

HARRIS LAW & CO.

Protecting Families & Businesses Through All of Life's Journeys

LEAVE AN IMPACT

INVEST IN YOUR ESTATE PLANNING

WHY DO ESTATE PLANNING?

- Avoid Conflict & Chaos
- Protect Yourself
- Protect Your Family
- Avoid Assets Being Tied up in Court
- Decide Who Makes Health & Financial Decisions
- Promote Family Harmony
- Avoid Leaving Kids at Risk
- Protect Assets
- Leave an Impact

COMMON ESTATE PLANS

1. No Plan
2. Will
3. Trust

WHAT IS THE BEST PLAN?

A perfect estate plan is a myth. There is no perfect plan. Estate planning is not just about taxes or passing money out as quickly as possible. You want a plan that fits YOUR goals and addresses what is important to you. Estate planning can seem overwhelming, so stick to the 5 year rule. If we get stuck thinking that we will probably die when we are 92 because that's when dad died, then we end up in decision paralysis. We do not know what life



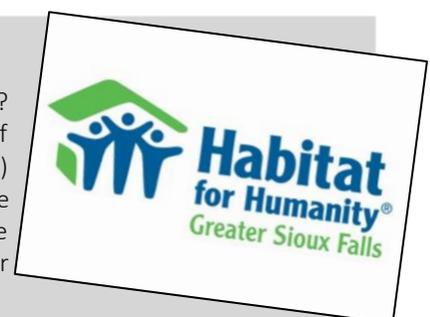
looks like that far ahead. Stay in the next 5 years. We can imagine the next 5 years, which eliminates decision paralysis and allows us to move forward with creating the right estate plan for now. FOR NOW. Estate planning is not a one and done event. It is a process. You should review your estate plan every 1-5 years depending on your net worth, planning goals, and life circumstances. You may have a few polishes to your plan or maybe nothing needs to change. Either way, reviewing your plan helps ensure it will actually work when life changing events occur (& you wouldn't want your attorney to get lonely...yes attorneys can be funny too).

NO PLAN

It is a BIG mistake not to have a plan for your death or disability. What happens? The court system will control your assets

INVEST IN YOUR COMMUNITY & PAY LESS IN TAXES

Do you have stocks that are appreciated? Do you pay taxes on distributions from retirement plans? If you donate those stocks or payments to a charity instead, such as Habitat for Humanity of Greater Sioux Falls (...yes, I can swing a hammer & yes, I am biased as I sit on the board of directors) then you can **AVOID** paying capital gains taxes and may even receive a charitable deduction. The Same \$ investment using different assets can result in a dramatic benefit for you and the charitable organization. Invest **SMARTER** in your Community to leave a **GREATER** benefit for you & your organization.



**INFORM.
EDUCATE.
EMPOWER.**



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Our Passion Shows!

Reviews



Lindsay M. Harris

Avvo

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helping us better
serve our
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upon your incapacity and while your loved ones face an expensive and often contentious guardianship and conservatorship proceeding. Then, when you pass away, your assets are distributed according to default state laws, which often results in children being unintentionally disinherited and your spouse (or second spouse) having to face spousal rights issues and battle your children for a share of the estate or the right to continue living in their home. Further, this is all done through the court systems under the PROBATE process. Probates often take a long time, cost more, and are public. Most families do not want the “googlers” being able to look up how much each of their children or spouse inherited. Further, this scheme does not have any built-in tax efficiency. In short there are 2 winners to not having a plan: your attorney and Uncle Sam.

I LOVE YOU WILLS

Many times we think we have more than we do when we get a Will executed. Most Wills do little more than no plan at all—we call these “I Love You Wills”. In fact, these Wills name a person to be in charge of the estate, sometimes they waive bond, and that is really the only difference. WILLS GO THROUGH PROBATE. This fact shocks people everyday who are grieving the loss of a loved one and do not realize they have no power to act even though they are named in a Will. The Will has to be probated (administered through the court system) before anyone is appointed to act on behalf of the estate – no paying bills, paying beneficiaries, selling assets, paying funeral home, etc. Further most Wills leave the entire estate unprotected. The surviving spouse may lose the inheritance to creditors (in a car accident), to a new spouse (remarriage), or to Uncle Sam due to poor planning. Then, the assets just “dump” to the children and are not protected from divorce, creditors, partition suits, unexpected illnesses and death, and taxes. Children lose inheritances to ex-spouses or greedy in-laws. They have disputes with their siblings over jointly inherited assets or personal property that tear the family apart. “I Love You Wills” often leave our loved ones in a state of chaos, confusion, and unprotected from every-day life events.

TRUSTS – MODERN DAY PLANNING

So how do you avoid probate, the court system, and ensure you, your assets, and your loved ones are better protected? Simple, get a trust. Saying trust is like saying “car,” there are thousands of different colors, makes, models, and features. Trusts can be designed for a variety of reasons and range in cost and sophistication. Some trusts protect assets from divorce and creditors, some from nursing home costs, and some from uncle Sam. Not all trusts are created equal. Make sure you are working with a focused estate planning attorney to ensure your trust works as intended when life changing events occur. To learn more about trusts and see if they are the right fit for you, schedule a complimentary consultation today.

**This article is for general informational purposes and is not intended to give legal advice. Please consult with an attorney about your situation.*