



SEPTEMBER 2021, ISSUE 1

# YOUR TRUSTED LEGAL COUNSELOR

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## BACK TO SCHOOL: TIME TO REVISIT THE PART OF YOUR ESTATE PLAN THAT IMPACTS YOUR KIDS!

*Written by Francine D. Ward*

School has started. With the well-being of your children weighing heavily on your mind, it's easy to forget about some of the most important things. In this Age of CoVID, keeping them well cared for and secure might start with naming a guardian in your estate plan.

When was the last time you reflected on your selection of a guardian? If the answer is "Never," or "Not lately," now might be a good time to visit or revisit this issue. As you change over time, so do your kids. If you previously appointed a guardian, is that person still the best choice? Your ideal choice in the past might not be the best choice now.

Back-to-school time is a perfect opportunity to review your estate plan and guardianship designation. For more information on estate planning read, "[Do you need to update your estate plan?](#)". Here are some specific things to consider:

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ISSUE:

*Estate Planning: Back To School-1*



## REVIEW AND UPDATE YOUR GUARDIANSHIP NOMINATIONS:

Is the guardian you've chosen for your children in the event that something happens to you still the person you would want to fill that role? Are they still available to do so, and would your children be satisfied with this choice of a guardian?

## REVIEW AND UPDATE INTENT LETTERS:

If you've used intent letters in your estate plan to provide additional meaning and context to your guardianship designations and other estate planning documents, now is a good time to make sure they reflect your current goals and wishes.

## REVIEW AND UPDATE YOUR ESTATE PLAN:

It's always a good idea to keep your estate plan as up-to-date as possible. The addition of a new child to your family by birth or adoption may mean your plan requires substantial changes. This is also the case if one of your children has reached the age of majority. If either of these events occurred since our last assessment of your plan, it is imperative that you don't wait to make any necessary alterations to your plan.

## REVIEW COLLEGE SAVINGS PLAN AND STRATEGIES:

Do you have a child who is preparing to attend college in the coming years? We can explore various planning strategies to help financially plan for the cost of tuition and help your family make strategic choices about higher education planning. It's never too early to begin researching scholarship opportunities if you have a child already in high school. There are also a variety of accounts, such as 529s, UTMA/UGMA, ESAs, and HEETs that can be used to reduce the financial toll of tuition.

Back-to-school time means a flurry of activity for most parents. While shopping for supplies and attending school functions may dominate your to-do list, remember to set up an appointment with me to review your estate plan for any updates that might impact your child's wellbeing. [I'm here to help.](#) [Contact me at www.francineward.com.](http://www.francineward.com)



# Internet Crime Complaint Center 2020: Internet Crime Report



*Written by Francine D. Ward*

Earlier this year, the FBI released the Internet Crime Complaint Center 2020 Internet Crime Report (the “FBI Crime Report”), which included CoVID scam statistics. The FBI assessed 791,790 complaints of suspected crimes on the Internet. This was an increase of more than 300,000 complaints from 2019. Reported losses were in excess of \$4.2 billion. The FBI Crime Report also provides useful and relevant information about prevention and protection. In addition, it includes a number of case studies making it easy to understand the many ways scammers access information FBI Crime Report – 2020 State Reports. The top 10 states by the number of victims are California, Florida, Texas, New York, Illinois, Pennsylvania, Washington, Nevada, New Jersey, Maryland. The top 10 states by victim loss are California, New York, Texas Florida, Ohio, Illinois, Missouri, Pennsylvania, Virginia, Colorado.

*Continued on page 4*

## FBI TOP CRIME REPORTS

The FBI found the following crimes to be among the most often committed against victims in 2020

### THE FULL FBI CRIME REPORT LIST:

**241,342** VICTIMS

phishing/vishing/smishing/  
pharming



**VICTIMS 108,869**



non-payment, non-delivery

**76,741** VICTIMS

extortion

**VICTIMS 45,330**



personal data breach

**45,330** VICTIMS

identity theft



**VICTIMS 28,218**



spoofing

**24,276** VICTIMS

misrepresentation

**23,751** VICTIMS

confidence fraud/romance

**20,604** VICTIMS

harassment/threats of violence

**15,421** VICTIMS

tech support

### WHAT TO DO IF YOU BECOME A VICTIM OF CYBER CRIME?

Visit [www.francineward.com](http://www.francineward.com) or email at [info.francineward.com](mailto:info.francineward.com)

## THE FBI CRIME REPORT-MONEY LOST

The FBI Crime Report also revealed that most victims lost money through a variety of scams, in particular:

- |   |  |
|---|--|
| 1. Business email compromise scams- \$1,866,642,107 | 6. Spoofing-scams- \$216,513,728       |
| 2. Confidence Fraud/Romance- \$600,249,821          | 7. Real Estate/Rental- \$213,196,082   |
| 3. Investment fraud- \$336,469,000                  | 8. Personal Data Breach- \$194,473,055 |
| 4. Non-Payment/Non-Delivery- \$265,011,249          | 9. Tech Support- \$146,477,709         |
| 5. Identity Theft- \$219,484,699                    | 10. Credit Card Fraud- \$129,820,792   |

Not surprisingly, 2020 ushered in the emergence of scams exploiting the CoVID pandemic. The FBI received over 28,500 complaints relating to COVID, with fraudsters targeting both businesses and individuals. For more information on internet crime visit [francineward.com](http://francineward.com).



# What To Do If Scammers Get In?

## Take Action

Now is the time to create a plan of action, not after you get scammed. Here are some things to do if a scammer accesses your computer or other devices:

**1. Contact an attorney right away. If you have insurance, contact agent first. They may be able to provide you with an attorney.**

**2. Take all communications offline. If at all possible, meet in person. If it's not possible to have face to face meetings, use the phone.**

**3. Immediately disconnect infected devices from your network.**

**4. Maintain all logs. Do NOT delete. This will enable you or the FBI to trace the source.**

**5. Consider having YOUR attorney hire forensic your lawyer hire the expert and not you. This will help to preserve privilege.**

**6. Notify the police and file a victim report.**

**7. Immediately change passwords after the infected device is removed from the network.**



# 10 Types of Trusts: A Quick Look

Written by Francine D. Ward

Considering the myriad of trusts available, creating the right estate plan can seem daunting. However, that is what we, as estate planning attorneys, do every day. We know the laws and will design a plan which addresses your specific situation.

Here is a look at the basics of ten common trusts to provide you with a general understanding of the options available. There will not be a quiz at the end. When we meet, all you need to do is be prepared to share your goals and insight into your family and financial situation, and we will design a plan that incorporates the best documents for your situation.

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- Bypass Trust**  
Commonly referred to as a credit shelter trust, family trust, or B trust, a bypass trust contains a portion of a deceased spouse's accounts and property and uses the deceased spouse's lifetime exclusion amount to reduce or eliminate estate tax. Because the estate tax is calculated at the first spouse's death, this trust is bypassed for estate tax purposes at the second spouse's death.
- Charitable Lead Trust**  
A charitable lead trust is a trust which provides a stream of income to a charity of your choice for a period of years or a lifetime. At the completion of the period of years, or at death, whatever is left goes to you or your loved ones with significant tax savings.
- Charitable Remainder Trust**  
A charitable remainder trust is a trust which provides a stream of income to you for a period of years or a lifetime and then gives the remainder to the charity of your choice with significant tax savings once the period of years or death has occurred.
- Special Needs Trust**  
A special needs trust allows you to provide money or property for the benefit of someone with special needs without disqualifying them from receiving governmental benefits. Federal laws allow special needs beneficiaries to receive certain types of benefits from a carefully crafted trust without defeating eligibility for government benefits.
- Generation-Skipping Trust**  
A generation-skipping trust allows you to distribute your money and property to your grandchildren, or even to later generations, without taxation, by using your lifetime exemption to offset any tax that could be due.
- Grantor Retained Annuity Trust**  
A grantor retained annuity trust is an irrevocable trust which provides you with an annuity for a specific amount of time based on the value of the property in the trust and upon completion of the annuity period, the remaining money and property is transferred to those you have named. This type of trust is used to make large financial gifts to your loved ones of accounts or property that are expected to grow in value at a higher rate than the annuity rate being paid back to you.
- Irrevocable Life Insurance Trust**  
An irrevocable life insurance trust is designed to own high-value life insurance and receive the payment of the death benefit upon the trustmaker's death. The benefit of this type of trust is that the life insurance proceeds are excluded from the deceased's estate for tax purposes. However, the proceeds are still available to provide liquidity to pay taxes, equalize inheritances, fund buy-sell agreements, or provide an inheritance.
- Marital Trust**  
A marital trust is designed to protect the accounts and property for the surviving spouse's benefit, as well as qualify for the unlimited marital deduction. These accounts and pieces of property are excluded from estate tax at the first spouse's death but are included in his or her estate for tax purposes.
- Qualified Terminable Interest Property Trust**  
A qualified terminable interest property trust initially provides income to the surviving spouse and, upon the surviving spouse's death, the remaining money and property are distributed to other named beneficiaries, while still allowing the trust to qualify for the unlimited marital deduction. These are commonly used in second marriage situations and to maximize estate and generation-skipping tax exemptions and tax planning flexibility.
- Testamentary Trust**  
A testamentary trust is a trust created in a will. This type of trust is created upon the individual's death and is commonly used to protect the money and property on behalf of a beneficiary as opposed to transferring the money and property to the beneficiary outright. It can be used when a beneficiary is too young to manage their own money or property, has medical or drug issues, or may be incapable of responsibly managing their own money. The trust can also provide asset protection from lawsuits, or a claim by a divorcing spouse brought against the beneficiary. Unlike a revocable living trust or an irrevocable trust, where property should be transferred into a trust during the trustmaker's lifetime to work property and avoid probate, testamentary trusts require the sometimes lengthy and expensive probate process before the trust is created.

There are many types of trusts available. We will help you select which trusts, if any, are a good fit for you. Call today to schedule your in-person or virtual appointment. **We are waiting to hear from you.**

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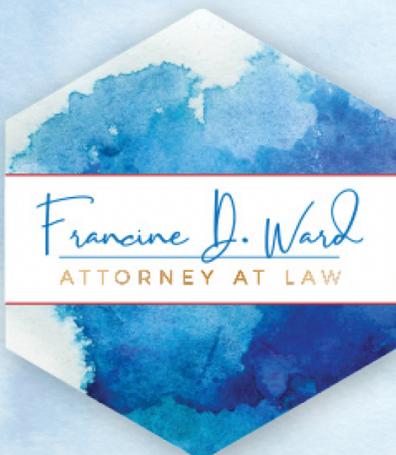
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*For more information on this topic, please visit:*

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