



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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Estate Planning vs. Elder Law Planning: Understanding the Differences and When to Seek Elder Law Assistance? By:

David M. Frees, III

Planning for the future is a crucial step in ensuring that your loved ones are taken care of, your legacy is protected, and that your wishes are honored. When it comes to legal matters concerning older adults, two terms are often used to refer to this strategic process: estate planning and elder law planning.



While these two concepts do share some similarities, it is important to understand their differences and recognize where traditional estate planning ends and when elder law planning becomes essential. In this article, we will shed light on the distinctions between estate planning and elder law planning, highlight situations where the latter becomes indispensable, and provide information on what you'll need to know to proceed.

Estate Planning: Estate planning primarily focuses on the planned and thoughtful distribution of assets and property after an individual's passing or who handles their affairs if a person is incapacitated. It involves creating legally binding documents such as wills, trusts, financial power of attorney, medical power of attorney and living wills.



The objective is to safeguard your assets, minimize taxes, and ensure that your beneficiaries receive their rightful inheritance. Estate planning also often includes establishing guardianships for minor children and planning for potential incapacitation through documents like living wills and power of attorney documents. *Continued on Page 2*

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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SUMMER 2023

HIGHLIGHTS

Page 1 – **Do You Know The Difference Between Estate Planning And Elder Law Planning? Knowing The Difference Might Matter.**

Page 2 – **Spotlight On The Chester County Community Foundation**

Page 3 – **Our Yeti Contest Winner And Client Photos**

Page 4 – **A History Lesson And A Delicious Summer Cocktail To Enjoy. Cheers!**

SEE INSERT

Back By Popular Demand:

Doug Kaune's Elder Law Planning Information Session September 26, 2023

Estate Planning vs. Elder Law Planning *(Continued from Page 1)*

Elder Law Planning: Elder law planning, on the other hand, encompasses a broader range of legal concerns specific to older adults (typically over the age of 65 and depending on personal health). It addresses issues beyond asset distribution and concentrates on the challenges that may arise as one ages. Elder law planning provides legal strategies to protect the rights, finances, and well-being of older individuals. It covers areas such as healthcare planning, long-term care, Medicaid eligibility, guardianship, and protection against elder abuse and exploitation. It also often focuses on trying to preserve assets for the aging individual AND for the family.

While estate planning and elder law planning share common goals of protecting assets and ensuring wishes are carried out, the latter extends beyond inheritance matters. Elder law planning specifically caters to the unique needs and challenges faced by older adults. By seeking the guidance of an experienced elder law attorney, individuals can navigate issues related to long-term care, Medicaid eligibility, incapacity planning, elder abuse, and special needs planning. Engaging in comprehensive elder law planning empowers older adults and their families to face the future with confidence, knowing that their interests are protected, and their rights upheld. **For the full article and more resources, please go to: <https://bit.ly/UTBFsummer2023>. Register now for the complimentary Elder Law session (virtual) on September 26 (see INSERT for details).**



SPOTLIGHT ON CCCF | By David M. Frees, III For many years and in many ways, I have been involved with the Chester County Community Foundation (CCCF), an organization that “connects people that care with causes that matter” so their philanthropy makes a real difference now and forever. Specifically, Robin and I, our children, my brother Robb and his wife Lisa, and their children, are all advisors to the Frees Family Fund, a charitable legacy fund that we formed with our parents and hold in trust with CCCF. These donor-advised funds at CCCF offer:

Permanence: CCCF’s trusteeship ensures a charitable fund perpetually meets your relevant needs and supports your charitable purposes;

Commemoration: your name, the name of loved ones, and/or your family values live on through your charitable fund;

Grantmaking ability: Immersed in ongoing community needs research and charitable impact, CCCF finds charities locally and throughout the U.S. that address your specific interests and core values;

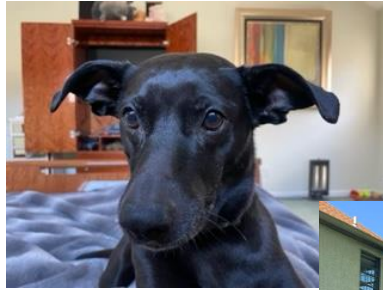
Stewardship: CCCF closely monitors financial investments, and fully accounts to the community via its annual report, audit, and IRS Form 990.



They do the hard work so your family can make the donations/grants (the fun part), Speaking of fun, CCCF’s ever-popular Sweet Charity event was held in March at the warehouse of the Chester County Food Bank in Exton. Annually, Sweet Charity serves as a delicious, informative, casual event where one can sample Chester County’s finest desserts and learn how to help neighbors in need. Unruh Turner Burke and Frees proudly sponsors CCCF events throughout the year, including Sweet Charity. Our firm’s own Lisa Snyder (pictured with her husband Jerry) attended and had a very sweet time!

If you are interested in learning more about establishing a charitable legacy through your estate planning, please contact us and we can coordinate your charitable planning with CCCF. To make a donation, or for more information about CCCF, please go to their website: www.chescocf.org.

Yeti Contest Winners and Pictures | Thank you to our family, friends and clients who participated in our contest. Patti B. won the Yeti cooler. Enjoy the mix of winter holiday fun, travel, family, and adorable pets that you sent!



Tips to Beat the Heat on Hot and Humid Summer Days | As the sun beats down and humidity skyrockets, coping with summer days can be a real challenge. It's important to plan ahead to safely enjoy the summer.

Stay hydrated and avoid strenuous activities: Drink water throughout the day to replenish the fluids lost through sweat. Eat fresh fruits, vegetables, and light meals that are easy to digest. Avoid heavy, greasy, or spicy foods that can increase body heat and leave you feeling sluggish.

Protect from the Sun: Apply a high SPF sunscreen, wear hats and sunglasses, and use an umbrella to shield yourself from direct sunlight. Take cool showers or baths and use light bedding and breathable fabrics for a comfortable sleep. Choose lightweight, loose-fitting, and light-colored clothing made from breathable fabrics.

Seek shade and cool environments: Take refuge in air-conditioned spaces. Close curtains or blinds during the day to block out heat. Use ceiling fans or air conditioners to maintain a comfortable indoor temperature. If staying indoors isn't an option, find shade under trees. Plan outdoor activities during the early morning or late evening.

Embrace the heat and create some unforgettable memories this summer, send pictures to lsnyder@utbf.com to appear in our next newsletter.

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.

SUMMER COCKTAIL RECIPE | Submitted by our Client Howard Sundwall

“Cheers!” For much of the 19th century a cocktail only meant one thing: a couple of ounces of whiskey (usually Bourbon), modified by a little sweetness (originally a muddled sugar cube, but today simple syrup is preferred) and a few dashes of bitters. At one time it was served straight up but later over ice cubes. In the latter decades of the 1800s however, new and ‘exotic’ liquors from Europe came onto the scene, including everything from absinthe to maraschino liqueur. These gave bartenders many more options to create increasingly complex drinks, all under the umbrella of the cocktail. So by then, anyone who wanted the original formula had to ask for their drink to be made ‘the old fashioned way’. Thus this tasty concoction finally got its name:

The Old Fashioned

2 ounces of Bourbon; 1 teaspoon of simple syrup (a 1:1 solution of sugar and water)

A few dashes of aromatic bitters

Stir with ice in a rocks glass and enjoy....Do you have a recipe or cocktail to share?

Send it to lsnyder@utbf.com and it may appear in a future issue.



CALENDAR OF EVENTS |

SAVE THE DATE: Understanding Elder Law: How and Why it Differs from Estate Planning Presented Virtually by Doug Kaune

Tuesday, September 26, 2023 |

11:00 am to 12:30 pm

If you want to know more about elder law planning, this complimentary session is for you.

SEE INSERT FOR DETAILS ON HOW TO REGISTER.



**UNDERSTANDING ELDER LAW:
HOW AND WHY IT DIFFERS FROM ESTATE PLANNING**

Date: Tuesday, September 26, 2023

Time: 11 am – 12:30 pm

Where: In the comfort of your home or office (zoom link will be sent)

Are You or a Loved One Over 65 and Worried About The Extremely High (And Quickly Rising) Cost of Long Term/Elder Care?

With Long Term Care Costs (In Home Or At A Nursing Home Facility) Starting At \$12,000.00 To \$15,000.00 Dollars PER MONTH (Or More), Are You Worried That The Assets You Worked Hard To Build And To Protect Will Be Depleted Rather Than Passed On To A Spouse, Children Or Grandchildren?

There are things you can do and ways to help.

Many people tell us that they are confused about “elder law”, asset protection trusts, Medicaid advance and emergency planning, and the process of trying to protect those assets for your family.

If you're worried, we have good news – and can help to stop the confusion and start providing the answers.

Because you are a VIP client of Unruh, Turner, Burke & Frees, Doug Kaune, Chairman of our Elder Law Solutions® Practice Section of the firm, has developed a **free** virtual program to help you (and your family) to understand elder law planning, your real options and how to protect your home and assets with, or without, long term care insurance.



Who is this for?

Clients:

- Who are over 65, who are single, or married, with children and/or grandchildren,
- With estates of \$2.5 million dollars or less, whether or not you have long term care coverage,
- Who want to protect a family home, vacation home, cash, mutual funds or other assets from the sky high and rapidly rising expenses of long-term nursing care or in home care.

What you'll learn:

The rules for qualifying to have Medicaid pay for long term care while protecting assets for your family.

- Why the myth of “gifting” your home to your children for \$1 might be the very worst thing you can do.
- Why it is best to start planning now so that you can navigate the five (5) year Medicaid look-back rules.
- How to use very special Medicaid Asset Protection Trusts to protect homes and or other assets while reducing estate, inheritance and possibly even income taxes.
- How to protect your right to live in your home or use your vacation property even after it is transferred to a Medicaid Trust.
- Why your revocable trust and most trusts under your will offer no protection from nursing home costs for you or a surviving spouse.

RESOURCES:

Download our Elder Law Reports:

<https://bit.ly/UTBFElderLawReports>

Subscribe to our Elder Law E-Newsletter: