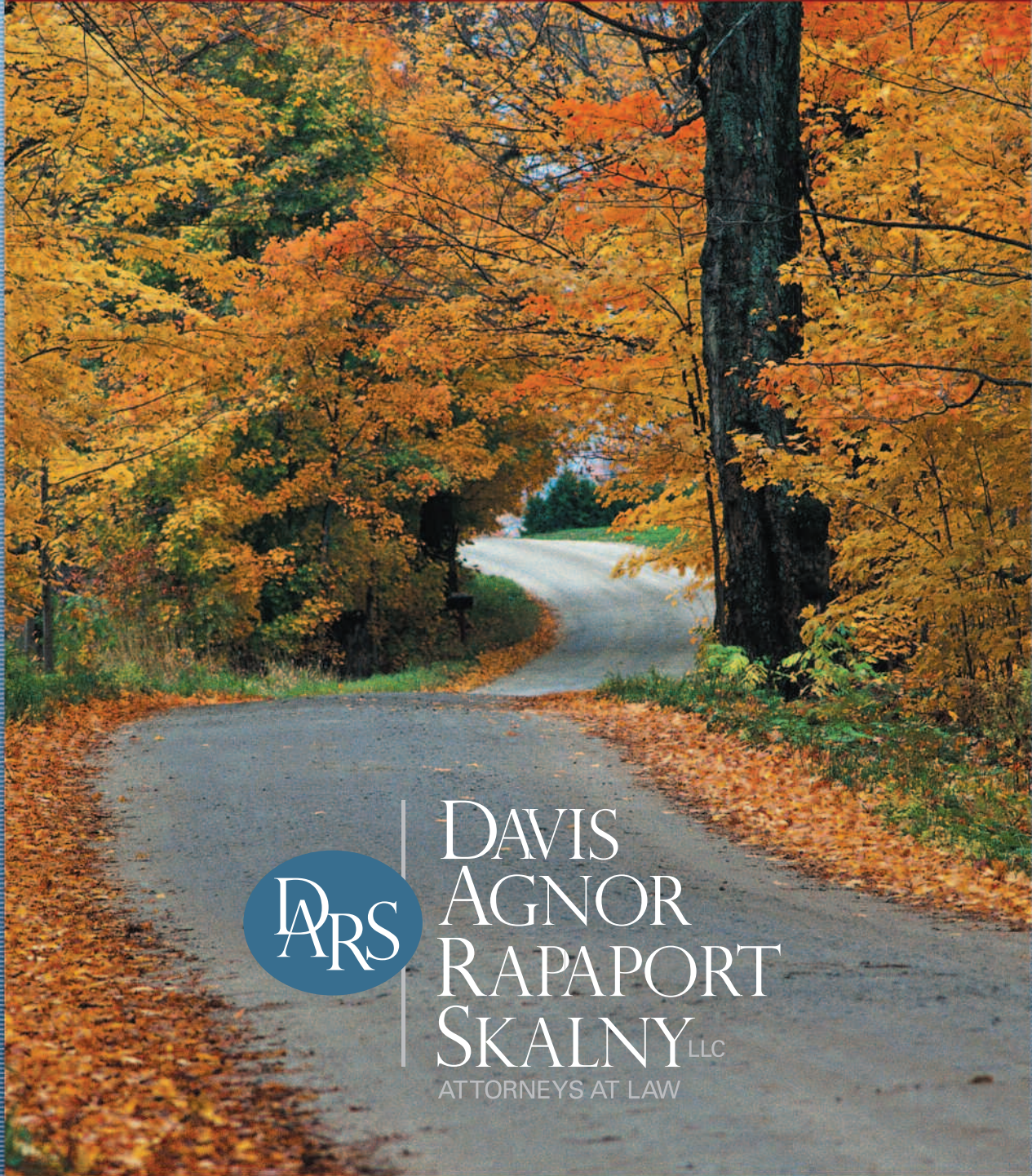


# Some “Plain English” on Estate Planning



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## Some “Plain English” On Estate Planning

*It used to be that executing a Last Will and Testament was all that was needed to have an estate plan. Not anymore! There have been so many changes in our laws, in our tax system, in our society, and in our medical care, that estate planning is now needed no matter how much property you have, and no matter where or how you live. In our world, where we lament our lack of control over our lives, we can exercise some control with an effective estate plan. The purpose of this pamphlet is to outline, briefly and in plain English, some of the considerations that should be included in your estate plan. If nothing else, this pamphlet should raise serious and substantial questions in your mind about your estate plan. It will take action on your part, however, to create an estate plan that will meet your needs and the needs of your family.*

### **Estate Planning**

Throughout your life, you have been building an estate. Perhaps you have put away some savings for a rainy day; perhaps you have con-

tributed to your retirement accounts for your golden years; or, perhaps, you purchased a home, maybe even a vacation home. Whatever you have been able to save and accumulate is your estate. The process of building your estate is one part of estate planning. The other part, which is equally important, is organizing your accumulated assets in such a way as to protect them and manage them for your use and for the use of your family.

A person's estate plan contains several components, all of which are coordinated to allow you to control how your assets are to be managed, both during your lifetime and upon your death. In addition, estate planning now addresses such issues as health care decision-making and long-term care planning. In other words, a properly crafted estate plan should give you peace of mind, knowing that you have taken the steps necessary to protect both you and your family.

There are many tools available to incorporate into your estate plan. A Will is often considered the primary estate-planning document, but there are also a wide variety of trusts that you may also want to consider. Every estate plan should also include general powers of attorney, to allow for asset management during any period of disability, and an advance medical directive, to make sure that your health care can be managed in accordance with your wishes, even when you are unable to make health care decisions yourself.

Since your family's situation is continually changing due to births, deaths, changes in marital status, relocations, changes in your family wealth, and changes in the law, estate planning is a continuing process that will require a basic understanding of the estate planning process and your life-long attention.

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## Your Estate

Your estate includes everything you own. This may sound obvious, but this concept is often overlooked. Homes, bank accounts, investment accounts, and personal property are often remembered when a person completes a financial statement describing their estate. However, life insurance, qualified retirement accounts, annuities, and property held jointly with others or in trust may also be part of your estate. Correctly and fully identifying all of the assets in your estate is the first step in developing an estate plan. This will require not only identifying each asset, but also determining how each asset is titled (individually, jointly with another, or in trust). It will also mean that you should check each asset that has a designation of beneficiary to make sure that you have identified the correct beneficiaries for each asset. Indeed, this aspect of your estate plan is as important as any other part of the planning process to make sure that your wishes can be followed.

Many people do not realize that much, if not most, of their estate is not governed by their Will. Generally, only property titled in your name alone will be distributed in accordance with your Will. This means that you cannot change how the proceeds of a life insurance policy or a joint bank account will be distributed upon your death by changing your Will. Another name for that part of your estate that is subject to your Will is “probate property.” Probate property is subject to administration through the probate process (discussed on page 3).



Life insurance proceeds, retirement accounts, jointly-owned property, and property held in trust (including a revocable living trust) are all non-probate property and will generally not be subject to the distribution provisions of a will, and, in turn, will not be subject to the probate process. Non-probate assets will be distributed directly to the beneficiary (e.g. under the terms of a beneficiary designation clause or a trust agreement, or by survivorship.)

## The Will

In the movies, the Will is read by a severe, gravely-voiced lawyer to a bereaved family seated around a mahogany conference table. In Maryland, we do not have such formal will readings; however, the end result is the same - the Will is the document used for directing how one's estate is transferred after death.

There is normally very little high drama associated with a Will; however, it is a very formal type of legal document that must meet certain minimum legal requirements. In order to be effective, the Will must be in writing (no oral wills or “cyberwills”—sorry), and signed by the maker in front of at least two witnesses. If these formalities are not met, then the entire Will is invalid. In order to amend a Will, a Codicil must be signed that meets these same formalities. Penning in and initialing changes won't work and they could have the effect of invalidating part or all of the Will.

The Will states not only to whom distributions are made, but also how distributions are made. Sometimes, it may be appropriate to distribute the estate outright to your beneficiaries, and other times it may be better for the estate to be distributed to a trust created within the Will for the benefit of someone who is

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too young, too financially incompetent, or too disabled. Important appointments are also made in the Will. For example, the Will would name a Personal Representative (who is also known as the executor or executrix), the person responsible for shepherding your estate through probate, as well as one or more trustees to manage a trust created under your Will. The Will (or a Codicil to your Will) is also the only place where you can appoint a guardian for your children who are under the age of 18. If you fail to name a guardian in your Will, then the court must appoint one. The personal representative, trustee and guardian can all be the same person, or you can name different people in each role. You should keep in mind, however, that these are very different roles that may demand different talents or abilities from those who hold them.

There are numerous other issues that you may want to address in your Will. Wills are very individual documents, and should include provisions that reflect your wishes or desires, from designating who should receive a family heirloom to making funeral arrangements. Throughout the remainder of this pamphlet, there will be other suggestions to consider as well. It is up to you to decide how simple or complicated you want to make your Will. Your attorney is always ready and more than willing to explain these optional provisions to you.

## The Probate Process

A lot has been written about how onerous the probate process is, but few people understand what this process really is. Probate is the process by which a person's estate is settled upon the death of that person. It ensures that



creditors of the deceased are paid and that the deceased's beneficiaries receive what they are entitled to under a Will, or, for those who die without a will, in accordance with the intestate laws (discussed below). In Maryland, the Register of Wills in the county in which the deceased resided oversees the probate process. The Register of Wills is a county agency under the jurisdiction of the Orphans' Court in that county.

When a person dies, someone must take responsibility for winding up the deceased's worldly affairs. This person is the personal representative. The personal representative has the responsibility for identifying and appraising the estate property, paying all debts and estate taxes, and making distributions to the beneficiaries. In return for performing these services, a Personal Representative is entitled to a commission that normally cannot exceed 9% of the first \$20,000, and 3.6% of the balance of the value of the probate estate. If the Personal Representative chooses to have an attorney help with settling the probate estate, any attorney's fees must be deducted from the commission and be approved by the Orphans' Court.

Probate provides an orderly process for winding up one's affairs in a public forum. Typically, probating an estate takes approximately nine months to one year from start to finish. The probate rules require timely filing of estate inventories and accountings with the Register of Wills, and the Personal Representative must obtain Orphan's Court permission before taking certain actions.

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The exacting rules and legal expenses associated with the probate process have led to a popular sentiment that probate is a cumbersome and expensive process that should be avoided. However, with a little planning, the demands of the probate process can be reduced or even, in some cases, eliminated.

### **Dying without a Will—Intestacy**

Everyone has a Will. Hopefully, a person consults with an attorney and has a Will prepared that reflects that person's wishes regarding the disposition of his or her estate. However, if a person has not taken the time to have a Will prepared, the state will give you a Will. It is not a document, but a set of laws, called the intestate laws, that provide a substitute or surrogate Will for anyone who dies without a Will.

Under the intestate laws, it is still necessary to open an estate, appoint a personal representative, and administer the estate through the probate process, just as if there had been a Will. You cannot, however, choose your personal representative or a guardian for your minor children, and you have no say as to the distribution of your assets. With no Will, the personal representative must distribute your property in accordance with Maryland's intestate statute. For example, if you have a spouse and adult children, your spouse will receive only 50% of your probate estate; your children will receive the rest. The intestate distribution provisions vary significantly, depending on who is in your family. Suffice it to say that it is the rare situation where the intestate distribution provisions match what a person really wants.

By the way, it is a common misconception that, if you die without a Will, your property passes to the State. This only results if there are no living relatives at all, in which case your estate goes to the board of education in the county in which you resided.

### **Joint-Ownership**

Jointly-owned property is not subject to the probate process, but passes by right of survivorship to the other joint owner or owners. People often use joint ownership for convenience purposes (e.g. bill paying during any period of disability) or to avoid probate. If these are your concerns, we can recommend better tools to accomplish these purposes.

Also, there is a common misconception that a Will governs joint accounts. This is not the case. Instead, upon the death of one owner of joint account, the other owner becomes the owner of that account, with the result that the joint account is not subject to probate or the provisions of a Will.

For a husband and wife, it is often desirable to hold property jointly. Assets held jointly by husband and wife (known in the law as tenants by the entirety), insulates the jointly-held property from the claims of creditors of one of the spouses. If one spouse is sued, for example, the marital assets cannot be seized by his creditors. (Of course, if both spouses are sued, the creditor can seize all of the marital assets.)

Generally, we advise against holding property jointly with anyone other than a spouse. Property held jointly with someone else (e.g. a son or daughter) is subject to the claims of the joint owner's creditors. Joint ownership may also enable some third party (e.g. a joint owner's spouse) to exert undue influence over one of the joint owners to dip into those assets. Unlike using powers of attorney and trust arrangements, joint accounts are not held in a fiduciary capacity. The joint owner of a bank account is simply a co-owner and, as such, has the absolute legal right to withdraw all the funds from that account. Joint ownership can also have adverse tax implications for property that has or will appreciate in value. If you die owning 100% of

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an appreciated asset, the tax basis of that asset “steps up” to its fair market value. Depending on when the asset is sold, this can dramatically reduce or even eliminate the capital gains tax. If, however, you die owning the same asset jointly with someone else, there may only be a partial step up in basis, which can result in higher capital gains taxes for your family.

## Revocable Living Trusts

There are many magazine articles and seminars about the wonders of revocable living trusts. Unfortunately, the usefulness of these trusts are often overstated, and one must be careful of falling into the trap of “purchasing” a legal “product” that may or may not meet one’s estate planning needs. On the other hand, in proper situations and with sufficient guidance, these trusts may be very useful to meet a wide range of needs.

A revocable living trust is a trust that you set up during your lifetime. It is revocable or amendable at will, and you retain full control over your assets. The principal benefit of using a revocable trust is that it provides an excel-

lent tool to manage your assets during any period of disability. It also provides a means for avoiding probate for any of the assets held in such a trust, since trust assets are non-probate property. The revocable living trust is a good asset management tool to use during your disability because you can identify a successor trustee to step in and continue managing the trust assets for your benefit. This makes managing your disability much easier for your family, and it insures, as best possible, that your assets will be used for your benefit, even when you cannot manage the assets yourself.



Although you could use a general power of attorney to accomplish this same goal, revocable living trusts provide more certainty since there is no question that a trustee may manage assets within a trust.

A secondary benefit is that upon your death, your revocable living trust acts as a “Will substitute.” This means that you can use the trust to distribute your estate to your beneficiaries without having to go through probate. It is this benefit that is so strongly advertised in so many magazines and newspapers using the rationale that probate is a costly and time-consuming process that deprives your family from the use of your Estate during the probate process. In reality, probate is not the monster described in these advertisements; but, as is usually the case, there is some truth in these claims.

A third benefit is often mentioned of using a revocable living trust as the primary estate planning tool in an estate plan, and that is the use of such a trust can keep your estate plan private. Probate is a public process, and anyone is free to go to the courthouse and review

probate files. Since property held in a revocable living trust is not subject to probate, all of the provisions of such a trust can be kept private, as can the nature and extent of the property that is held in one’s trust.

It should be noted that in most circumstances, no separate tax return has to be filed for a revocable trust. In fact, the trust is basically “invisible” to the Internal Revenue Service for income tax purposes. Contrary to popular myth, the revocable living trust does not, by itself, provide a mechanism for reducing or avoiding estate taxes.

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There are several considerations that should be taken into account before deciding to use a revocable living trust as your primary estate planning tool. One is that using such a trust will require you to spend more time learning the vocabulary and concepts associated with these documents than you might if you just used a Will. This is because you will be using your revocable living trust on a regular basis in dealing with your financial affairs. Although it is your attorney's responsibility to help you through this educational process, it will require effort on your part.

A second consideration is that you must transfer your assets into your trust. Your attorney can provide the paperwork for transferring your home and other real properties into your trust. However, you will have to visit your banks and investment brokers to make sure that your accounts are properly transferred into your trust. The good news is that this part of the process is not as onerous as it once was since banks and other financial institutions have become more familiar with these trusts.

A third consideration is that estate plans that incorporate revocable living trusts usually cost more to put together and implement than an estate plan that uses only Wills. Your attorney will spend more time drafting the appropriate documents for you, and making sure you understand all of the important concepts associated with these documents.

Although a revocable living trust can be an excellent estate planning tool, it is not for everyone. When you meet with your attorney, be prepared to discuss your financial, family,

and health situations. If you are still in doubt about using a revocable living trust after that meeting, but you think you have had your questions answered, then a good old fashioned will-based estate plan may be the better plan for you.

### **Trusts Designed to Meet the Needs of Beneficiaries**

A trust can be especially important for minor children (children who are under 18 years of age). If you do not establish a trust or guardianship under the Uniform Transfers to Minors Act, then upon your death, a court most likely will intervene and establish a guardianship

estate for your minor child or children. A trust for children is often better than guardianship or a custodianship since there is much greater flexibility in designing the distribution provisions of such a trust, and any age may be chosen for terminating the



trust. Thus, by using a trust, you can design a trust that will truly meet the needs of your child or children.

If your beneficiary is mentally, emotionally or physically disabled to the point that he or she may be eligible for government benefits programs, such as Medicaid or SSI benefits, it may be appropriate to use what is called a special needs or supplementary needs trust. These trusts can be designed to provide your disabled beneficiary with items that would not otherwise be provided through one of these programs. If you have a beneficiary in this situation, be sure to discuss this matter with your attorney.

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Trusts can be used to hold assets for someone in need of protection, such as young children, spendthrifts, and beneficiaries with disabilities. These trusts are irrevocable. If a trust includes the appropriate language prohibiting the beneficiaries from transferring or assigning their trust interests, the trust assets will be protected from creditors and others making claims to the beneficiary's assets. This type of trust is aptly called a spendthrift trust.

If estate tax planning is an important part of your estate plan, then there are a whole array of trusts that can be used to maximize your estate tax savings, while still providing for your family's needs. A description of these trusts is beyond the scope of this pamphlet. Be sure to ask your attorney about these trusts, however, if maximizing your estate tax savings is important to you.

## Estate and Inheritance Taxes

Recently, there have been many significant reductions in the "death taxes" that are applied upon a person's death by both the state and federal governments. Some of these reductions, especially those at the federal level, will take many years to come into effect, while other taxes at the state level have already been repealed. Some of the major changes will be described in this section.

In dealing with federal estate tax issues, there are three terms that need to be understood. These are:

- **Taxable Estate.** The taxable estate includes everything that you own or in which you have an ownership interest. This would include life insurance proceeds, retirement accounts, trust property held in a revocable trust, and at least a portion of jointly-held property. The safe rule is that if you have any doubts about whether certain

property is part of your taxable estate, assume that it is.

- **Applicable Credit Equivalent, or "Unified Credit".** This is the federal estate tax credit that protects certain portions of your taxable estate from the estate tax. The unified credit will be increasing over the next several years as follows:

2006.....	\$2,000,000
2009.....	\$3,500,000
2010.....	unlimited
2011.....	\$1,000,000

Unfortunately, in 2011, the estate tax repeal is "sunsetting" which means that only \$1 million will be protected. It is anticipated that the "sunset" provision will be changed by Congress, but until the change actually occurs, deal with the tax laws as they actually are.

- **Unlimited Marital Deduction.** This simply means that transfers of property between spouses, no matter how large the transfer, either during life or upon the death of one spouse, are estate tax free. Note, however, that the unlimited marital deduction only applies to spouses who are U. S. citizens. If you are not a U. S. citizen, other steps can be taken to minimize the impact of the federal estate tax.

Because of the unlimited marital deduction, a husband and wife can transfer unlimited assets between them, tax-free. This means that the unified credit of the first spouse to die may go unused since there is no need to use it. One way to ensure that the first spouse's unified credit is used is to create a tax shelter trust on the death of the first spouse, sometimes called a bypass trust, credit equivalent or a credit shelter trust, which can shelter assets from taxation in both spouse's estates. Depending on the

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couple's financial situation, this can save several hundred thousand dollars in estate taxes.

Some types of living trusts can be useful when the taxable estate is large enough that the estate tax cannot be eliminated with the bypass trust alone. These types of trusts are irrevocable in nature, which means once the trust is established, you cannot change any of the terms of the trust. Examples of these irrevocable trusts include life insurance trusts, charitable remainder trusts, grantor retained annuity or unitrusts (GRATS and GRUTS), and trusts set up to take advantage of making gifts to maximize the \$12,000 per year per recipient that can be made tax-free. These trusts can be discussed with your attorney if your estate requires additional protections from the federal estate tax.

In addition to the federal estate tax, most states impose an inheritance tax. Maryland's inheritance tax has been significantly changed in the last several years. Transfers from a decedent to the decedent's spouse, children, spouses of children, grandchildren, spouses of grandchildren, stepchildren, parents, grandparents and brothers and sisters are not taxed at all. However, transfers to anyone else are subject to a 10% tax. This means that transfers to a decedent's nephews, nieces, cousins, and friends, among others, will be taxed at 10%.

The Maryland Estate Tax can now be a tax trap for the unwary. It used to be that this tax was only applied when the Federal Estate Tax was applied. However, with the constant increases in the Unified Credit, Maryland decided to "decouple" its tax so that it now applies to any estate in excess of \$1 million. Unless proper

steps are taken, this change could expose a surviving spouse to paying a Maryland Estate Tax even when there is no Federal Estate Tax.

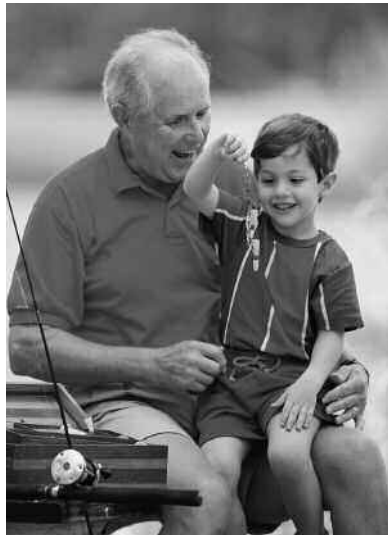
## Powers of Attorney

A power of attorney is a document in which you appoint someone else as your agent to make decisions for you if you are unable or unavailable to do so. A "general power of attorney" provides your agent with broad powers to manage your property on your behalf. A "limited power of attorney" grants your agent power

to take specific actions (e.g. selling your home). The general power of attorney is an integral part of estate planning since it is a very effective tool for allowing someone else to manage all of your affairs upon disability. One limitation of a general power of attorney, however, is that third parties are under no obligation to recognize it. Banks, title companies and brokerage companies, in particular, are notorious for questioning the authority of an agent under a

power of attorney. For this reason, the revocable living trust is a more dependable tool for managing assets upon disability, since generally a trustee's authority to manage trust assets is not subject to question.

In the absence of a general power of attorney or a revocable living trust, your family would be faced with the costly, time consuming and sometimes adversarial process of having the court appoint a guardian to manage your property for you if you become disabled. You should be aware that a power of attorney becomes ineffective upon the death of its maker. You can revoke a power of attorney at any time, provided you notify both your agent



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and anyone who has accepted your agent's authority under your power of attorney. Although this revocation can be done orally, it should be in writing. Often the term "durable" is used to describe a general power of attorney. This means that the power of attorney can be used when you are incompetent or disabled. Under Maryland law, all general powers of attorney are presumed to be durable.

## Advance Medical Directives

The ability to make decisions about one's health care is also an important aspect of estate planning. A tool that is highly recommended for everyone is the advance medical directive. This document allows someone else (your health care agent) to make health care decisions for you when you are unable to communicate effectively with your physician.

The health care agent may make almost any decision you could have made if you were competent to do so, such as request second opinions, provide consent or withhold consent to medical procedures, hire or discharge physicians and other health care providers, and comply with your wishes regarding the use of artificial life sustaining equipment during end-of-life situations.

If you do not have an advance medical directive, there is a provision in the law that allows someone in your family or a friend to make health care decisions on your behalf. This process is called the "surrogate decision-making" process. There are two problems with this process:

- There is a priority list of who can make these decisions for you. If you are married, your spouse has priority. If you are not mar-



ried, then your adult children can make these decisions. If you have no adult children, then a variety of other classifications of relatives or friends are identified in the law. Sometimes, a person with priority is not the person you want to make decisions for you. Also, if there is more than one person in a priority class (for example, adult children), then all the persons in that class must agree on a course of action for you.

- Any decision regarding your health care must be made on the basis of your wishes, if known, or your best interest. If your wishes are not made known, in an advance medical directive or otherwise, then your wishes may not be fulfilled, despite the best attempts of your family. In other words, the decision you would want to be made may not be made because you did not communicate your wishes regarding your health care in writing.

The advance medical directive can also include a living will that states your intentions with

regard to the use of artificial life support equipment in certain "end-of-life" situations. Under the law, you have the absolute right to direct that artificial life support equipment be removed in certain situations. However, if you are incapacitated you may not be able to make your wishes known to your physicians.

Advance medical directives allow you to direct in advance how health care is to be administered.

Maryland's Health Care Decision Act, which was effective on October 1, 1993, has expanded your options with respect to Living Wills and Health Care Powers of Attorney. Under this law, your living will or advance medical direc-

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tive can provide for the use or withdrawal of artificial life-sustaining procedures if you are in a persistent vegetative state, if you have what is called an end-stage condition, or if you have a terminal condition. Under the old law, the living will was limited to terminal conditions.

In 2005, Maryland started requiring that everyone who needed to enter a nursing home for long-term care had to complete a personal “plan of care.” In this document you or your health care agent can state your health care goals and provide more specific information about the treatments you would like to be used or avoided. In 2006, provisions were added that would allow you to register your advance medical directive in a central registry and note on your driver’s license that you have an advance medical directive.

If you signed a Living Will or a Health Care Power of Attorney before October 1, 1993, you may want to sign an advance medical directive that takes advantage of the increased flexibility available under the revised law. For example, under the provisions of the Health Insurance Portability and Accountability Act (“HIPAA”) you may want to provide your agent specific authority to handle your confidential medical records under that Act. Be assured, however, that your old documents will still be recognized by health care providers and the courts, assuming they were valid at the time you signed them.

## **Long-Term Care Planning**

Whether you are concerned with the long-term care needs of your parents or yourself, steps should be taken now to make sure that

future long term care costs can be paid when the time comes. There is a high probability that we or someone we love will require some long-term care.

There are generally four ways that these costs are paid. One is to pay for long-term care from your own savings. At an average cost of more than \$5,000 per month, these costs can easily wipe out a lifetime of savings very quickly.

The second method is to purchase long-term care insurance. This type of insurance has been gaining wider acceptance in recent years due to product improvement and the growing recognition that long-term care costs need to be contained somehow. Most policies today

provide benefits based on the person’s medical level of care, and the person can receive such benefits whether at home, in an assisted living facility, or in a nursing home. Premiums for long-term care insurance policies can be costly, but when compared to the costs for long-term care, they may be quite a bargain.

A third alternative is that you can choose to live in a continuing care retirement community of the “Type A” variety. Local examples include Vantage House in Howard County, Broadmeade in Baltimore County, and Ginger Cove in Anne Arundel County. In such a community, persons may live independently in their own apartments, but share meals or other communal activities. If the time comes when a person needs some help with their activities of daily living, that person may move to assisted living within the same building. If the person’s condition worsens so that nursing home care is required, such care is also available. In such a community, you will know in advance what



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your long-term care costs will be since the costs are supposed to be essentially the same regardless of the level of care that is required. This means that you can adequately plan for these costs, and the setting will be one that you have chosen.

Finally, if a person has “spent down” all of their savings, and qualifies medically for nursing home care, governmental benefits may be available. These are through the Medical Assistance Long-Term Care Program (Medicaid). Through this program, Maryland will supplement the financial costs associated with staying in a nursing home once the incapacitated person meets certain medical, income and asset requirements. Sometimes, if this option is chosen or is the only one available, there are planning opportunities to preserve some of the assets of the disabled person, but these opportunities are becoming fewer and fewer and require some time to implement effectively.

## Insurance

Insurance can be an important tool in planning your estate. Health insurance (HMO's, Medicare, gap or supplemental insurance) can be used effectively to pay your health care costs. In addition, long-term care insurance can cover at least some of the costs for home care or nursing home costs if you require a certain medical level of care due to illness or injury. Disability insurance may provide a degree of financial security that is no longer provided by many employers.

Life insurance is an excellent and cost-effective tool for providing your family with financial security or to reduce the impact of death taxes. It should be kept in mind, however, that life insurance proceeds are part of the taxable estate, which means that the value of the life

insurance proceeds will be added to the total value of your estate for tax purposes. Even if you have little or no financial net worth, you may have substantial life insurance coverage through employment, which is subject to the federal estate tax. An irrevocable life insurance trust can be used to mitigate estate taxes associated with owning life insurance.

## Conclusion

We have attempted to answer many of the questions often asked by clients during the estate planning process. Since everyone's situation is unique, you will need to work closely with your attorney to be sure that your estate plan will meet your needs. Your attorney will not only help you choose the best plan for you and your family, draft the appropriate documents incorporating your plan's elements, and explain what needs to be done to implement your plan, but your attorney will also be available to work with other members of your family, your accountant, your insurance agent, or your financial planner to insure that your needs and your family's needs are properly addressed by making sure your estate continues to work for you.

## Conclusion

For additional information and discussion regarding estate planning, elder law, probate and related issues, visit our website at [www.darslaw.com](http://www.darslaw.com) and click on “Articles.”



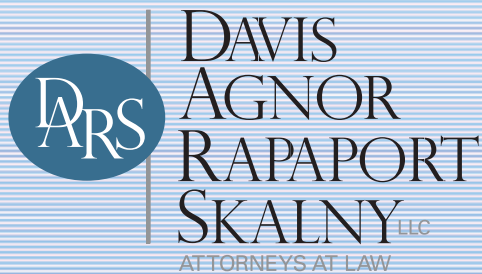
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