

your estate matters

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How to Protect Yourself from Identity Theft And Your Loved Ones, Too

According to the Identity Fraud Study, 15.4 million U.S. consumers had \$16 billion stolen from them in 2017. In fact, over the past six years, identity theft has accounted for more than over \$107 billion dollars stolen.

How can you make sure it doesn't happen to you?

Start with non-digital identity theft. Set up secure online accounts and stop receiving paper credit card and financial statements. Get a lockable mailbox for whatever physical mail remains. Always shred or tear up documents before you place them in the trash. And keep your Social Security card safe at home; your Social Security number opens the door for thieves to easily steal your identity.

Sadly, identity theft can also strike those who have passed away. Don't list dates of birth or maiden names in death notices, and be sure to pick up all remaining funeral programs after the service is completed.

Next, work to secure your digital assets. Set up passwords for computers, phones, and tablets. Sign up for a free credit report service (www.creditkarma.com is one example), and check your credit reports—as well as your financial accounts—regularly to spot suspicious activity. Also consider signing up for fraud alerts and account freezes on debit and credit cards. If a charge seems suspicious (like a large purchase being made several states away from where you live) the credit card company will contact you to verify validity before completing the transaction.

Be smart about your email. Cybercriminals often include links and attachments in emails that appear to be from sources you know. Clicking those items can download spyware and other malicious programs or take you to a dangerous site. Never click anything you aren't 100% sure of.

Stay aware and stay secure.

If You Had Dementia: An Exercise in Empathy

Empathy is the ability to understand and share the feelings of another person. While it might sound difficult to put yourself in the shoes of a person with dementia... it's not. Try to imagine you suffer from Alzheimer's or dementia. How would you want to be treated?

You would want to be treated like an adult, not a child. You wouldn't want other people to talk about you as if you are not there. You wouldn't want to be excluded from family events even though you can't participate in the way you once did. You would want other people to embrace your reality: If you think your mother is still alive, letting you believe it will make you happier. If you got upset, you wouldn't want to be told to, "Calm down." You would want others to try to understand why you are upset. And you wouldn't want others to get upset if you got confused or mixed up names, places, or events.

In short, you would want to be treated like a person—because you are.

When interacting with those who have Alzheimer's or dementia, communicate clearly, use simple phrases and short sentences. Don't simply dictate—offer choices. Establish routines that make everyday life feel more predictable. Most importantly, don't completely abandon what were once favorite activities and interests. While the degree of engagement may change, having fun—and having opportunities to enjoy life—should not.

Ready to Move to an Adult Community?

The Process May Also Involve a Little Downsizing

Your kids are grown-up and have moved out of your family home. You no longer need, much less want to maintain all that space. You're considering moving to a retirement community for greater safety, access to medical care, improved social life, and other benefits an adult community provides.

Moving to a smaller, low maintenance home and simplifying your life can be liberating... but it may also mean letting go of some possessions. Sorting through a lifetime of possessions—or helping loved ones decide what they no longer need—can be time-consuming and stressful. Don't try to get everything done in one marathon session. Start with one room or even one closet or dresser. Sort using a “donate,” “keep,” and “maybe” system to make decisions less stressful, and whenever possible identify people who can benefit from specific items you no longer need. Knowing you are helping others can make the process less painful and more rewarding.

That is especially true for family heirlooms. Seeing how happy a family member or friend is to receive an item with sentimental value not only feels great, it ensures special possessions are passed on to people who will cherish them.

For an item without sentimental value, apply a simple test: Has it been used in the past year? If not, let it go to someone who will use it.

Keep in mind that even if you have downsized your possessions, moving to a retirement community may not be the right option for you. You may enjoy greater independence, greater solitude, or simply love where you currently live.

If that's the case, de-cluttering your home can be the perfect way to streamline your life without moving. Just as with estate plans, one size does not fit all.

6 Things Your Trust Can Do

That You Probably Never Knew

A Trust seems like a simple (and highly effective) estate planning tool: The maker of the Trust transfers ownership of certain assets to the Trust, and a trustee manages those assets for the beneficiary or that Trust.

But your Trust can do a lot more than that:

- 1. Protect your beneficiaries.** A Trust can provide beneficiaries protection from lawsuits, creditors, or divorce. Establishing a Trust, depending upon how it is drafted, could mean a future creditor or claimant cannot satisfy a judgment against the assets held in that Trust. A Trust can also protect the interests of a minor child by setting guidelines for when distributions are made.
- 2. Provide for children with special needs.** A Trust can not only provide for the health care and personal needs of a child with special needs, it can also help ensure eligibility for Medicare benefits is maintained. And if you are concerned that a beneficiary is unable to manage assets wisely, an independent trustee can help make smart decisions on his or her behalf.
- 3. Encourage certain actions or values.** A Trust can provide incentives to achieve certain goals: Education, profession, home ownership, community service... whatever you decide. That can make a Trust a powerful tool in passing on your values and ethics.

- 4. Preserve family wealth.** Without careful planning, circumstances like divorce and remarriage can result in assets intended to remain in the family actually leaving the family. A well-crafted Trust can ensure your estate is preserved for your children and even grandchildren.

- 5. Take care of beloved pets.** Who will take care of your pets when you're gone? (Especially if your pet is a parrot with a lifespan of approximately 100 years?) A Trust can not only specify who will take care of your furry (or feathered) friends, it can also provide the resources to ensure they are cared for properly.

- 6. Avoid confusion and conflict.** The most important thing you can pass on is family harmony, but that can be difficult if you do not communicate your intentions—and the reasons behind those intentions—before you pass away. Letting your heirs know what you decided avoids misunderstandings and gives you the opportunity to explain in person rather than leaving your loved ones wondering.

Trusts are extremely flexible and can cover a wide range of goals and needs. Call our office to ensure your estate plan provides for your loved ones based on your specific goals—and their unique needs.

Guess This Legacy

As the child of a vaudeville entertainer and a piano player, he began performing onstage at the age of five. He rose to prominence as a comedian, television and film actor, and eventually received a lifetime achievement award from the Academy of Motion Pictures Arts and Sciences.

But his greatest achievement occurred off-screen and off-stage, helping to raise awareness and funds to fight a disease that strikes approximately 200,000 people each year.

“Though we will miss him beyond measure,” said Muscular Dystrophy Association (MDA) Chairman Rodney Howell, “we suspect that somewhere in heaven, he’s already urging the angels to give ‘just one dollar more for my kids.’”

As the national chairman and host of the MDA telethon for 45 years, **Jerry Lewis** helped raise \$2.6 billion for “Jerry’s Kids.” As one of our greatest entertainers and humanitarians, his charity work touched the lives of millions.

What will your legacy be?

Compliments of

The Law Offices of Juliet Gavriel, P.C.

Juliet (Cohen) Gavriel is an Estate Planning & Elder Law Attorney and is a member of the American Academy of Estate Planning Attorneys*. Ms. Gavriel is also a member of the Trusts & Estates section, Elder Law section & Health Law section of the New York State Bar Association. Her practice focuses on the areas of Estate Planning, Elder Law, Medicaid Planning, Special Needs Planning, Tax Law, Guardianship proceedings, Real Estate Law, Probate, and Asset Protection & Business Planning.

She has helped many high net worth and middle income families plan for their future by creating their Wills, Trusts, Estate Plans & Health Care documents. She also works with elderly clients to help them plan and qualify for Medicaid as well as assisting them with Medicaid Applications. Every Estate plan is customized and tailored to meet the personal and financial goals of all of her clients. If you or your loved ones would like a **complimentary consultation** to review your Estate Plan, please call us today at **(718) 544-5500**, or any of our three offices in New York City, to schedule an appointment or to register for an upcoming seminar.



**Consumer Reports Money Adviser (January 2009) has recommended the American Academy of Estate Planning Attorneys to consumers looking for qualified attorneys. This comes in addition to several recent recommendations by Money Magazine and Suze Orman in her book, 9 Steps to Financial Freedom.*

www.NYEstatePlan.com

Member of the American Academy of Estate Planning Attorneys

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