



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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Are You Named As An Executor or Trustee When A Spouse Or Parent Dies OR Have You Appointed One Or More Under Your Will and/or Trust? | By David M. Frees, III, JD

If so, do you know... What it means to be an executor or trustee? How to do the job right and what deadlines are important or vital (yes, you can be sued as either an executor or trustee)? The risks, dangers, and most common mistakes that you have to avoid? How much you can be paid and the answers to many more questions?



To answer all these questions, you first have to know what we mean by “executor” or “trustee.” That sounds like it should be easy but in fact, it’s a pretty complicated question. However, we help between forty and sixty executors and trustees at any given time and we’re pretty good at clearing up the confusion and making the job simpler and more understandable.

So, if you want to have more clarity and understanding and you have a few minutes... let’s get started.

An executor is the person you appoint under your will whose job it is to conclude your state (it may also be that you’ve been appointed under the will of a parent or other person).

In some cases (less frequently in Pennsylvania than in “trust biased states” such as Delaware and California, just to name two), you or a friend or relative may have moved assets, during lifetime into one or more revocable and/or irrevocable trusts. In that case, the executor is typically appointed **ONLY** to move assets into one of those trusts and to file certain tax returns and then the trustee takes over all of the duties of managing and/or distributing the assets. *Cont’d on Page 3*

NEW CONTEST FOR OUR CLIENTS | We always appreciate updates from clients about their pets, travel adventures, grandchildren and family milestones. Starting now (it might end at any time), anyone who sends us a picture of their pet, trips, or family (to lsnyder@utbf.com) will win a UTBF journal **AND** one or more will be featured in each edition of the newsletter. Here are a few of ours to get you started. Meet Tucker Max (David Frees’ pup) and Bruce (one of Lisa Snyder’s foster cats).



SEE INSERT:
Dave’s “Grumpy” Birthday is coming up in late March, here he is in New Zealand!

SPRING 2019

Highlights In This Issue

- **Page 1 – Are You An Executor? Learn What To Do, What Can Go Wrong And How To Be Successful.**
- **Page 1 – Enter To Win! Send Us A Pic.**
- **Page 2 – Can You Save A Bundle On Your Real Estate Taxes?**
- **Page 2 – Free Attorney Time? Yes, For Our Clients Only.**
- **Page 3 – 2019 Medicaid Reference Guide**
- **Page 4 – Decluttering – How To Feel Better!**

This Month’s Insert Features:

- 1) **A Quick Quiz To Let You Know If You Can Save Loads On Your Real Estate Taxes And...**
- 2) **If You’re An Executor We’ve Got Resources To Help You To Succeed And To Avoid The Pitfalls, Problems And Dangers (Yes, You Can Be Sued) That Executors And Trustees Face.**

Our office is located at 120 Gay Street, Phoenixville, PA 19460 | Tel (610) 933-8069
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Complimentary Attorney Call In Hours on April 24, 2019 - Save the Date

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, April 24, 2019 as a bonus for our existing clients. This time is limited and is on a first come/**

first served basis. 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.

CLIENT BONUS CALL IN HOURS:
April 24 from 1:30 pm to 3:00 pm.
Dial 610-933-8069 to get your free call.
This is an exclusive UTBF client benefit.

Tax Savings Alert: Property Tax Appeals Is Your House Assessed & Taxed Too High? Do You Want To Save Taxes Every Year You Own Your Property?

If so, it is likely time to appeal your county, local and school district property tax assessment. Are you tired of paying these taxes based on the inflated and inaccurate assessed value of your property? Well, every year, your county will give you the opportunity to appeal the assessment on your home, rental properties or even commercial real estate.

The 2019 appeals period is fast approaching and we are here to assist you through the legal process so that you can reduce your property taxes and start saving some money. Our firm has a dedicated practice section that handles hundreds of tax assessment appeal cases each year. Our experienced team of attorneys and paralegals will walk you through the process step-by-step and handle all of the legal requirements on your behalf.



There are no upfront legal fees for you to pay. The tax assessment appeal cases are handled on a contingency fee basis **and our firm does not get paid unless your property tax assessment is reduced.**

Yes, it really is that easy and there really is no risk to you. Just give us a call at 610-933-8069 and mention "tax appeal/law" to get the process started and we will take it from there.

See the enclosed Insert and take the LOWER MY REAL ESTATE TAXES QUIZ!

Client Spotlight on Ted & Peg Novak | By Lisa Snyder

This issue we are celebrating long time Phoenixville residents and UTBF clients, Ted and Peg Novak. Before they met, Ted was a soldier and was awarded multiple purple hearts during World War II and participated in D-Day. Peg was voted the 1945 Phoenixville Dogwood Queen for her community service efforts.

They met when a friend introduced them at an office party and they have now been married for 68 years. Peg joked that the secret to their long and happy marriage was keeping their mouth shut! She added that it helps to take one day at a time. They were very devoted to raising their 3 children, but once they grew up, Ted and Peg started travelling for fun, going to many places including Hawaii and Alaska where they took a helicopter trip and were able to walk on an iceberg! They really enjoy their 5 grandchildren, 1 great grandchild (and another on the way).

Asked where she would want to live if she could live anywhere, Peg responded quickly, right where they are in Phoenixville. She feels safe and loves her town. We'd like to thank Ted for his military service and both of them for taking time out of their day to be interviewed. We are happy to have the Novaks in our UTBF family.



2019 Medicaid Reference Guide | The 2019 Medicaid numbers are out and they again serve to underscore the need to be proactive with your asset protection planning. By Douglas L. Kaune, JD

If you plan ahead to protect your assets and qualify for Medicaid, you will avoid the need to run around frantically wondering what to do in an emergency situation. That being said, you should not despair if you have not planned ahead and a family member suddenly needs nursing home care and assets need to be protected. We have a proven “**Emergency Medicaid Planning**” strategy that is likely to help you protect family assets even in the most dire of circumstances.



ASSET REGULATIONS: If you qualify for Medicaid, you are “allowed” to keep a very small amount of money which is referred to as the Resource Allowance. This small token fund is hardly worth mentioning considering the overwhelming cost of long-term nursing care. After spending hundreds of thousands of dollars on nursing care, you are allowed to keep a paltry \$2,400. This should only underscore the need to plan ahead to protect your assets. Whether we are using Medicaid Asset Protection Trusts or emergency annuity planning, we have a great solution for you and the family.

SPOUSAL IMPOVERISHMENT STANDARD: If a husband or wife needs nursing home care, and the other spouse stays at home, the spouse at home is allowed to keep certain assets and a portion or all of the marital income. There are many other planning opportunities for the Community Spouse to keep more of the family assets and income. We work with clients who have a spouse in a care facility to make sure that they are protecting as much of the marital estate and income stream as possible. The Community Spouse may have decades to live and will need every possible dollar to insure their happy, safe and healthy future.

To read this complete article go to: <http://bit.ly/ElderLaw2> (or ask our office to email or mail you the full article). Please give us a call at 610-933-8069 to schedule a meeting to discuss your situation, for either “Advance Planning” for Medicaid Asset Protection or “Emergency Planning.”

Executor (Continued from Page 1) Exactly how the job is split between executors and trustees is established in the documents and can, depending on the complexity of the estate or trusts’ assets, take anywhere from as little as six months to 15 months or longer. You’ll generally need some advice on this and other issues, so later we can review the best ways to make sure that you’re hiring the right person for the job. And, it’s a big job.

So, if you’ve either appointed an executor or trustee to handle your estate OR you have been appointed by your spouse, parent or other friend or family member, it’s best not to wait until you’re doing the job. For most of us it’s better to know what to expect and how to get help – the right kind of help.

In the insert that comes with this newsletter we have a free webinar/teleconference to help our clients who want to know more. TO GET ON THE EARLY-BIRD LIST FOR A FREE SPOT CALL 610-933-8069.

This full article can be found on our website by typing <http://bit.ly/Executor1>. This article includes just a few of the duties of the executor and/or trustee following someone’s death, as well as some information on hiring lawyers, accountants, and financial advisers to assist you in fulfilling your duties as executor or trustee.

The bottom line is, that most people will reduce the cost to the estate by personally performing many of these tasks and checklist items. However, in a busy world where the demands of work and family life are already stressful and tiring, and because many of the tasks are highly technical (like preparing and filing the lifetime tax returns and the death tax returns and all of the elections within each return), many executors and trustees seek the advice of professionals.

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 information in this newsletter, please seek and retain an attorney.

Simplify your Life | Are you feeling left out of the Marie Kondo tidying up craze? Did you know that March 3rd was “Simplify Your Life Day”?! We didn’t either! But it’s not too late!

Professional organizer Carmen Coker believes you should do three things in one day, every month, to decrease clutter, combat chaos, and bring a little more structure to your life, living spaces, etc. Here are some simple things you can do now to start down the path of simplifying your life that might not involve the emotional decision on if something “sparks joy”!



- 1) Clean up your computer desktop – especially if it looks similar to the one pictured! Delete unused icons and stop saving files to your desktop!
- 2) So you will always know exactly where they are when you rush out the door, place your wallet, purse, keys, lunchbox, etc. in a designated area or drawer as soon as you return home... every time!
- 3) Make an appointment for yourself that you’ve been putting off. Really need a haircut, health or dental checkup, massage, manicure, yoga class? By taking care of yourself, you’ll take better care of your life!
- 4) Make a big meal and freeze the extra in lunch or dinner size portions to give you a break on busy days or to have healthy options for the rest of the family as well.

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“Welllderly” Week, March 18-24 | They say age is nothing but a number, so don’t let those digits be an excuse for slowing down. Staying active and engaged is the key to healthy life regardless of your age. Encourage seniors in your family and community to keep busy and move about. Help them find activities and resources to promote a greater sense of well-being.

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Coming Soon in UTBF News & Updates

- Summer Travel Tips That Really Work
- More On Picking an Executor/Trustee
- Your Questions Answered

Why Knowing What Being An “Executor” Really Means, What You Have To Do And How

To Do It Can Save You (Or Your Family) Time, Trouble, & Money

PLUS: How That Knowledge Can Keep You From

Losing Sleep, Family Relationships, and Getting Sued...

A Tale Of Two Very Different Estates And Why “Secret” Executor Knowledge Really Matters

We’ll Also Buy You Free Access To Our \$99.00 Executor Training ...and You Don’t Have to

Leave the Comfort of Your Own Home!

One day, a client called our office and told us that her mother had died and that she was named as the executor under the will. But she also worried that there were “way too many things to do” (little did she know – there were way more than she thought) and that neither she nor her family had the time to do everything. They were scared they’d make a mistake with the taxes and be in trouble with the IRS or the state of Pennsylvania and that the other heirs (her siblings) were already mad at her for not “getting right on it” even though they had just had the funeral.

That executor didn’t know where to begin. She didn’t know what being an executor really involved. There was no note or memo from her parents, but she said that the binder that we sent to her parents (along with their estate planning documents) had some “great information,” so she called us.

Flash-forward a few hours...we called her right back and a paralegal walked her through the documents we needed. On that same call, we scheduled all of the follow up calls and meetings. And then a week later we all attended an hour-long conference (in person) where we identified everything that needed to be done and specifically what she wanted us to do (“Just tell me when it’s done!”).

She got sworn in as the executor by the court (but at her request, we prepared everything and it took her about ten minutes). We also contacted the family accountant for her so that they could do the final lifetime return and the income tax return for the estate (at a cost savings) and sent her an engagement letter with a detail of the deadlines, what we were doing, what she was doing and how much the entire estate would cost...from start to finish - so that there’d be no surprises. She hired us and we had already prepared an inheritance tax analysis (estimated) and sent an appraiser out to the primary residence and the shore house.

In the end, she settled the estate without any probate court intervention. The family saved thousands of dollars in taxes based on some recommendations we made. Our fee and the accountant and executor’s fees were deductible for tax purposes, and everyone was happy to sign an agreement that ended the estate safely for the executor, and without any probate court hearings.

Contrast that with a person who called us to represent him more than nine months after his father (the surviving of both parents) died. He hadn’t found the original will yet (that was drafted by a solo practice lawyer that had retired). They’d found us when they were referred by a neighbor and their accountant. But, by then, the death tax and income tax returns were already late, we’d lost the ability to get a discount on the inheritance taxes, and the family had spent thousands of dollars on insurance, real estate taxes, and more...that could have been totally avoided.

What's worse, the family never filed the right paperwork at the mother's death and they lost a valuable ability to protect more from federal estate tax. There were also already disgruntled family members – who theoretically could sue the executor for failing to do his job in a timely fashion.

In many cases like this it's hard to even find counsel to represent the executor because there are so many problems. And, if you do find the right level of knowledge and experience, you're already spending estate assets on extra taxes, probate, late filing penalties and interest that might have been avoided.

It all ended well but was more expensive and complicated than if needed to be.

Which experience would you rather have?

If you want a "clear and less stressful" experience, it's important to get the right advice, and to get it sooner rather than later. For that reason, we suggest understanding, in advance, what an executor does. So, to help you we've set up a number of reports and resources for executors and trustees. We're also launching a new teleconference and webinar (you can call in or watch on your computer).

For members of the public it will cost \$99. And it's worth that price. Any one thing from the seminar could save you many times that amount.

BUT FOR YOU - AS A CLIENT OR FRIEND OF THE FIRM - it's free with the discount code below.

During the program (which will last between 50 and 60 minutes) we'll teach everyone who calls in exactly what the executor's job really means, what has to be done, when the deadlines apply, and exactly the type of advisers that they need and how to save money on fees, taxes and other costs.

Who should attend?

If you've been named as an executor, it's a must (you don't want to learn this job on the job).

If you've done your estate planning but want to know and to truly understand what this job involves (so that you know you've selected the right person or people)

If you want to call in with your spouse, and or one or more of your children who you've named as executor(s) as an advanced "training" ...

Then this training makes sense and is for you.

The teleconference is scheduled for Tuesday, June 4, 2019 at 2 PM eastern time.

How do you get your free access? To get your discount and access to the call plus all of the executor materials, call Lisa, Tammy or Kara at 610-933-8069 and mention the code EXECUTOR.

And don't worry if you cannot attend. There will be a replay. But hop on the call live, if you can, because Dave Frees and Doug Kaune (with over 50 years of experience advising executors between them) will be there to teach AND to answer all of your questions.

Are You Tired of Overpaying on Your Real Estate Taxes?

Well, it might be that they're overcharging you...and if that's true, then there is something that you can do about it...

To find out if you're overpaying on your local, county, and school district taxes take this short quiz:

Yes No Do you have a recent appraisal establishing that the assessed value on your tax bill could be too high? Either Yes or No should continue! But if you answered yes add 3 points.

Yes No Have the real estate values in your neighborhood declined more than 10% since you purchased your home? If you answered yes add 2 points.

Yes No Do you believe your home's value is below what www.Zillow.com says that it's worth, or worth less than you paid for it? If you answered yes add 2 points.

TOTAL POINTS _____.

If you answered yes to any of these questions, (and especially if your score is three or higher) your home may be assessed too high and you might be overpaying your school district, local and county taxes and you may benefit from a tax assessment appeal.

To find out for sure you can follow these steps or call Kara 610-933-8069:

- 1) Find your tax bill from 2018 or before.
- 2) Note the assessment value of your home.

This isn't the value that you're being taxed on. To find that number, multiply the assessed value by the following number:

If you're in Chester County use: 1.95

If you're in Montgomery County use: 1.96

If you're in Delaware County use: 1.72

Example:

I live in Chester County. My assessed value is 150,000.00 Now multiply that assessed value by 1.95 (the number above for Chester county also known as the common level ratio).

That gives you a total market value of 150K X 1.95 or \$292,500.

If this number of \$292,500 seems too high as the value of your home it's very likely that you can save significantly on your taxes and the lawyers at UTBF will do your tax assessment appeal on a contingent fee basis (That means you only pay a part of the tax savings).

To get a free tax assessment appeal analysis call Kara, Lisa or Tammy at 610-933-8069 and we will set one up. It's a quick and easy call that might get you significant real estate tax savings.

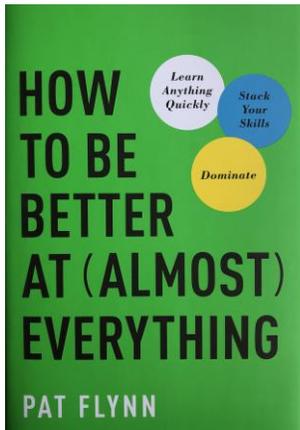
It's That Time Of Year Again...

Dave Frees' "Grumpy" Birthday...And He's Bought A Few Gifts For You

For those of you who know Dave, you also know that he's terrible about his birthday. He hates parties and gets all grumpy (every year). And, while he's generous with others he never lets anyone get him anything.

So, this year we decided to give him a gift of not telling you his actual birthday (or how old he is – which is still way younger than he looks with that gray beard) but we also let him know that he can give away a few gifts to YOU in celebration of the big day. That really did make him happy.

Dave loves journals and notebooks. He's kept one since he first traveled to New Zealand as a 16 year old exchange student. He recently ordered some really nice hard back "moleskine" style journals. There's a picture of it below to the right.



But he only has a few, so for the first twenty clients that call in and mention "Dave's Birthday", we'll mail you one and that'll make Dave happier than usual on March 28th (oops!).

Dave was also featured in a recently published book called How To Be Better At (Almost) Everything by author Pat Flynn. We bought him a copy and no surprise here...he loved it. He then bought a few more to give away as gifts for his birthday.

So, for the first five clients to call for the book we'll send one out to you ASAP. It's a great book, and filled with great ideas. Enjoy!

To claim your FREE DAVE FREES BIRTHDAY gift, of either the UTBF journal or Pat Flynn's book, just call 610-933-8069 and, if you're one of the first 25 clients you can claim one of these great gifts!

And Dave will thank you for making his birthday a little brighter.