 2025 Yeti cooler.)

We are planning to host more webinars this coming year that might include the topics of SLATs (Spousal Lifetime Access Trusts) or Revocable Trusts.

If you missed it and are interested in finding out more about Elder Law, our recorded Elder Law Seminar is available, contact Lisa Snyder for the link and slides.

As soon as we schedule a future webinar, we will open registration and hope many of you will attend and find them helpful. Please reach out to Lisa Snyder at [lsnyder@utbf.com](mailto:lsnyder@utbf.com) or 610-933-8069 to get on the list and to lock in your spot for one or more of the seminars.

# URGENT 2025 ESTATE PLANNING ALERT!

## Major Tax Changes Are Looming in 2025 — Will You Be Ready?

Unless Congress acts this year, the current and historically high federal estate tax exemption—now \$13,990,000 million dollars per individual—will be cut roughly in half on **December 31, 2025**. And that means that starting January 1, 2026, many families could face millions in avoidable federal estate taxes.

This change affects far more families than you might think. For example, if your individual estate (including life insurance death benefits) exceeds **\$6 million**, or you and your spouse together exceed **\$14 million**, you should at least consider taking proactive steps now—before the law changes.

Now it is true that there are many bills pending in congress and this change may not occur.


**However, the strategies below take time (sometimes months or more) to design and implement. They often require formal valuations and appraisals, tax review, and multiple planning steps as well as the filing of gift tax returns (Form 709). Waiting too long may make it impossible to complete these steps before the end of the year if Congress fails to act and the exemptions drop.**

## What Should You Do Now?

- Consider the use of some or all of your full exemption before it disappears - consider strategic **lifetime gifting**.
- Create and fund **irrevocable trusts** for children or grandchildren now, while exemption levels are still high.
- Transfer appreciating assets, family business interests, or **vacation homes, outright or in trust**.
- Families with **estates over \$14 million** should also explore and consider even more advanced planning options like **Spousal Lifetime Access Trusts (SLATs)**, life insurance trusts, (ILITS) or other sophisticated strategies including special types of Grantor Trusts (IDGTS).

**Act Now: If you are single and your assets exceed \$6 million dollars or you're married with assets over \$14 million dollars, and you're worried about the possible loss of these large exemptions... Schedule Your High Net Worth 2025 Strategy Session NOW!**

We strongly recommend scheduling your personalized **2025 Estate Planning Strategy Session before June 30th** to ensure enough time for proper design, review, and execution. These sessions are available on a first come and first served basis and when they are full, it's possible time will not permit this type of planning before year end.

 **Call 610-933-8069 today to secure your confidential strategy appointment.**

**ENTER TO WIN:** You may remember that David Frees has been involved with Citizen Advocacy for many years. At this year's fundraiser, he and Phoenixville Mayor Peter Urscheler auctioned off many items to help them exceed their fundraising goal to support the work of Citizen Advocacy.

One item is being made available to you... no strings attached.... a rowing lesson from local Olympic Gold Medal Rower Dan Beery!! Dan won gold at the 2004 Athens Olympics, along with 3 world championships! Then get a Free rental of one canoe to paddle the Brandywine, from Corcoran's Bridge to Northbrook Canoe in West Chester, approx. 1.5 hours. And finally, a kayak rental package from Port Providence Paddle and a gift certificate for a meal from Fitzwater Station!!

Email Lisa Snyder at [lsnyder@utbf.com](mailto:lsnyder@utbf.com) with **ROWING** in the subject line to enter this drawing.

Get to know Citizen Advocacy, their website is: <https://citizenadvocacycc.org/>