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Bay Area Office

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A good friend recently stated that “As parents, we are only as good as our children.” He was referring to our happiness and fulfillment. Often as parents, we carry our children’s burdens as our own. We realize that often times our abilities to shield our children from exposure to the real world is limited to strong preparation and equipping them with the tools that they will need to survive and thrive. Our firm assists families in creating protection strategies for untimely and unfortunate situations where the parent is not available. In concert with a client’s team of trusted professionals we seek to create a protective barrier around those they care about.

For those with family members who need extra protection, we are proud to host Rodnunsky & Associates’ own in-house legal scholar Greg Lederman, Esquire, who will present “Special Needs Trusts: what parents need to know” on December 14, 2016. A recognized author & practitioner, Greg was a contributing author to the California Bar’s “attorney manual” on drafting, administering, and litigating Special Needs Trusts.

While we may not be in a position to directly impact the environment our children live in today, our firm is available to assist in protecting them if you are unable.

As a Reminder, we are now located at:

*2000 Alameda De Las Pulgas, Suite 154
San Mateo, CA 94403*

If you have not had the opportunity to visit our new offices, please stop in and say hi.

We look forward to a wonderful holiday season with a full lineup of client and advisor events. Thank you for reading. We appreciate your time.

A case from Roxanne T. Jen

I always tell people that we never know when we are going to die. If we had the crystal ball and could anticipate our deaths, planning and living our lives would be so much simpler. Unfortunately, we don't. Nor do we know when health issues might befall upon us. A couple of months ago, my brother in law came over for dinner and he mentioned that he ran into another distant family member while shopping at our local Target. My brother in law said, Minnie was acting crazy, like she was under the influence of something. Knowing this particular relative, I thought it might just have been her eccentric behavior. She has always been a little quirky since I've known her, but my brother in law was pretty sure that she was "drunk or on drugs". I also didn't give him any credit, because I thought, there is no way Minnie was drunk or on drugs. Fast-forward a month and we found out that Minnie had a stroke that was diabetes related. Apparently she had undiagnosed diabetes and her blood sugar levels were fluctuating so wildly that she acted drunk. As is often the case with undiagnosed conditions, She continued to eat the way she normally ate and do the things that she typically did. Unfortunately, she had a stroke at 50.

I do not know if she had an Advance Health Care Directive or a Durable Power of Attorney, but this drives home the point that we never know if or when we will need these types of documents to allow other people in our lives to help us. If her stroke had been much worse, it is entirely plausible that she would not be able to make any financial or health care decisions for herself. I cannot emphasize the importance of having these documents in place BEFORE something happens to you or your family members. I often see families where the adult children are trying to arrange for their elderly parents to sign and execute an Advance Health Care Directive or Power of Attorney, but these parents have already reached the point where it is very clear that they no longer have capacity to make their own decisions. Without capacity, they are unable to sign the very documents that would enable to allow their loved ones to take care of health care and financial decisions for them.

Fortunately, Minnie seems to be recovering. We tell stories like this in the hopes that we can learn from other's experiences and prevent families from finding themselves in situations like this.

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Pet Trusts: A Brief Introduction & Overview

By Victoria Campbell

Often times, clients come in with specific goals for their estate planning needs. They want to avoid probate, reduce or avoid estate taxes, protect assets, and of course, provide for family and loved ones. But what happens to their pets? To many people, their pets are more than just animals; they are family members. Thus, it makes sense that pet owners want to provide for their pets after they are gone, too.

Unfortunately, if arrangements are not made for pets, there is the possibility that they may end up without adequate care or in a shelter – a fate most pet owners would like to avoid. In order to ensure that pets are protected, pet parents can make use of what is known as a “pet trust.”

Today, forty-nine states plus the District of Columbia recognize pet trusts (Minnesota is the one exception). In California, the creation of pet trusts is governed by California Probate Code §15212. Cal. Probate Code states that a trust for the care of an animal is a trust for a lawful noncharitable purpose (15212(a)). In order to be valid, a pet trust must have a trustee and a beneficiary (also known as the caretaker), and of course, a pet whom the beneficiary/caretaker is supposed to care for. The Trustee will make distributions of trust funds to the caretaker, who will then use the funds to provide for the health, welfare, maintenance, and care of the pet(s). It is important to choose a trustee and a beneficiary/caretaker who will be dedicated to ensuring the health and safety of a pet, and who understands their legal obligations when serving in those roles. Generally, the trust will last for as long as the designated pets are alive, though some pet trusts can last longer if expressly stated.

A pet trust is a great way to provide peace of mind to the trustmaker. Unlike simply asking a friend or relative to care for a pet upon incapacity or death, a pet trust is legally enforceable and the Trustee has a fiduciary duty to make sure any pets are properly being cared for.

Pets are often left out of estate planning, though they need not be. With a pet trust, pet parents can be sure that their pets will be taken care of and supported after their owners’ passing, just as any other member of the family would be.

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It's October and that means it's almost Halloween. Trick or treating can be a great experience for families and children and as we all know, safety is a concern. This Halloween, make sure that you and the kids are ready to have fun and stay safe. The San Mateo Parks and Recreation Department is hosting a safe Halloween event at the King Center.

Where: 725 Monte Diablo Ave, San Mateo, Ca 94401

When: October 31, 2016 from 6:00p – 8:00p

Tips for kids and adults:

- Avoid wearing masks and opt for makeup
- Do not carry real looking weapons
- Carry a flashlight after dark
- Stay on the sidewalks and out of the streets
- Only approach well lit houses and only enter a home if you know the resident
- Inspect candy thoroughly before consuming
- Have Fun!

For more safety tips and information about the safe Halloween event visit sanmateopd.org

November 8, 2016 is Election Day! This election is especially important for our country. Since February the Supreme Court has been an evenly split between conservative and liberal justices (4-4) which has posed a few issues for upholding the law. With a tied result in the Supreme Court, lower court decisions stand. This even split has caused the justices to accept fewer cases and postpone voting on major issues until the 2016-2017 session.

The elected President will have the power to appoint the next Supreme Court Justice. Elected Senators will be those who confirm or deny the appointment. If there is a tie, the Vice President will be the tiebreaker in the Senate. The Supreme Court is the highest court and is the final judge in cases regarding Constitutional Law. Supreme Court Justices receive lifetime appointments. The upcoming appointment will be crucial for the future of the United States.

This year, the Supreme Court has ruled on cases regarding abortion, affirmative action, capital punishment, voting rights, contraception, gun laws, and immigration. Every vote is important so make sure you get out and vote.

For information about the upcoming election, where to vote, and ballot measures visit sos.ca.gov.

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A workshop in 3 parts:

Protecting Aging Family Members

Sept 21, 2016 Wednesday

6pm – 7:30pm

Our Office

Oct 19, 2016 Wednesday

6pm – 7:30pm

Our Office

Nov 16, 2016 Wednesday

6pm – 7:30pm

Our Office



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Workshop: Protecting Aging Family Members

Many of our clients are facing the issues and problems inherent with the aging process. To help families better understand and address these issues, we are hosting a 3 part workshop with Clinical Gerontologist Kathy Faenzi of Faenzi Associates (www.faenziassociates.com). Kathy works with local families in the midst of transitioning a family member from independent to assisted care. Rodnunsky & Associates will discuss the legal issues that accompany the life issues of aging.

Topics covered will include:

- **Session I – Protecting aging family from the “System of Aging in America”**
 - Power of Attorney v. Conservatorship & Guardianship.
 - Overview of the senior care housing options including assisted living, memory care & skilled nursing.
 - Navigating the institutions of protection for aging.
- **Session II – Protecting aging family from “Self”**
 - Strategies for loss of Executive Function, Deficit of Judgement & Levels of Capacity .
 - Creating a comprehensive life plan that includes a safe environment, preserving dignity and independence, maintaining healthy nutrition, overseeing medication management & coordinating medical appointments.
 - Strategies for the unwilling care recipient.
- **Session III - Protecting aging family from “Others”**
 - Strategies for protecting family members from those positioned in an intimate relationship.
 - Managing relationships with family, third party caregivers & the family “friend.”
 - Parenting the Parent.

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Upcoming Calendar:

November 2016

- Nov 16, Wed. 6pm R&A Offices
Planning & Caring for Aging Family – Pt3
- Nov 16, Wed. 12pm R&A Offices
EP 101: Estate Planning Fundamentals for Professional Advisors
Lunch Served
- Nov 18, Fri 9am Foster City Senior Center
Foster City Senior Showcase

December 2016

- Dec 1, Thurs 6:00 – 7:30pm R&A Offices
Medi-Cal Protection Planning
Speaker: Don Sweet, Esq.
- Dec 14, Wed 7:00 – 8:30pm R&A Offices
Guest Speaker: Greg Lederman, Esq.,
Co-Author CEB Publication *Special Needs Trusts: Planning, Drafting, and Administration*
R&A – Woodland Hills
Special Needs Trusts

What We Do:

- ✓ Family Limited Partnerships (FLP)
- ✓ Legacy Trusts (ILIT)
- ✓ Intentionally Defective Grantors Trusts (IDGT)
- ✓ Qualified Personal Residence Trusts (QPRT)
- ✓ Charitable Remainder Trusts (CRUT, CRAT)
- ✓ Dynasty Trusts
- ✓ Asset Protection Trusts
- ✓ Business Succession Planning
- ✓ Buy/Sell Agreements
- ✓ Special Needs Trusts
- ✓ Other methods of advanced estate planning and document preparation



The San Mateo Chamber of Commerce Rent Control Forum at our Rodnunsky & Associates office.

The Chamber discussed Measure Q, a measure on the upcoming November 8th ballot.

Speakers:

- **Cheryl Angeles** - President & CEO, San Mateo Chamber of Commerce
- **Alan Talansky** - Chair, San Mateo Chamber Policy Council
- **Diane Pappan** – San Mateo Council Member
- **Joshua Howard** – California Apartment Association
- **Robert Howard** – Retired Police Officer

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