

Goodbye 2000...Hello 2001

Another year has passed and I am sure most of you are wondering what happened to the last 11 months...is time really flying by for all of us?

I am pleased to announce that my first year at Chambers, Steiner and Sturm, PLC has been a good one. When I moved here in September 1999, I attempted to send all of my trust clients new laminated business cards. As a result of a few follow up meetings, it appears that I may have missed a few clients. If you did not receive a new laminated card with the name and date of your trust on the back, please give my office a call and I will send you one.

Additionally, when your file was transferred to me in 1999, I sent your original will to you and I retained a copy in my file. I would like to remind you that the will (and Assignment of Tangible Personal Property for trust clients) should be kept in a fireproof safe or a safety deposit box. Alternatively, you may choose to file the will with the probate court in your county. There is a \$25.00 filing fee. If you have any questions about this, please feel free to give me a call.

If you are holding an original will of a deceased family member and you are not quite sure what to do with it, you can file it with the probate court in your county. If there were no assets to probate at the family member's death, you can merely send the

original will to the probate court with a cover letter that states, "Enclosed please find the original will of _____ (name of decedent). There are no probate assets at this time." That is all the probate court requires. There is no fee to file it under these circumstances.

Educational Planning

For those of you with young children or grandchildren, you may have considered setting up a college educational account. For some of you, setting up a prepaid educational account for a child or grandchild may be a great way to "gift" money to your child or grandchild, but retain control over how those monies are used.

If you recall, the "unified credit" (the amount that can be passed at death tax free) is currently \$675,000 this year and for the year 2001. If your estate currently exceeds that amount (\$1,350,000 for married couples) I would recommend that you consider some of the wonderful educational planning options out there. To help you determine what is the best educational gifting program for you, I recommend that you talk to your financial advisor or you can visit one of the following websites to get started:

www.collegeboard.org
www.collegesavings.org
www.fastweb.com
www.financialaid.org
www.savingforcollege.com

Remember, my theory is “you can give it to your family or you can give it to Uncle Sam.”

REAL ESTATE INSURANCE

Most of us own real estate or personal property and for those of us that do, we typically have property insurance to protect our assets in the event of flood, fire, theft or other damage. When you set up the policy, you or your spouse were named as the “insured”. However, for those of you that have set up a living trust, your real estate has been deeded into the name of your trust and the real estate is now owned by the trust. I would recommend that you contact your property insurance agent in writing and request that your trust be added as a “co-insured” on each policy. This will ensure that there will be liability coverage for the assets (real and personal) now owned by the trust. Although not every insurance company will require this, I recommended that this extra step be taken.

Planes, Trains and Automobiles

Ok...so most of us probably don't own a plane or a train...but we all own an automobile of some sort. One of the most frequently asked questions is “what happens to my car or truck when I die?” The good news is that the State of Michigan has already answered this question. The Michigan law states that if your automobile(s) are in your individual name

(not joint or in the name of your trust) and the combined value is less than \$60,000, there is no need to probate the automobiles at the time of your death. In fact, your surviving spouse or heirs can go down to the Secretary of State with the title and an original death certificate and the Secretary of State will transfer title to your spouse, your heir or your trust.

If your car or truck is in your individual name, leave it as is. For liability reasons, it is best to only have the primary driver's name on the title.

Miscellaneous Stuff *Other needs*

Throughout the year, I receive calls from clients seeking advice on matters unrelated to estate planning. Although I am only able to advise you on estate planning matters, please feel free to use me as a resource to locate an attorney that can answer other legal questions. I will be the first one to tell you that I know enough about other legal matters to be dangerous, but I do deal with other attorneys that are qualified to assist you.

Presentations

Over the last year I have been asked by several clients to present to their church, social group or business organization. If you are interested in having me present to your group, please feel free to contact me or please feel free to pass my name on to the program chair of your organization. My presentations are free of charge and I love an opportunity to educate a group of people.