



Samuel, Sayward & Baler LLC

Smart Counsel... FOR LIFE.

Partners' Letter

*"It is almost impossible to watch a sunset and not dream."
– Bernard Williams*

Dear Clients and Friends:

This quarter's quote conjurs up images of couples walking hand-in-hand along the shoreline, children screeching with joy as they run in and out of the waves, those who stare out to the horizon making imaginary plans for their futures – while the summer sun slowly sinks below the horizon.

Your plans don't have to be just a day dream... or a sunset dream. Our skilled attorneys can help you set those dreams in motion by planning today for your tomorrow. Whether you have a simple plan in mind, or you have a very complex set of circumstances, our team can put together the perfect estate plan to give you peace of mind, and help make your dreams come true.

Perhaps you already have an estate plan. Have you reviewed your plan documents lately to see that they are still in line with your wishes? Has anything changed? Did someone get married? Have a baby? Pass away? Please give our office a call and we will

this issue ↓



be happy to sit down with you to review your documents and update them if needed.

On page 3, Attorney Suzanne Sayward gives you some sound advice on the 5 ways to protect your estate, your assets and your privacy.

Are you aware that once your child turns 18 they are considered an adult and you are no longer able to speak for them in the event of an emergency, or access their college records or financial information? Soon it will be the middle of August, and recent high school graduates will be heading off to college. To protect your child, and better understand what it

P3 Article: 5 ways to protect your estate

P4 Documents your 18 year old needs

P5 Ask SSB: Should you update your estate plan?

P7 What's New at SSB



We will be closed on Fridays through Labor Day

Partners' Letter continued...

means for both of you now that your child is 18, please read Attorney Abigail Poole's article on page 4 regarding the important documents your college freshman will need.

Check out our regular newsletter feature, *Ask SSB*, to get answers to the questions you may have on your mind.

Be sure to read the *What's New* section to meet our new attorney and to read about what the team has been up to. And for all of you who were wondering if there was going to be another **Mini Masters Tournament**, check out page 8 to see if Maria Baler was able to hold on to her title!

Of special note is that during the months of July and August our office will be closed on Fridays

Please reach out to Kenzie Sayward (kenzie@ssblc.com) with any questions you might have after reading this newsletter, or ideas for future newsletter articles, and please feel free to share this with your family and friends.

We wish you and yours a safe and wonderful summer,

Suzanne R. Sayward
Maria C. Baler



Five Ways to Protect your Estate

By Attorney Suzanne Sayward

When we meet with clients for their estate planning, I ask them about their goals. One of the most frequent answers I hear is that they want to ‘protect their estates.’ Of course, my next question is, from what? There are a variety of risks that estate planning can address when timely and properly undertaken. Read on for five ways to protect your estate from risks that can negatively impact the estate, and legacy, you intend to leave.

1. Protect your assets from long-term care costs.

One of the biggest concerns people have when they are planning their estates is that their assets will be consumed by their long-term care costs. Given the very high cost of such care, whether provided at home or in a long-term care facility, this is a valid concern. While many people think Medicare will cover long-term care costs, it does not. Advance planning to protect assets from spend down on long-term care costs often includes creating and funding an irrevocable trust. Depending on age, health and financial circumstances, purchasing a long-term care insurance policy which provides financial assistance for services like home care, assisted living, or nursing home care is another excellent way to protect a legacy from loss to long-term care costs.

2. Protect the inheritance you leave your beneficiaries.

It is essential to thoughtfully decide how your assets will be distributed upon your passing. If you have minor children or beneficiaries with special needs, it is critical that assets not pass directly to these beneficiaries but instead pay into a Trust for them. A person with a disability who is receiving or may be entitled to receive public benefits may lose those benefits if they receive an inheritance.

Under the law, a minor is not legally able to receive assets. As such, if a minor is named as a beneficiary, a court appointed conservator will be required to collect the benefit on behalf of the minor. The conservator will need to manage the assets and report to the court on an annual basis – time consuming and expensive. Once a beneficiary turns age 18, the beneficiary is entitled to receive the asset – often another bad result.

Leaving an inheritance to beneficiaries in trust is often beneficial even if your beneficiaries are non-disabled adults. An inheritance that passes outright to beneficiaries is subject to the easy reach of their creditors such as a divorcing spouse, failed business, lawsuit, etc. Structuring your estate plan to leave the

inheritance to your beneficiaries in trust will protect it from the easy reach of those creditors.

3. Protect your estate from avoidable costs and taxes.

One key aim of estate planning is to minimize expenses and taxes that can diminish the value of your estate. Estate taxes can significantly reduce the assets you leave behind. Strategies like creating trusts, gifting assets during your lifetime, and making use of tax exemptions can help reduce the impact of estate taxes.

Furthermore, the way your assets are titled and structured can affect administrative costs. Proper titling of assets and careful planning can avoid probate and streamline the estate settlement process, saving both time and money for your beneficiaries.

4. Protect your unique assets.

If you possess unique assets like a vacation home, valuable art, or collectibles, it's crucial to incorporate them into your estate plan. These assets often hold sentimental value and can be a significant part of your legacy. The last thing most people want is to have their heirs fighting over their possessions following their deaths.

To protect and preserve these unique assets, your estate plan should clearly outline how they should be managed or distributed. You might consider creating a family trust to oversee the vacation home's usage and maintenance, or specifying how your art collection should be appraised and distributed among your heirs.

By planning for these unique assets, you preserve your legacy by ensuring they continue to hold value and significance for your loved ones in the years to come.

5. Protect your privacy.

Maintaining privacy is a fundamental aspect of estate planning. When you work with an estate planning attorney, you can establish measures to safeguard your

continued on page 6



Necessary Estate Plan Documents for Your Recent High School Graduate

By Attorney Abigail V. Poole

A child legally becomes an adult when reaching age 18. This milestone means parents no longer have automatic access to their child's medical or financial information. To ensure that a parent has legal authority to continue to assist the young adult child in emergencies, it is important the adult child completes a power of attorney, a health care proxy and a HIPAA authorization form.

A power of attorney allows a designated individual, typically a parent, to make financial and legal decisions on behalf of the young adult if they become incapacitated. This can include managing bank accounts, paying bills, handling insurance claims and interacting with the young adult's college or university, as necessary. It is also helpful in situations where the young adult is competent but unable to address the urgent matter, such as contacting the credit card company to report a stolen credit card and request a replacement while studying abroad. A health care proxy appoints someone, typically a parent, to make medical decisions if the young adult is unable to do so themselves due to incapacity. For both these documents, it is wise to have a primary agent and an alternate agent named.

The **Health Insurance Portability and Accountability Act (HIPAA)** protects patient privacy, meaning that once a child turns 18, healthcare providers cannot share their medical information without consent. A HIPAA authorization form allows named individuals, typically parents and sometimes other family members, to access the young adult's medical records and receive information about the young adult's health from healthcare providers.

By having these documents in place, young adults can ensure their parents or other trusted individuals can act on their behalf in emergency situations, which provides peace of mind for both the young adults and their parents. If it is important to you as the parent of a young adult to be able to make financial and health decisions on your child's behalf, please contact our office to schedule an appointment for your young adult child to prepare a power of attorney, health care proxy and HIPAA authorization form with one of our attorneys.

Attorney Abigail V. Poole is a senior associate with the Dedham law firm of Samuel, Sayward & Baler LLC which focuses on advising its clients in the areas of estate planning, elder law, estate and trust settlement and probate. This article is not intended to provide legal advice or create or imply an attorney-client relationship. No information contained herein is a substitute for a personal consultation with an attorney. For more information visit our website at www.ssbllc.com or call 781/461-1020.



Ask SSB

Q: My husband and I have an estate plan from 2002, when our first daughter was born. I thought that was all we needed, but a friend of mine told me recently that she updated her estate plan this year because of some new tax laws. How often should I update my estate plan?

A: So, you've been cruising along with your 2002 estate plan? Think of it like a flip phone in the smartphone era – it worked great back then, but it might be time for an upgrade! A good rule of thumb is that you should review your estate plan with your estate planning attorney every three to five years, or whenever life throws you a curveball, to decide if a refresh is needed. Here's a guide to the major life events that may necessitate an update to your estate plan:

- 1. Marriage or Divorce:** Getting married? Time to include your spouse in your Will or Trust and update beneficiaries. Just got divorced? You'll likely want to remove your ex from everything after considering what your divorce agreement requires.
- 2. New Kids:** If you have a new child or adopt, you should update your estate plan. If you haven't already named guardians for your minor children in your estate plan, you should also name the people who will take care of your kids if something happens to you.
- 3. Loss of a Loved One:** If someone named in your estate plan – either as a beneficiary or a fiduciary – passes away, you'll need to update your plan accordingly.
- 4. Big Financial Changes:** Whether you've bought or sold a house, started a business, or come into some money, these changes mean it's time to review your plan.
- 5. Health Issues:** If your health changes significantly, you should revisit your plan to make sure it reflects your current needs, including healthcare directives and healthcare agents. Are you anticipating a move to a nursing home in the next few years? Have a conversation with your attorney to see what that means for your estate plan.
- 6. Changing Relationships:** As your relationships with family, friends, or charities evolve, your estate plan should too. Have a falling out with a family member? You can exclude them from your plan. Your sister just had her first baby, and he has Downs Syndrome? You may want to provide for that child in a different manner than your other beneficiaries.
- 7. Moving Out of State:** If you move to a different state or country, you should meet with an attorney licensed to practice in that location to make sure your estate plan complies with local laws.

Even if life is pretty steady, it's smart to look over your estate plan every three to five years. This way, your attorney can let you know if there are any changes in the tax, probate, or trust laws that impact your plan. They can also help make sure your estate plan takes advantage of any new benefits or protections, keeping everything aligned with your goals and current legal standards. Plus, regular check-ins can prevent any unpleasant surprises down the road for you and your heirs, ensuring your estate is always in good shape.

Signing your estate plan isn't a one-time deal. Keeping your plan current means your wishes will be honored, your loved ones will be protected, and your plan will comply with current laws. Remember, keeping your estate plan current is like getting a smartphone upgrade – it's necessary to make sure everything stays current, secure, and operating at its best!

Haven't updated your plan in a while? Call us – we can help you ensure that your plan is up-to-date!

Attorney Leah A. Kofos is an associate attorney with the Dedham firm of Samuel, Sayward & Baler LLC, which focuses on advising its clients in the areas of trust and estate planning, estate settlement, and elder law matters. This article is not intended to provide legal advice or create or imply an attorney-client relationship. No information contained herein is a substitute for a personal consultation with an attorney. For more information visit ssbllc.com or call 781-461-1020.

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Elder Law Presentation

As part of our continuous involvement in the community, Attorney Brittany Hinojosa Citron visited the Stoughton Senior Center on May 30, 2024, to present on "*The Pitfalls of Probate: What You Should Know and Ways to Avoid It.*" She discussed probate proceedings in Massachusetts and different strategies to avoid probate on certain types of assets.

Attorney Brittany Hinojosa Citron provided valuable information to those who attended her presentation and engaged with members of the community regarding their questions on probate and estate planning.

continued from page 3

personal and financial information.

One critical tool for privacy protection is the revocable living trust. Assets titled in a trust will avoid probate, a public court process that exposes your estate details to the public record. This means your assets can be distributed privately, without the need for public disclosure.

Additionally, working with professionals who understand the importance of confidentiality ensures that your affairs remain private during the estate settlement process. Protecting your privacy not only shields your financial matters from unnecessary public scrutiny but also preserves your family's confidentiality during a potentially challenging time.

In conclusion, protecting your estate and preserving your legacy involves a comprehensive estate plan that considers various factors, from minimizing long-term care costs and taxes, safeguarding the inheritance you will leave, and planning for your unique assets. Working with an experienced estate planning attorney will help you tailor a plan that aligns with your specific goals and priorities, ensuring that your legacy is preserved and passed on as intended.

Attorney Suzanne R. Sayward is a partner with the Dedham law firm of Samuel, Sayward & Baler LLC which focuses on advising its clients in the areas of estate planning, estate settlement and elder law matters. She is certified as an Elder Law Attorney by the National Elder Law Foundation, a private organization whose standards for certification are not regulated by the Commonwealth of Massachusetts. This article is not intended to provide legal advice or create or imply an attorney-client relationship. No information contained herein is a substitute for a personal consultation with an attorney. For more information visit our website at www.ssbllc.com or call 781/461-1020.

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SMART COUNSEL INTERVIEW

In late June, Attorney Abigail V. Poole had the pleasure of interviewing Aaron Kempen of Krause Financial Services about Medicaid Compliant Annuities.

Medicaid Compliant Annuities are a type of financial tool that allows a person who is applying for Medicaid benefits to pay for nursing home care costs to preserve certain assets by converting those assets into a stream of income.

To learn more, watch this informative interview [here](#).

What's New at SSB

Welcome Attorney Leah Kofos



Leah Kofos is an Associate Attorney with Samuel, Sayward & Baler. She is passionate about finding creative ways to help clients protect their families and preserve their assets. Attorney Kofos is well versed in the various personal and legal challenges that clients may face, and she works diligently to make the estate planning, elder law, probate, and estate and trust administration process as seamless as possible for her clients. She is a compassionate advocate for her clients. Attorney Kofos looks forward to helping you through your estate and trust administration needs and bringing your estate plan to life.

Attorney Kofos received her B.A. in history from Bates College in 2015, during which time she enjoyed a wonderful study abroad experience in Bath, England. She received her law degree from Suffolk University Law School in 2018, where she focused her studies in trusts and estates. Prior to joining Samuel, Sayward & Baler, Attorney Kofos worked as a trusts and estates Associate Attorney for the law firms of Mirick O'Connell in Worcester, MA, and The Parents Estate Planning Law Firm in Acton, MA. In her free time, Attorney Kofos loves to travel, volunteer, and spend time with family and friends.

What's New Page 2



The Master's Tournament at McGolf Mini Golf



Maria Baler looking for a 3rd eagle on the 6th



Loetz had a chance to go 2 under, but she missed the putt giving Baler a 2 stroke lead.



Jasmine Sanchez getting a read on the green



Jasmine, Maria, Joanne, Aubrie and Leah



It appears that Baler is in positive talks with her new mentor, Peppermint Chip.



Joanne, Aubrie and Jasmine

On Thursday, June 20th, SSB's golf pros assembled for the ***Second Annual*** (yes, they did it again) ***Mini Masters Golf Tournament*** at McGolf in Dedham.

2023 tournament runner-up, Joanne Loetz, came to play— shooting eagles on the first two holes, and giving the Happy Gilmore prodigy, Maria Baler, a run for her money. Last year's winner, Baler, looked like she might take home the cup for the second year in a row after matching Loetz's eagles, but a double boggie on 14 and the controversial call by the officials when Baler's ball got trapped under the windmill blade at 17, caused her to take an extra stroke, and gave the 2024 championship title to Joanne Loetz.

In a statement issued by her manager, Gilmore said that Baler was taking the loss "pretty hard" and that she would be "taking a few months off to discuss her options over a bucket of Peppermint Chip."

Loetz said she was "over the moon" with her win, and that now that she has a major tournament under her belt, she is now looking for corporate sponsorship to help her travel around the U.S. to play in the top tournaments in the country. Good luck with that Joanne!

Jasmine Sanchez, Karen Margeson, Aubrie Tibert and Leah Kofos had solid showings, but alas, there can be only one winner. We are looking forward to the 2025 season.

TEAM MEMBER SPOTLIGHT

Caitlin
Fantegrossi

Senior Probate
Paralegal



What do you do at SSB?

I am a senior probate paralegal. I assist our clients with a variety of tasks with respect to Estate settlement and Trust administration. I prepare probate pleadings, Trust documentation and Estate and Trust Accountings, while answering any questions our clients may have throughout the process.

What do you like best about your job?

The clients I typically assist have recently lost a loved one whose wishes they are trying to sufficiently carry out while grieving their loss. I take great pride in explaining puzzling paperwork they receive, clearing up confusing phone calls or conversations they may have had and hopefully making such a difficult time a little less overwhelming.

What do you like to do when you're not working?

I love to cook for my family and try out new recipes when I am not working.

What is your motto or personal mantra?

Lately, I have been reminded of the phrase "The days are long, but the years are short." It's has been my motivation to get the most out of every day.

If you could meet anyone in the world, dead or alive, who would it be and why?

Julia Child. I started watching her cooking show as a young child and have always been fascinated by her story.

If you could have any superpower what would it be?

The ability to be in two places at once.