

Changes In The Law are Simply Inevitable

Times change, laws change, but people are the same. And, as the new year is upon all of us, 2009 brings with it a plethora of new laws that touch many facets of our lives in the State of Arizona. So, as you read the new laws and adjustments, be reflective in asking yourself how these changes will affect your family and estate.

Taxes

2009 has brought two significant tax changes. The first being the increase in the estate tax exemption, also known as the unified tax credit. The increase is from 2 million to 3.5 million dollars. The second change is the gift tax exclusion which now has increased from \$12,000 to \$13,000 per individual. This means that each person (donor) can give \$13,000 to each recipient (donee) without the necessity of filing a Form 709 gift tax return.

Medicaid (Arizona Long Term Care Services) & Medicare Part B Premiums

As the Cost of Living Adjustments have taken place with the Social Security Administration having raised its percentage by 5.8%, an Arizona Medicaid applicant who is married will now have a community spouse resource allowance of \$109,560 --- this is the maximum amount of money the community spouse who is not in the nursing home is allowed to keep. Likewise, the minimum allowance has also increased to \$21,912. If you are already receiving ALTCS benefits, you may see a change in your Share of Cost because the personal needs allowance has increased from \$95.55 to \$101.10. Finally, if you are not on a Medicare Supplemental program, then you will see a change in the amount of money automatically deducted from your social security check each month for your Medicare Part B premium which has increased only slightly to \$96.40.

Other areas of change

- The Social Security Administration has increased the maximum amount of Supplemental Security Income (SSI) from \$637 to \$675 per month. However, the amount you may receive from SSI may be slightly higher or lower as a result of your individual benefits and because you live in Arizona.
- Arizona's minimum wage law has changed and increased from \$6.90 to \$7.25 per hour.
- State law regarding license plate holders has also changed as there has been much hullabaloo recently in the media. Put succinctly, A.R.S. 28-2354(B) requires that regardless of whether you have one or two Arizona license plates (out-of-state plates exempt), the state name Arizona at the top must be "clearly visible."

If you need clarification and guidance on these laws or others, remember to consult with an elder law attorney who can assist you in reviewing your case and answering questions you might have. To schedule a complementary consultation with attorney Robert Michael Way call Mary at (928) 783-4575.

Member of NAELA:
National Association of
Elder Law Attorneys



Deason Law Firm
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New Year Brings Resolutions.... and More

At the start of a New Year we are each given an opportunity to reflect on the past year's ups and downs and gain a new perspective for the coming year. We look back at the good times: the holidays, vacations, birthday parties, and births of new children and grandchildren. We look back at the challenging times: the economic stresses, illnesses, and other hardships. As we reflect, we have an opportunity to reorganize our priorities and goals.

As we reassess our lives, we plan for the future, beginning with a fresh set of resolutions. We may plan to get fit and lose a few pounds. One way we can gain control (especially in these uncertain economic times) is to make sure our estate planning is in order. We do these things not just for ourselves, but for those we love and who are ultimately impacted the most by our planning.

Estate planning is one of the easier things to check off your list of resolutions. First, find a qualified estate planning attorney to consult. You can find one by consulting the American Academy of Estate Planning Attorneys at http://www.aepa.com/attorney_listing.aspx or by checking <http://www.search-attorneys.com>.

The consultation is painless. You will discuss your family and your goals. Then the attorney will suggest a course of action which will likely include these basic documents:

- Property Power of Attorney. This allows someone appointed by you, your "agent," to make decisions for you during your incapacity.
- Health Care Power of Attorney. Allows your agent to make health care decisions for you when you are unable to make them for yourself.
- HIPAA Power. Allows your agent to gain access to health information. Without this, a hospital could refuse to release any information -- even your presence in the hospital.
- Living Trust. This is the engine of your estate plan. You transfer the bulk of your assets to this Trust. It allows for management during your life, including when you are incapacitated. It provides for distribution in the desired way after you are gone. It allows you to avoid the probate process.
- Last Will. This takes any assets accidentally omitted from your Trust and moves them to the Trust after your passing.

Getting your estate planning in order is an easy task. Starting with this simple task will give you the courage and motivation to move on to other resolutions -- like losing those extra pounds that crept on over the holidays.

If you would like more information about this subject, call Mary at (928) 783-4575 to schedule a complimentary consultation with attorney Larry Deason.

Attend our upcoming Legacy Wealth Planning Seminar ... Why?

- Find out how you can create a simple estate plan that provides for your survivors.
- Learn how you can provide an estate plan that will allow your beneficiaries to avoid probate and taxes.

If you have an estate plan already that's ok, attend our seminar for a review, and take a deeper look at the impact of disability for either spouse, protection for the beneficiaries from divorce, lawsuits, creditor problems, and re-marriage issues.

Thursday, February 12th @ 9:30am or 6:30pm
 Yuma Civic & Convention Center (East Wing),
 1440 Desert Hills Dr.
 RSVP with Mary 928-783-4575



Larry Deason and Robert Way are members of the American Academy of Estate Planning Attorneys. The AAEPA is a member organization serving the needs of legal professions concentrating on estate planning. Through the Academy's comprehensive training and education programs on state-of-the-art estate planning law techniques, it fosters excellence in estate planning among it's members and helps them deliver the highest possible service to their clients.



Client only Seminar on Funeral Trust: In the past few years, we have observed that the families of many of our clients have faced unnecessary complications in the area of funeral arrangements and, specifically, how to pay for the funeral/memorial services. Attend this exclusive seminar and find out more: Wednesday, February 11th at the following times: 9:30a.m., 2:00p.m. or 6:30p.m. Call Mary to reserve your seats: 783-4575.

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This information is for general purposes only and does not constitute legal advice.

This is a complimentary, educational newsletter. If you are NOT interested in receiving this information in the future, please contact Mary at 783-4575.

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 Estate Planning... It's What We Do!
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