

TRUST & ESTATE PLANNING NEWS



LAW OFFICE OF JAMES F. ROBERTS
& ASSOCIATES, APC
ESTATE PLANNING YOU CAN TRUST

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Protect Loved Ones with a Multi-Generational Trust

When was the last time you gave your child \$100,000? \$500,000? Your home? If you are like most of our clients, you probably have never made such a significant gift to a loved one. However, one day, everything you own will pass to your loved ones outright and there could be serious consequences.

When your child inherits your estate after you pass away, everything becomes owned by your child and assets are titled in your child's name. This means that, if misfortune arises in the child's life, the assets that they have inherited could be lost forever.

For example, if your child inherits \$500,000 from your estate, and does not properly maintain their inheritance as their separate property, they could lose a very significant part of that inheritance in a divorce with their spouse.

Even worse, if your child is involved in a car accident, or sued by a tenant in a rental property, or sued by someone in their line of work (or sued under any other circumstance) – then everything that they own could be subject to the claims of a judgment creditor – including the assets they have inherited from you.

To imagine everything being taken away from your child is difficult - because you have worked very hard and very long for everything that you have acquired. But what if there was a way to protect your child's inheritance from misfortune such as divorce or creditors? Thankfully, there is.

At the Law Office of James F. Roberts & Associates, we are constantly enhancing our knowledge and learning well-established and reputable techniques to better serve our clients and their families. As a result, we are extremely excited to offer our new tool, the Multi-Generational Trust, also known as a Beneficiary Protection Trust, which will protect your child's inheritance throughout their lifetime.

The Multi-Generational Trust can be drafted into your existing living trust through a simple amendment - and the benefits of it are long-lasting and remarkable. Instead of your child inheriting your estate outright (where the assets become titled in the child's name), the Multi-Generational Trust will hold the assets in trust for the rest of the child's lifetime. Because the assets are never actually owned by the child, instead the assets are owned by the trust, the assets are not subject to the claims of the child's creditors or spouse. The result is a lifetime of protection for your child's inheritance.

The Multi-Generational Trust is appropriate for most of our clients and you should seriously consider this tool if you plan to leave a significant amount of assets to your child or children. To discuss the details and benefits of a Multi-Generational Trust for your loved ones, please contact our office at (714) 282-7488 for a free consultation. Protect your loved ones!



Giving Back to Our Community



We help clients in our office every day; but we are proud to work with individuals who realize the importance of helping those who are less fortunate outside of our office. During Christmas, James F. Roberts and his family continued their tradition of providing for the less fortunate by handing out sleeping bags to the homeless in Santa Ana, California. The Roberts family's kind and simple act made a big impact for some people and we appreciate their compassion for the community.



Medi-Cal Trust

The costs of long term nursing care are increasing each year. Currently, the average monthly cost is \$7,549 per month. At this rate, a three year stay in a nursing home would cost an individual \$226,470. For the vast majority of our clients, this is not affordable and we must look to other sources to help pay for long term nursing care.

One option is qualifying for Medi-Cal, which is a government program designed to pay for all or a portion of a qualifying individual's long term nursing care costs. With some expert guidance and professional advice, most of our clients under the current law would be able to qualify for Medi-Cal.

However, qualifying for Medi-Cal only solves part of a problem because, while Medi-Cal will pay for the nursing care costs of an individual, Medi-Cal will also maintain a record of everything they have spent on the individual so that Medi-Cal could recover that amount after the individual passes away. For example, if an individual in a long term care facility receives Medi-Cal benefits for three years, Medi-Cal will seek reimbursement from the individual's estate after they pass way in the amount that Medi-Cal has spent on the person (i.e. \$226,470). In many cases, the family home may have to be sold to repay Medi-Cal's claim. However, with proper planning, Medi-Cal recovery can be completely avoided.

Thankfully, at the Law Office of James F. Roberts & Associates, we are able to create specialized trusts (such as irrevocable trusts, also known as Medi-Cal trusts) which will avoid Medi-Cal recovery altogether. By transferring your assets into an irrevocable trust, the assets are protected from Medi-Cal recovery and no matter what amount Medi-Cal spends on your long term nursing care, your family home and other assets can be protected and you can avoid repayment to the state.

An irrevocable Medi-Cal trust offers security to clients and their families. However, as is always the case with estate planning, establishing an irrevocable Medi-Cal trust requires careful analysis of your specific situation. The steps for qualifying for Medi-Cal, establishing a Medi-Cal trust, and avoiding recovery can be very complex, and those who don't seek proper guidance from professionals often end up doing more harm than good. As a result, we are offering a one hour consultation with an experienced attorney to assess your specific situation; thereafter the attorney will create a custom step-by-step report for you detailing (1) what steps you must take to qualify for Medi-Cal, (2) whether an irrevocable trust will be appropriate for you, and (3) approximately how much of the long term nursing care costs will be covered by Medi-Cal versus paid out of your pocket. The fee for the attorney consultation and custom report is a mere \$495 and this offer will be available to our clients until March 31, 2014. Contact us at (714) 282-7488 to schedule your appointment as soon as possible.

Over 100 Videos in our Video Vault!

Do you or a loved one want to know about how a trust works? Just visit our website at www.webuildyourtrust.com, where we have over 100 videos on a variety of topics. You can find information on anything from how a trust works, to how wind down a trust after a loved one passes away – and everything in between.

Congratulations to Shauna and Keith-- A New Baby Boy!

Our firm is proud to announce that on January 10, 2014, a new future lawyer was born (we're not pushy or anything). Estate Planning Attorney, Shauna Anderson, and her husband, Keith Anderson, are the new proud parents of a healthy baby boy, Luke Alan Anderson. Congratulations from the entire team to Shauna and Keith! And more baby news is in the air... Office Manager, Shannon Webb and her husband Brian Webb are also expecting their baby in March. Big changes ahead for them, as Brian has also recently been admitted to the Police Academy. Keep the good news coming!



Easy Sudoku Puzzles by KrazyDad, Volume 5, Book 38

Sudoku Puzzle

7		5	1		8	9		
1	2					7		3
	3	8		2				1
6	9		5			8		
5			4		3			7
		4			7		2	9
4				5		3	7	
8		1					9	6
		3	8		9	1		5

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Fill in the blank squares so that each row, each column and each 3-by-3 block contain all of the digits 1 thru 9.

If you use logic you can solve the puzzle without guesswork.

Need a little help? The hints page shows a logical order to solve the puzzle. Use it to identify the next square you should solve. Or use the answers page if you really get stuck.

 **krazydad**
free puzzles and mazes

It's odd and a little unsettling, to reflect upon the fact that English is the only major language in which 'r' is capitalized in many other languages 'You' is capitalized and the 'r' is lower case. -- Sidney J. Harris

'Tis the Tax Season

As many of you know, our firm has joined forces with Grandfield Tax and Business Services to offer a wider array of services and convenience to our clients. The Grandfield's have extended a generous offer: for those of you who have come in to have your trust reviewed or met with our law firm at any time in 2013, the Grandfield's will extend a 20% discount off any of their tax services this year, including tax return preparations. Don't wait until April 15 to take advantage of this offer!



Protect Your Furry Friends

When you think of your living trust, you often think of your family and the steps you've taken to make life easier for them. For many of our clients, they consider their pets to be family, too. Our clients have cats, dogs, birds and other animals that they love dearly and want to see cared for after they pass away. At our firm, we really appreciate how much some of our clients love their animals. It may be because James F. Roberts' wife, Dr. Gayle Roberts (pictured left) is a veterinarian in Irvine, California and he knows firsthand how special these furry friends can be. We are grateful that we can provide for pets in the form of a Pet Trust inside of your living trust, where we can create special provisions from caretakers to monetary allowances for the pet(s). If you are interested in knowing your options with regards to a Pet Trust for your furry and feathered family members, contact us at (714) 282-7488 for a consultation.

Introducing Our Client Relations Specialist

Our main goal is to make sure that your estate plan works as you intend it to work. Of course, this can only happen if your estate plan is up to date. To that end, we have recently hired new employee, Gilbert Traylor, as a Client Relations Specialist. Many of our clients visit us regularly to make sure everything is up to date, but not every client has set aside the time to do this. For those of you whom we have not had the pleasure of meeting with since 2005, you can expect to receive a call from Gilbert; he will be happy to schedule your appointment with one of our experienced estate planning attorneys for a free review of your estate plan. You deserve the peace of mind of knowing everything is in order.

Thank You for Having Faith in Our Firm

Recently, a client of ours, Robert Schmahl, invited our attorneys to speak before his special interest group so that we could share information on estate planning with the group. We want to thank Mr. Schmahl for giving our associate attorney, Shauna Anderson, the opportunity to share her knowledge with the group. We would also like to thank local real estate agent, Ed Schiff, of REMAX, for giving us a similar opportunity to share the importance of estate planning by inviting us to a speaking engagement before his colleagues.

If you or an organization that you are affiliated with would ever need an educational speaker about how a living trust works, we would welcome the opportunity to share our knowledge with your group—small or large. We consider it to be a privilege and an honor to share information about such an important topic. Thank you for thinking of us!

Recipe Corner: Bananas for Banana Bread

Associate Attorney, Holly Nabiey, enjoys baking in her spare time. Below she has shared one of her favorite recipes with us. With only eight ingredients and basic steps, she hopes you will enjoy it too!

Ingredients

- 1/2 cup butter
- 1 cup sugar
- 2 eggs, beaten
- 4 bananas, finely crushed
- 1 1/2 cups flour
- 1 teaspoon baking soda
- 1/2 teaspoon salt
- 1/2 teaspoon vanilla

Directions:

1. Cream together butter and sugar.
2. Add eggs and crushed bananas.
3. Combine well.
4. Sift together flour, soda and salt. Add to creamed mixture. Add vanilla.
5. Pour into greased and floured loaf pan.
6. Bake at 350 degrees for 60 minutes.



The Good News, The Bad News, And Important Information From
Your Friends At The Law Office of James F. Roberts & Associates

February 2014



Dinner and a Movie Give-Away!

On our website, we also have a calendar of upcoming events such as bucket workshops and educational events. Go to www.webuildyourtrust.com/calendar/pdf and download our calendar. The 50th person to download our calendar of events will receive a special gift: dinner and a movie for two! Hurry and don't wait! A special night awaits you...



Jim's Memo

As I embark onto the year 2014, I can proudly look back on the year behind me. I'm excited to know that in 2013 our law firm was able to help more people than we have ever been able to do in the past. What an accomplishment for us! I sincerely want to thank each of you, our clients, that confide in us to help you with your estate planning matters. I also want to thank my team of colleagues and employees for their hard work, dedication, and always putting our clients first. This year, we want to grow and help our clients more than ever before and, to that end, we are constantly learning and implementing new strategies. For example, we can now protect your home from Medi-Cal recovery and help you qualify for Medi-Cal through an irrevocable Medi-Cal Trust. This is exciting for us.

We can also protect your children's inheritance from creditors and divorce actions through the use of specialized Multi-Generational trusts – another great tool that you can read about in this newsletter. And of course we can't forget the furry and feathery friends, our pets, who we can now better look after through the use of a Pet Trust. On the topic of pets, I don't want to try to outdo Shauna and Shannon and since there's no news of grandchildren for me yet, I bought my wife, Gayle, an Australian Shepard puppy for Christmas. 2013 was a special year and I thank each client, my colleagues, my employees and my family for that.

A Little Humor: Bugs at Dinner

A boy asks his father, "Dad, are bugs good to eat?"

"Don't talk about things like that over dinner," the dad replies.

After dinner the father asks, "Now, son, what did you want to ask me?"

"Oh, nothing," the boy says. "There was a bug in your soup, but now it's gone."

