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Building Blocks to Successful Estate & Gift Planning
2018

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A 501(c)(3) Nonprofit Organization
Dedicated to Significantly Improving Financial Awareness & Financial Literacy
http://www.thefinancialawarenessfoundation.org/index.html
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Having better personal finance knowledge changes your world & the world around you... FOREVER!
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The Financial Awareness Foundation serves as a nonpolitical “financial awareness advocate” for the public, financial service and nonprofit professionals, their companies and associations, educational institutions, employers, and municipalities.

1. **501(c)(3) nonprofit organization**
2. **Addressing a major social problem** dealing with the lack of financial awareness & financial literacy
3. **Believes that creating financial awareness** and **teaching financial literacy** and the essential principles to smart personal financial management is VERY important
4. **Taking an active leadership role uniting**
   - Financial service & nonprofit associations and their members
   - Financial service & nonprofit professionals and their companies
   - Technology companies
   - Employers
   - Educational institutions
   - Government entities
   - News media

   to take part in a concentrated personal finance content media blitz every six months during the strategic campaign venues of

   - National Financial Literacy Month in April
   - National Estate Planning Awareness Week in October

6. **Developing and assembling high quality educational content**
7. **Assisting financial service & nonprofit professionals** and their organizations, employers, and academia to provide high-quality, financial education and cost-effective financial services
Kris Toscano, CPA

Kris Toscano is a Certified Public Accountant and a Partner in the Hayashi Wayland Carmel office

- Earned a B.S. in Industrial Technology (Summa Cum Laude), Cal Poly, San Luis Obispo
- Kris specializes in estates and trusts and works with many high-net-worth individuals
- He is known for being relentless in his pursuit to prepare work correctly for clients
- His best capabilities are being organized, responsible and having the ability to find common ground when people are mired in differences
- Kris loves the Monterey Peninsula and enjoys serving the community. His current volunteer efforts include:
  - Executive Board and Treasurer for the Carmel Chamber of Commerce
  - President for the Rotary Club of Carmel-by-the-Sea
  - Director for the Holiday Dinner at the Monterey County Fairgrounds
Presenters

Kris Toscano, CPA  
Partner  
Hayashi Wayland, CPA’s

Allison M. Barrientos  
CPA, CFP®  
Partner  
Integris Wealth Management

Cynthia Healy, CPA, CFE, CSA  
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Security Financial Advisors, Inc.

Kyle A. Krasa, Esq.  
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www.krasalaw.com
Allison M. Barrientos, CPA, CFP®

Allison is a CPA, CFP® & a Partner at Integris Wealth Management
She earned a B.A. in Business Economics emphasized in Accounting from the University of California, Santa Barbara
Allison has strong roots with her firm in that she began her professional career as an intern at Integris while still in college
After graduating from college she worked as a public accountant, auditing private investment companies and obtained her CPA license
She was not feeling gratified, and found herself longing for the satisfaction felt during my internship – being part of a team of people working in the best interest of the client, for the client, & for no one else. In 2011, she found herself back at the place where it all began, and became a partner in 2017.

Concurrently she serves on the
- Board of Directors for Legal Services for Seniors
- Board of Trustees for the International School of Monterey

She is also member of the
- CalCPA
- American Institute of CPAs
- Financial Planning Association

In her time away from work Allison enjoys hiking & snowboarding
Cynthia Healy, CPA, CFE, CSA

- Cynthia is a Certified Public Accountant (CPA), a Certified Fraud Examiner (CFE), & a Certified Senior Advisor (CSA)
- She attended California State University-San Bernardino - earned her Bachelors of Business Administration
- She is the President of Security Financial Advisors & the visionary for GoGrey.com.
- Cynthia has over 30 years of experience in Estate Planning, Probate, Trust Administration, Tax, Family Office, Trustee Services.
- She has served on the Board on Alliance on Aging & has professional memberships with
  - California Society of CPA's and the AICPA
  - Society of Certified Senior Advisors
  - American Certified Fraud Examiners
- GoGrey.com was created for the purpose of providing education and information about the crimes of financial elder abuse. It’s mission is to raise awareness & increase protection of seniors from crimes of financial elder abuse.
- Cynthia has worked closely with law enforcement, government agencies, & the public to provide knowledge about financial elder abuse.
- As a result of her legislative advocacy, Cynthia was included in a film documentary shown to Congress regarding financial elder abuse. She has been interviewed on both radio and television and has had several articles published about her work.

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Kyle A. Krasa, Esq.

Kyle is an Estate Planning Attorney
- Received his Bachelor of Arts Degree in English Literature from Saint Michael’s College (Vermont) & his Juris Doctor (law degree) from U.C. Davis School of Law
- Earned the designation as a Certified Legal Specialist in Estate Planning, Trust & Probate Law from the State Bar of California
- Kyle & his family have been a part of the Monterey Peninsula community for over 60 years.
  - Grandfather, Karel A. Krasa, taught Czech at the Defense Language Institute
  - Parents, Peter G. Krasa & Joan Y. Krasa, were educators with MPUSD.
  - Married to Amanda L. Krasa, a water quality specialist for the Monterey County Health Department
  - Son Jonah, a second grader at Forest Grove Elementary School is an avid hockey player!
- Kyle’s current volunteer efforts include
  - Past & incoming President of the Rotary Club of Pacific Grove
  - Past President & current board member of Meals on Wheels of the Monterey Peninsula
  - Ambassador for the Pacific Grove Chamber of Commerce

Kyle A. Krasa, Esq.
Attorney
KRASA LAW, Inc.

kyle@krasalaw.com

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Pacific Grove, CA 93950
831.375.2200

www.krasalaw.com
Agenda

- Welcome, Opening Comments & Introductions
- Some Questions to Ponder – Alarming Consumer Data
- What… No Estate & Gift Plan!!!
- Learning the Basics
- Estate & Gift Planning Documents
- Understanding the System–Six Steps to a Successful Plan
- Estate & Gift Planning is a Lifelong Process
- Closing Comments
- Questions & Answers

http://www.monterey.org/library/Events/Financial-Awareness-Workshops
# How did you do?

With the Estate & Gift Planning questions’?

<table>
<thead>
<tr>
<th></th>
<th>Question</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td><strong>ESTATE &amp; GIFT PLANS</strong>&lt;br&gt;Do you (and your spouse) have a current will?</td>
</tr>
<tr>
<td>17</td>
<td><strong>POWER OF ATTORNEY</strong>&lt;br&gt;Do you and your spouse have a current Power of Attorney?</td>
</tr>
<tr>
<td>18</td>
<td><strong>ADVANCE HEALTH CARE DIRECTIVE</strong>&lt;br&gt;Do you and your spouse have a current Advance Health Care Directive?</td>
</tr>
<tr>
<td>19</td>
<td><strong>CHARITABLE</strong>&lt;br&gt;Are nonprofits included in your estate plan for a bequest, planned gift, or as a primary or alternate beneficiary for life insurance or retirement plans?</td>
</tr>
<tr>
<td>20</td>
<td><strong>TRUSTS</strong>&lt;br&gt;Do you know about the advantages and disadvantages of using trusts?</td>
</tr>
</tbody>
</table>
## How did you do?

How many times did you answer “Yes”? 

<table>
<thead>
<tr>
<th>Score</th>
<th>Description</th>
</tr>
</thead>
</table>
| **16-20** | Consider yourself financially astute.  
*The timing may be right for fine tuning.* |
| **11-15** | You are financially concerned.  
*You are ready to take the next step.* |
| **6-10** | You are not current with your finances.  
*Information is available to help you catch up.* |
| **Under 6** | Your finances are managing you.  
*You can begin to take charge with information available to you.* |
How does this alarming consumer financial data affect you?

- What’s the class of 2016 average student loan debt? 1
  - $37,000
- What percentage of credit card carrying college students are unaware of late payment charges? 1
  - 75%
- How many Americans are over 65? 2
  - 45+ million
- What percentage of Americans over 65 are dependent on Social Security? 2 & 3
  - 90%
- How much does the average retired couple receive from Social Security in 2018? 4
  - $28,080
- For persons reaching 65, what is their average life expectancy? 5
  - 19+ years
- How many Americans don’t have any estate plan? 6
  - 120 million

Most Americans who reach age 70 are almost out of money!!! 2

What’s in your financial future?

1. Council for Economic Education
2. US Census Bureau
3. CRS Report for Congress RL33387
4. Social Security
5. US Dept of Health & Human Services
6. H.Res. 1499
What … No Estate & Gift Plan!!!

IF YOU DON’T HAVE UP-TO-DATE DOCUMENTS
- Here are a few problems you or your family might encounter

- You can't find funeral instructions
- A costly search for a will may be required
- The appointment of an estate representative and minor child’s guardian becomes much more complicated and expensive
- Wrong people or nonprofits may inherit
- The wrong person may pay the estate tax
- Money may go to children too soon
- Actions in the probate estate may cause untimely delays and be much more expensive
What … No Estate & Gift Plan!!!

IF PROPERTY TITLES & BENEFICIARY DESIGNATIONS ARE OUT OF DATE
Here are a few more problems that might be encountered

- Wrong people or nonprofits may inherit
- The wrong person may pay the estate tax
- Money may go to children too soon
- Embarrassment & unnecessary litigation
### What ... No Estate & Gift Plan!!!

**Who Gets What?**

**In California?**

<table>
<thead>
<tr>
<th>If you were to die without a will with</th>
<th>This happens</th>
</tr>
</thead>
<tbody>
<tr>
<td>a spouse and children</td>
<td>spouse inherits all community property and 1/2 or 1/3 of your separate property children inherit 1/2 or 2/3 of your separate property</td>
</tr>
<tr>
<td>a spouse and parents</td>
<td>spouse inherits all community property and 1/2 of your separate property parents inherit 1/2 of your separate property</td>
</tr>
<tr>
<td>a spouse and siblings, but no parents</td>
<td>spouse inherits all community property and 1/2 of your separate property siblings inherit 1/2 of your separate property</td>
</tr>
<tr>
<td>children but no spouse, parents, or siblings</td>
<td>children inherit everything</td>
</tr>
<tr>
<td>spouse but no children, parents, or siblings</td>
<td>spouse inherits everything</td>
</tr>
<tr>
<td>parents but no children, spouse, or siblings</td>
<td>parents inherit everything</td>
</tr>
<tr>
<td>siblings but no children, spouse, or parents</td>
<td>siblings inherit everything</td>
</tr>
</tbody>
</table>
Learning the Basics
Why are these Estate & Gift Planning Terms important?

- Probate
- Wills, Executor, Guardian
- Trusts, Trustee, Revocable vs Irrevocable Trusts, Living vs Testamentary Trusts
- Durable Powers of Attorney
- Advance Health Care Directive
- Beneficiary
- Unified Credit
- Portability
# Do you know the role of your Financial Advisors & Financial Product Providers?

*Red denotes possible lead advisor in the subject area
Green denotes possible lead product provider in the subject area
Black denotes possible support in the subject area

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<tr>
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<tbody>
<tr>
<td>Attorney</td>
<td>Attorney – Specializing in Estate Planning</td>
<td>Attorney</td>
<td>Attorney – Specializing in Tax</td>
<td>Attorney</td>
</tr>
<tr>
<td>CFP - Certified Financial Planner</td>
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<td>ChFC - Chartered Financial Consultant</td>
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<td>ChFC - Chartered Financial Consultant</td>
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<tr>
<td>CLU - Chartered Life Underwriter</td>
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<tr>
<td>CPA - Certified Public Accountant</td>
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<td>CPA - Certified Public Accountant</td>
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<td>Private Fiduciary</td>
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<td>Private Fiduciary</td>
</tr>
<tr>
<td>CFA - Chartered Financial Analysis</td>
<td></td>
<td>CFA - Chartered Financial Analysis</td>
<td></td>
<td>CPCU - Chartered Property Casualty Underwriter</td>
</tr>
<tr>
<td>Registered Rep</td>
<td></td>
<td>Registered Rep</td>
<td>PC - Ins Agents</td>
<td>Financial – Ins Agents</td>
</tr>
<tr>
<td>RIA - Registered Investment Advisor</td>
<td></td>
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</tr>
</tbody>
</table>
Learning the Basics
Assembling your Estate Planning Team

- Selecting Your Financial Advisors & Service Providers
- How they are Compensated
- Important Criteria for Selecting
- Questions to Ask
Learning the Basics
An Estate & Gift Planning Overview

- Start with Your Personal Goals
- Gather Your Personal & Financial Information
- Seek Out the Right Attorney
- Make the Most of Your First Meeting
- Review, Edit & Sign Documents
- Take Care of Title & Beneficiary Designations
- Estate Planning is Forever
Estate & Gift Planning Documents

Do I really need a Will?

- Property Distribution
- Executor
- Guardian
- Bond
- Codicil
- Pets

Will

I, John Doe, being of sound mind and body, do hereby declare this to be my last will and testament. I hereby leave all my estate to my wife, Jane Louise Doe, nee Smith. Should my wife predecease me, I leave all my estate to Canine Companions for Independence.

John Doe
Estate & Gift Planning Documents

How Trusts?

- Revocable vs Irrevocable
- Living Trust
- Testamentary Trusts
- Do You Need a Trust
- Property Distribution
- Trustee Selection
- Amendments
Estate & Gift Planning Documents

What about a Durable Power of Attorney for Financial Management?

- Duties & Powers
- Agent Selection
- Successor
Estate & Gift Planning Documents

Do I Need a Advance Health Care Directive?
(Durable Power of Attorney - Health Care)

- Duties & Powers
- Agent Selection
- Successor

Advance Health Care Directive

I, John Doe, now residing at 123 Main Street, USA, hereby designate and appoint Jane Doe, residing at 123 Main Street, USA, as my agent (attorney-in-fact) to make health care decisions for me as authorized in this document. For the purposes of this document, “health care decisions” include consents,
Estate & Gift Planning Documents

Advanced Tools

- Family Gifts
- Gifts of a Discounted Interest
- Family Partnerships
- Need & Use of Insurance
- Charitable Gifts – Donor Advised Fund
- Private vs Public Foundations
- Charitable Remainder Trusts
- Charitable Lead Trusts
- Asset Protection Trusts
- Dynasty Trusts
- Private Annuities
Understanding the System

“The only person who doesn’t need an estate plan is one who lives forever”
Estate & Gift Planning Tip

To save time & money, prepare an estate planning package

- Your background info – names and address, family, friends, & advisors
- Your Net Worth Statement
- List of your Estate & Gift Planning Objectives, Questions, & Concerns
- Copies of Your Important Financial Documents
  - Wills, Trusts, Powers of Attorney
  - Deeds to real property
  - Partnership Agreements, Buy/Sell Agreements
  - Retirement Plan Beneficiaries Statements
  - Life, Disability, and Long-Term Care Insurance Policies
  - Life Insurance Beneficiary Designations
  - Divorce & Property Settlement Agreements
  - Pre & Post Nuptial Agreements
  - Two years of Income Tax Returns
Understanding the System
What’s Next? - Finishing Touches

Once documents are signed

- Place in a financial organizer & store in a fireproof place
- Coordinate title of your property with your plan
- Review and update your primary and alternate beneficiaries
- Review insurance needs; acquire or drop insurance as needed
- Annually prepare a list of assets & liabilities and a copy of year-end statements; store them with your estate and gift plan docs
- Complete estate planning location sheet for executor/trustee
- Speak with your executor, trustee(s), and attorney–in-fact about your wishes and your documents
Understanding the System
What’s Next? - Finishing Touches

Once documents are signed (continued)

- Address concerns about pets if not addressed in the will
- Consider writing a final letter to loved ones
- Consider creating a quality of life statement to accompany your Advance Healthcare Directive
- Consider setting up a Donor Advised Fund
- Annually review your estate and gift plan documents
- Consider a family office annual meeting
A Special Thought

Think of your family as a family office!!!
In Summary Here Are the Essential Principles to Estate & Gift Planning

- 1. Learn about estate planning
- 2. Get & stay organized
- 3. Use the Six-Steps to your Estate & Gift Planning Process
- 4. Have drafted & keep your estate & gift planning documents current
- 5. Summarize your estate & gift planning documents & review them annually for changes in your plans & appointments
In Summary Here Are the Essential Principles to Estate & Gift Planning

- 6. Keep beneficiary selection for your life insurance & retirement plans current
- 7. Keep title to your various assets current with your estate & gift plan documents
- 8. Annually review your location sheet. If necessary update & provide a copy to your executor, trustee & attorney
- 9. Annually copy year-end statements of your financial accounts & loans, & keep them with your estate & gift plan documents
- 10. Annually inventory your assets & liabilities & keep it with your estate & gift plan documents
In Summary Here Are the Essential Principles to Estate & Gift Planning

11. Keep the right amount of life insurance

12. As your estate grows near / beyond the federal estate tax exclusion ($11.2 million singles; $22.4 million couples 2018) explore advanced estate planning techniques & tools

13. Discuss your plans with your estate & gift plan appointees

14. Talk with your family about your financial, estate & gift planning

15. Avoid Common Mistakes in Estate & Gift Planning
Estate & Gift Planning Is A Lifelong Process

- Get started now, as you will never have more time.
- Get a “Round Tuit”.

The future is yours
Try Using A Systematic Approach

- Empowers you to make the best informed everyday financial decisions
- Gives you the best chances to reach and maintain your personal and family dreams while you enjoy a secure financial future

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- National Financial Literacy Month (April)
- National Estate Planning Awareness Month /Week (October)

Visit [www.thefinancialawareneundassfotion.org](http://www.thefinancialawareneundassfotion.org)
Questions & Discussion

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Thank you for attending

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