

ESTATE PLANNING

SECURING YOUR FAMILY'S FUTURE



WILLS & TRUST
ATTORNEYS

How do you and your loved ones benefit from using OC Wills and Trust Attorneys to create your custom estate plan?



Prompt & Attentive Service

CUSTOMER SERVICE

We endeavor to return phone calls and emails within one business day.

EFFICIENCY

Most estate plans can be completed within 5-10 business days of initial consultations and executing a fee agreement.

NO SURPRISE FEES

During your no obligation consultation and based on the information provided to us, you will be provided a flat fee quote for most estate planning engagements.



Comprehensive Estate Planning

CONTINGENCY PLANNING

While you may be starting out with a simple estate planning situation, our documents are designed to anticipate the many unknowns that life may throw at you.

ASSET PROTECTION FOR YOUR HEIRS

Our enhanced estate planning can include providing for a Dynasty or Personal Asset Trust that can establish lifetime asset protection for you heirs

TAX IMPACT

Your engagement will also include education on the impact your estate planning decisions will have on you and your heir's income, capital gains, estate and property taxes.



Beyond your Trust

GUARDIANSHIP OF MINOR CHILDREN

Discuss with our firm how to help nominate a backup guardian to take care of your minor children

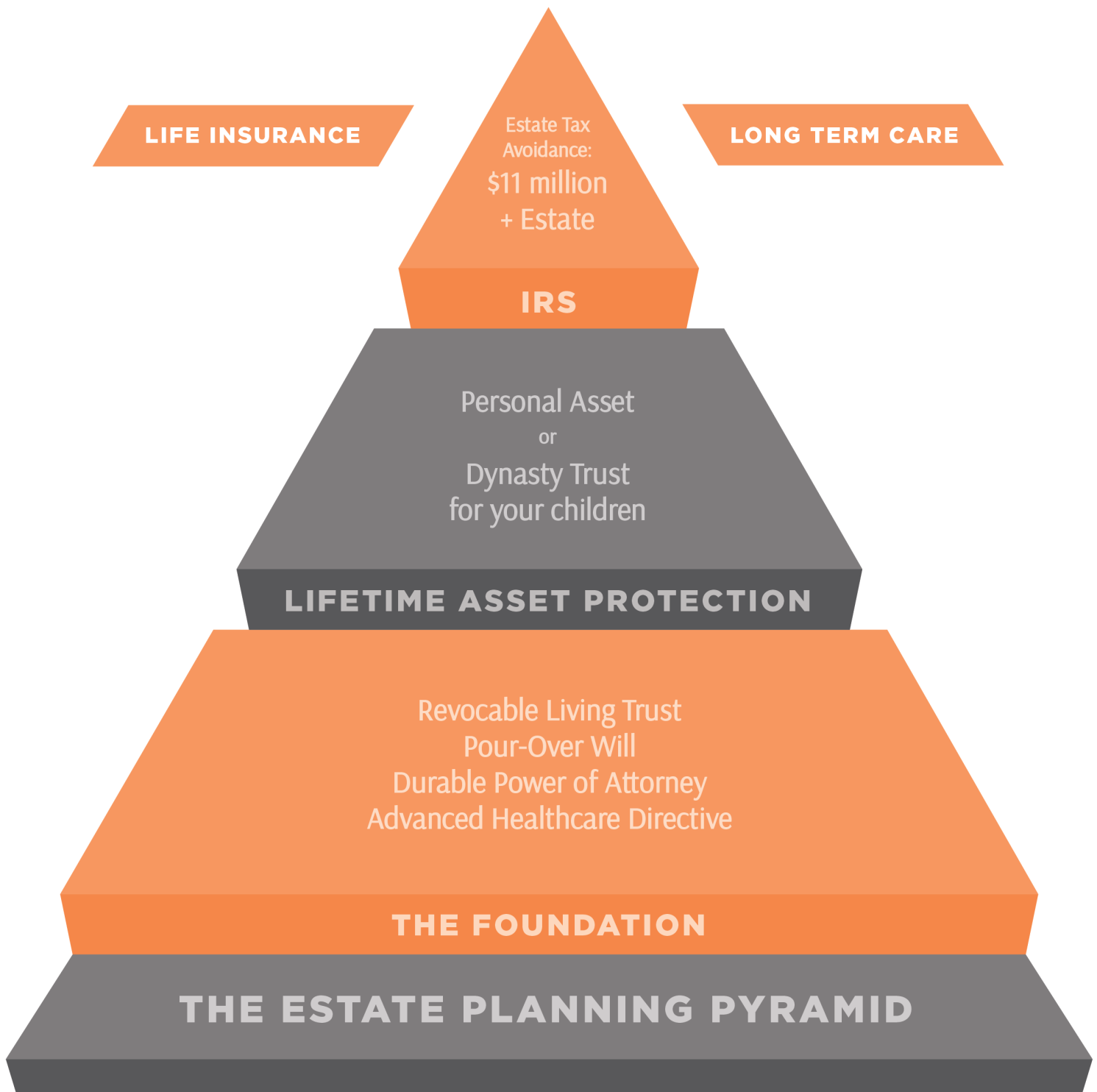
INCAPACITY PLANNING

Discuss who can make financial and legal decisions for you when you can not or need assistance.

AVOIDING THE MEDI-CAL ESTATE RECOVERY LIEN

Learn how a Trust can help your loved ones avoid the Medi-Cal Estate Recovery Lien.

ESTATE PLANNING is about you choosing who will be in charge of you, your family and your assets if you can't.



The core documents that protect you, your family and your assets if you pass on or become incapacitated:



Revocable Living Trust

- Helps avoid the high costs and delays of probate
- Appoints a successor trustee who will be in charge of your estate
- Allows you to control how and when your heirs will receive your assets
- Can provide lifetime asset protection for your heirs
- Can protect your heirs against creditors, substance abuse issues and staying qualified for government benefits



Pour-Over Will

- Nominates a back-up guardian for your minor children
- Ensures overlooked assets will be distributed through your Trust



Durable Power of Attorney

- Appoints an agent who can act on your behalf for legal and financial matters if you are incapacitated
- Avoids need for a court appointed conservatorship of your estate
- A comprehensive power of attorney will allow your agents to reallocate your assets in order to facilitate long term care planning



Advance Healthcare Directive

- Appoints agent who will make healthcare decisions for you if you are incapacitated
- Avoids need for a court appointed conservatorship of your person
- Includes your Living Will which dictates the decisions your agent should make, if you are unconscious, on life support and your doctor has indicated that there is nothing else they can do for you

LIFETIME TRUSTS FOR YOUR BENEFICIARIES



Personal Asset or Dynasty Trust

Provides lifetime asset protection to your children for your estate

- A Personal Asset or Dynasty Trust is a provision in your Revocable Living Trust
- Your children's inheritance is protected from creditors, judgments, divorces
- You can decide the level of control you would like to give your children over their share of your estate
- Your children as Trustee can have complete control over their share of the assets or;
- You can use a third party Trustee to manage assets until your children reach a certain age or for their lifetime
- You can make it more likely that your estate will pass on to your grandchildren rather than your children's spouses
- Because your children don't "own" their inheritance, it is not subject to estate taxes when they pass on
- Your children can "borrow" money from their dynasty trust and thereby reduce the exposure of the trust assets to creditors

If your existing Living Trust provides for an outright distribution to your children, their inheritance can be attached by creditors, spouses and judgments



Special Needs Trust

Protect your beneficiary's SSI or Medi-Cal Benefit with a Special Needs Trust

- Outright distributions or beneficiary designations to beneficiaries who receive needs-based government benefits can jeopardize those benefits
- Even improperly worded lifetime trust provisions in your trust or will can disqualify your beneficiaries from their benefits
- Our Trusts can protect these benefits either specifically in the case of a known case of Special Needs or generically for Special Needs cases that may arise in the future
- We will advise our client how best to organize their assets to best ensure that their beneficiary's benefits are not lost
- 3rd Person Special Needs Trusts are not subject to the Medi-Cal lien
- A beneficiary who receives an injury settlement or inheritance can now arrange for a 1st Person Special Needs Trust without court approval

Proper Special Needs planning is critical for keeping your beneficiaries eligible for their needed government benefits

For Estates worth over \$11+ million dollars, the top estate tax rate is 40%.

The funding of certain irrevocable trusts can reduce your estate tax liability.



Irrevocable Life Insurance Trust (ILIT)

- Placing life insurance policies within this trust will remove the proceeds from these policies from your taxable estate
- Proceeds from your life insurance can be used to pay the estate tax



Qualified Personal Residence Trust (QPRT)

- Future gifting of your home to your children result in lower gift tax reporting amounts in the present
- Freezes the value of your home at the time of transfer and thus future growth in value happens outside of your estate
- Trustor retains the right to live in the property



Grantor Annuity Trust (GRAT)

- Freezes the value of your appreciating assets (i.e. stocks) as future growth will happen outside of your estate
- Allows you to control the assets while you are alive
- Can be designed to result in no use of your gift tax exemption



Charitable Trusts (CRT, CLAT, CRUT)

- Gifting of asset through the trust to qualified charities will remove asset from your taxable estate
- Trustor can retain lifetime income from the gifted asset
- Trustor can receive a charitable tax deduction for the gift
- Avoids capital gains tax for gifted assets
- Tax savings can be used to purchase life insurance

CUSTOM ESTATE PLANNING PACKAGES

CUSTOM ESTATE PLAN FEATURES	BRONZE	SILVER with Deed	GOLD with Dynasty Trust
REVOCABLE LIVING TRUST (Outright or age based distribution to heirs and same distributions for both spouses)	✓	✓	✓
POUR-OVER WILL (Includes backup guardian nomination)	✓	✓	✓
MARITAL PROPERTY AGREEMENT to help insure 100% stepped up basis upon first spouse's passing (married)	✓	✓	✓
TRUST FUNDING of all personal property and one (1) business entity (LLC or Corporation)	✓	✓	✓
ENHANCED DURABLE POWER OF ATTORNEY (includes language for Long Term Care planning)	✓	✓	✓
ADVANCE HEALTH CARE DIRECTIVE (includes living will and HIPAA authorization)	✓	✓	✓
Notarization and witnessing of your documents	✓	✓	✓
No fee in the future for questions regarding your estate planning documents that we have prepared	✓	✓	✓
Original documents organized in our custom binder	✓	✓	✓
Digital copy of your documents that you can forward to your backup trustee and/or agents	✓	✓	✓
Consultation with a licensed attorney to discuss your estate planning goals and concerns	✓	✓	✓
Trust Funding: Drafting of one (1) California Grant Deed		✓	✓
Dynasty Trust provision to provide lifetime asset protection for your heirs			✓

During your free consultation with an attorney, we will review your estate planning needs and provide you with a flat fee quote.



**Estate Planning • Estate Tax Planning
Special Needs Planning • Medi-Cal Lien Avoidance**

Irvine | Huntington Beach | Mission Viejo | Tustin

For more information or to schedule
a no obligation consultation, please contact us at

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