



What is YOUR estate plan?

An estate = everything you own. Approximately 50% of the adult population does not have a will or trust. If you or your family member(s) life ended today-without warning-would you be prepared? If you haven't taken the steps, the reality is that you won't have a say in how your estate will be handled. Without the proper documents, upon your death the state of Kansas gets to decide who gets what. This automatic estate plan **rarely** matches your own preferences and additionally the probate process can be lengthy and very costly. Even custody of your minor children will be decided by the courts without your input or recommendations if you have not named a guardian or series of guardians in a will or revocable living trust. Would your wishes be carried out if you become disabled?

You should have control over the final disposition of your property. Every adult individual or married couple needs an estate plan, regardless of how much they own. A plan gives you the opportunity to make very important decisions regarding:

- How your assets are distributed tax efficiently (limiting taxes to your heirs where possible) and to whom. IE: providing for an orderly transition of assets ~ such as deciding which child(ren) receive the farm/ranch or business and/or other assets. Sometimes a distribution is fair but not necessarily equal (especially if only one child is continuing to operate the farm/ranch or business).
- Who will be the executor of your estate? If you have a revocable living trust, who will be your successor trustees?
- Provisions for minor children (so they do not receive too much, too soon) or providing life-long care for a disabled family member so the state will not force you to spend down their assets.
- Your charitable legacy; supporting local and national charities of your choice either outright or through a fund established at your local community foundation.

Estate planning is complex, and so are the federal and state laws relating to it. Even small oversights can cause big problems later on. One resource for a Kansas estate planning lawyer may be readily available through your community foundation – at no cost to you or any obligation. Many community foundations provide this opportunity for the residents of their local communities with a licensed attorney specializing in estate planning who does not sell other services (insurance, securities with fees, etc.) but rather focuses solely on planning in order to protect you, everyone you love, and everything you have whether you are healthy, incapacitated, or deceased. They will design a comprehensive estate plan, working out the details with you, which will reduce the time and therefore the cost of drafting the documents by your local attorney.

If you already have a prepared plan, does it need to be reviewed? Is the plan five years old? Have you had a major life event (marriage, remarriage, death of a spouse/loved one, separation, divorce, significant change in estate size, acquisition /disposition of a significant asset, birth of a new child/grandchild, adoption, incapacity or death of a trustee, executor, executrix or guardian, serious

illness or disability of a child/grandchild, irresponsibility of a child/grandchild (drug/alcohol abuse, gambling, crimes). There have just been significant tax law changes.

How will these changes affect your existing plan? The same community foundation estate planning attorney will be happy to review your plan at no cost or obligation. You should also review and update your plan prior to reaching 70 ½ years of age.

Working with your estate planner, you can write a plan that will protect your loved ones and give you peace of mind for how your estate will be distributed instead of leaving it up to state bureaucrats who don't know anything about you and the legacy you wish to leave. Do you know that \$79 billion will be transferred from one Kansas generation to the next by 2020? Many Kansan heirs have or will leave the community they grew up in for large cities outside of Kansas transferring this wealth away from our communities. One way to minimize the mass exodus to the big cities is to leave a small portion of your estate in a charitable fund in Kansas; you will create a **legacy** that will benefit generations to come. It just takes a small percent – even as little as 5% of your estate --- to make a big impact!

Through the power of endowment, funds established at your local community foundation or charities, allow your *family's name and charitable aspirations to live forever* — creating a stable, enduring **legacy** to benefit future generations.

A Chinese Proverb says:

The best time to plant a tree was 20 years ago ~ the second best time is now

12-18-17

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