



H.E.L.P.[®] Is Here

a non-profit education and counseling center for older adults and families

2007 Number 3
\$5.00 U.S.

Sorting Things Out as a Surviving Spouse



Resource Box

- For the NASD's designations page visit apps.nasd.com/DataDirectory/1/prodesignations.aspx
- For H.E.L.P.'s free publications "Checklist: When a Person Dies," "Estate Administration Overview" and "Ask First!" call (310) 533-1996 or visit help4srs.org
- For certified financial planner referrals visit cfp.net or call (888) 237-6275
- For fee-only planner referrals see the website of the National Association of Personal Financial Advisors at napfa.org.

Here's a fairly common picture: During 50+ years of marriage, a husband (we'll call him George) handles all the banking and investments. George dies. Barbara, his surviving spouse, must now handle unfamiliar financial matters. This is especially difficult in the midst of the grief and other impacts of losing her spouse. Barbara needs to know her financial situation, but doesn't know where to start.

Our advice to Barbara

This is not a time to hurry with any big financial steps – like selling your home. There are, however, important financial, tax and legal issues to look at, and you should move forward with the first steps as soon as you can (within a month or two).

But don't try to handle this alone. You'll benefit most from obtaining help from a **team** of accounting, legal and financial professionals. If you already have a good relationship with an experienced and capable accountant, attorney or financial planner, start there.

First steps

The first steps involve finding and sorting through the various bank, insurance and other financial accounts, analyzing your other assets and your debts, examining your ongoing income

and tax status and organizing your financial situation. An experienced and capable **accountant** could help with this. Accountants often charge hourly rates – resolve the billing arrangements up front.

Also work with an experienced and capable **attorney** to administer your husband's estate. Attorneys often charge hourly rates – resolve the arrangements (and look for a fixed fee or a fee cap) up front.

The work with the accountant and attorney should sort out your current
see Sorting Things Out on page 6

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H.E.L.P. (Healthcare and Elder Law Programs Corporation) is a nationally recognized, private, I.R.C. §501(c)(3) non-profit education and counseling center providing impartial information to older adults and their families on elder care, law, finances, consumer protection and more.

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About H.E.L.P. Is Here

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 Las Vacinas for funding costs of this
 issue.

Good News Times Three

by Ed Long



Many positive things are happening at H.E.L.P. during this summer of our 11th year. I'll focus on three of them.

Robert I. Abelson joined our board of directors at the end of June. Bob is a certified public accountant with a focus on estate and trust taxation. He's a member of the California Society of CPAs and the American Institute of CPAs. Bob combines strong professional experience with a personal and professional understanding of issues facing older adults and families. His office is in Torrance.

Our sixth annual fundraising event, **Hula with H.E.L.P.**, was a resounding success. Held on July 20, the fun-filled, Hawaiian-themed evening **raised more than \$100,000** for our programs. The ukeleles were terrific, and the hula dancing was outstanding (except for the number where they brought me to the stage). To our generous sponsors, attendees, donors and to Torrance Memorial for hosting and supporting and to our talented and hardworking volunteers and staff – thank you, thank you and mahalo!

Saving the most important for last, I'm thrilled to announce that H.E.L.P. has been fortunate to find and hire **Joe Cislawski** as our **new chief executive officer**, effective Aug. 15. Joe is a strong and experienced executive and is passionate about H.E.L.P.'s mission. He has substantial experience with both aging programs and nonprofit management. Throughout his career he has worked to solve problems facing the most vulnerable members of our society.

Joe's 15 years of nonprofit management experience includes heading the Independent Living Center, in Claremont, CA; the Southern California Leadership Network, in Los Angeles; and the Center for Health Care Rights, also in Los Angeles. For more, go to help4srs.org and enter "Joe" in the search box.

Pat and I will continue in H.E.L.P.'s program, advocacy and outreach work – and plan to stay involved with H.E.L.P. for the rest of our lives.

Joe and his leadership are a key part of continuing H.E.L.P. and its crucial services for the long haul. Today, there is only one H.E.L.P. We dream of the day when every community has available to it a service like H.E.L.P. And we count on Joe and the board to help make that dream a reality.

Thank you for your support. I look forward to celebrating H.E.L.P.'s 20th birthday with you in 2016. ❖

Ed Long is co-founder and executive director of H.E.L.P.

H.E.L.P. Classes: Life Planning for Grown-Ups

September - October

Tuesdays, 2:00 to 4:00 p.m.
September 18, 25
October 2, 9, 16

Katy Geissert Civic
Center Library
3301 Torrance Blvd.
Torrance, CA 90503

Call (310) 318-0650
to make reservations

Public Welcome

Concerned about your future or about an older family member or friend? Want to learn and plan ahead in a safe environment?

Our popular classes cover powers of attorney, probate and avoiding it, wills and trusts, capital gains and estate taxes, types of care, care costs, long-term care insurance, Medi-Cal for nursing home care, and much more. ❖



Our classes make complex topics understandable.

Life Planning classes are free, \$10 suggested donation per person per class.

SeniorTruth Blog Debuts

Come visit the latest addition to our online services - the SeniorTruth blog. This new service lets you get the latest news from H.E.L.P. even faster. If you

haven't "blogged" yet, here's a good chance to try it out. Just go to help4srs.org and click on the SeniorTruth blog button. ❖

MONEY Magazine Features Annuitytruth.org

All too often, greedy sales people sell unsuitable annuities to seniors. We've revealed stinky annuity sales situations and more on our annuitytruth.org

website. The June issue of *MONEY Magazine* recommended annuitytruth.org to its readers, especially those who want to undo an unsuitable sale. ❖

Want a Free Program for Your Group?

For groups of 25 or more meeting in the South Bay, we will come out and give a free 30- to 45- minute program on issues and services that especially impact or help seniors and those who care about them.

If you are interested in arranging a program, call us at (310) 533-1996 or e-mail us at programs@help4srs.org.

Recently we've provided programs for:

- Venice Japanese Community Center
- Redondo Beach Main Library
- Asian Pacific Islander Task Force (Gardena)

- Hawthorne United Methodist Club
- NAELA Symposium (Cleveland)
- Redondo Beach Parkinson Support Group
- Nakaoka Community Center (Gardena)
- Ascension Lutheran (RPV)
- First Lutheran Church (Torrance)
- L-3 Communications Electron Technologies (Torrance)
- Gardena Valley Baptist Church
- Hermosa Beach Rotary
- Brethren Manor (Long Beach)
- Bethel Reformed Church (Bellflower)



More classes are being scheduled.

Call

(310) 533-1996

or check










help4srs.org

for information.



Day-in and day-out we provide information and referrals on valuable community services. Listed below are those on our most active list. The symbols are explained at the bottom.

	Adult Protective Services After Hours - Elder Abuse Hotline	(888) 202-4248 (877) 477-3646
   	ADVANTAGE (Torrance Memorial Medical Center)	(310) 517-4666
 	Alzheimer's Association	(800) 272-3900
	Area Agency on Aging	(800) 510-2020
  	Beach Cities Health District	(310) 374-3426, ext. 149
 	Bet Tzedek Legal Services	(323) 939-0506
	California Association for Adult Day Services	(916) 552-7400
  	CANHR (California Advocates for Nursing Home Reform)	(800) 474-1116
 	Cancer Information Service	(800) 422-6237
	Dispute Resolution Service (L.A. County Bar)	(213) 896-6533
	FOCAL Point (Torrance)	(310) 320-1300
   	H.E.L.P.	(310) 533-1996
	Health Insurance Counseling (Center for Health Care Rights)	(800) 824-0780
  	Little Company of Mary Solutions Center	(800) 618-6659
	Long-Term Care Ombudsman	(800) 334-9473 (562) 925-7104
	Los Angeles Caregiver Resource Center	(800) 540-4442
 	Independence at Home	(562) 492-9878
 	National Hospice Organization	(800) 658-8898
 	Redondo Beach Senior and Family Services	(310) 318-0650
	Senior Legal Hotline	(800) 222-1753
	Social Security	(800) 772-1213
	South Bay Bar Association Attorney Referral Service	(310) 787-9184
  	South Bay Senior Services	(310) 325-2141
  	Stroke Association of Southern California	(310) 575-1699
  	Wellness Community - South Bay (cancer support)	(310) 376-3550

- | | | |
|---|--|--|
|  Elder abuse reporting |  Information and referral |  Legal matters |
|  Health or medical |  In-home social services |  Nursing home problems |
|  Adult day care |  Support or listening |  Financial or insurance |

Looking Out for Trudy's Special Needs

Question:

My niece Trudy was born with a disability and cannot support herself. She's now in her 40s. I love her dearly, and want to leave her an inheritance to make sure she's provided for. But I'm worried that the inheritance will make her lose the governmental benefits she now receives and depends on. What should I do?

Answer:

Creating the best results for Trudy calls for what you are doing – thinking and **planning ahead**. Take the right steps and Trudy can maintain the government help she needs, while you provide additional help for the many **quality-of-life things government help won't cover** — things like a bus pass, car, stereo, clothing, health club dues, a computer, classes, laundry, funeral expenses, home furnishings, haircuts, insurance, magazines, music lessons, vitamins, pets and supplies, sporting goods, taxis, telephone service, concert tickets, utility bills and vacations.

Initial steps

First, check with Trudy's parents and siblings to see what advance planning they've done or are thinking about for Trudy's benefit. Perhaps you can **collaborate** with several family members and set aside funds for Trudy's needs. If she is able, Trudy should participate in the discussions.

You should also consider the amount you might leave for Trudy – larger amounts likely call for more formal planning. And think about what you want to happen to any money left when Trudy dies.

Further, you must **identify** precisely which **government benefits** Trudy depends on now and will be likely to need in the future. If she participates – or will participate – in programs like SSI and Medi-Cal, an **outright** inheritance would cause her to lose those needed benefits and would complicate her need for legal services.

Two approaches

Assuming you'll want to avoid an outright inheritance for Trudy, there are two basic approaches. The **informal approach** would give the inheritance to other family members, who would have no legal obligation (but a moral duty) to look out for Trudy. This approach depends on their following through and

see Trudy's Special Needs on page 8



“Creating the best results for Trudy calls for what you are doing – thinking and planning ahead”

\$Billions in Unpaid Elder Care

A study recently released by AARP confirms what we expected, unpaid family and friends provide billions of dollars worth of care annually. In 2006, the \$350 billion value of such care was more than the amount spent for the total Medicare program. Without family

and friends helping out, our care system would collapse. In California alone, the value of unpaid care last year totaled an estimated \$45 billion.

For the full AARP study go to aarp.org/families/caregiving/caring_parents/valuing_the_invaluable.html. ❖

Sorting Things Out

situation, and show you how simple or complex your existing income, asset and investment picture is.

Bring in a financial planner

You'll need to look at your future financial needs and investing and re-investing, all in light of your situation and goals. Seek the help of an experienced and capable **financial planner**. Planners are paid in one or more of these ways:

- Commission (from sale of investment products, insurance and annuities).
- Assets under management (you pay a percentage of the value of the assets the planner manages for you).
- Fee-only (hourly for some work and percentage of assets managed for other).
- Fee-based (hourly for some work and commissions for other).

Knowing the ways in which your planner is paid will help you understand his or her financial motivation related to your account.

Planner designations

Planners' designations can tell you something about their training and experience, and a few (requiring years of training and experience) are widely recognized for their **merit**. Those include certified financial planner, personal financial specialist, chartered life underwriter, chartered financial consultant, certified public accountant and chartered financial analyst.

In recent years, however, **light-weight designations** have proliferated. They require little training or experience – and are often obtained to enhance marketing to seniors. A week at summer camp is more work than earning some of these “credentials.” The National Association of Securities Dealers (NASD) has created a web page providing information on the training and experience required for professional designations. See the **Resource Box** on page 1.

Finding a planner

Get names of professionals from other trusted advisers and from financially-sophisticated

friends. See also the **Resource Box** for referral services. Talk with several professionals face-to-face in their offices. Take a financially-sophisticated friend with you. You'll want to make sure the planner you choose has real-life experience, in both up and down markets. Have the planner complete “Ask First!” – stating their training, licensing, compensation arrangements and other key information. Check references, licenses and discipline records. Then select a capable, well-respected person you are comfortable working with, and put him or her to work.

Summing Up

There's important work to do. Start the first steps within a month or two after your husband's death. Obtain help from a team of professionals. Whether the situation is simple or complex to handle, with their help you can set the best course for your financial future. ❖

H.E.L.P. provides referrals to help older adults obtain care, social and other services.

H.E.L.P. does not refer any person to any private attorney or private law office; all legal service referrals are to legal aid and similar free legal service organizations, or to attorney referral services operated by bar associations or similar organizations.

H.E.L.P. does not request or accept referral or similar fees or compensation from any person or organization.

Spouses Often Don't Know End-of-Life Wishes

A recently-published paper by the Center for Demography and Ecology (CDE) of the University of Wisconsin-Madison questions whether older adult decision-makers (surrogates) truly know their spouses' end-of-life treatment preferences.

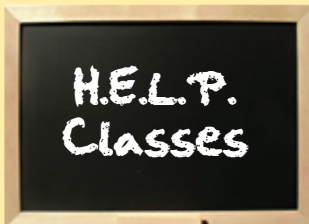
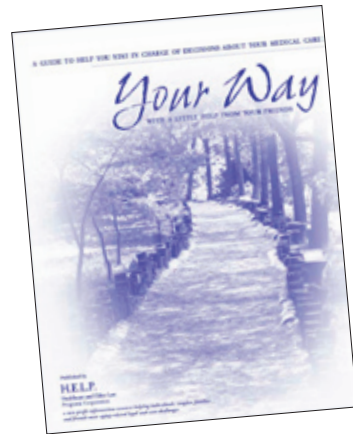
The authors conclude that:

- Surrogates often inaccurately predict their spouses' preferences.
- Surrogates often base their predictions on their own preferences.
- Women are not more accurate surrogates than men.
- Being named under a spouse's power of attorney for health care does not improve accuracy.

- Earlier discussion of end-of-life preferences does not generally increase accuracy.
- Individuals whose spouses have a serious illness are not more accurate than those whose spouses have no serious illness.

You can find the paper on the CDE website at ssc.wisc.edu/cde/cdewp/2007-05.pdf.

It looks like people are often assuming, without any (or any recent) discussion, that they know spouses' wishes. Don't assume. Regularly examine and discuss your wishes – we offer you our free *Your Way* guide to help you do that (see page 11). ❖



Do I need a Living Trust? Should I add my kids to my home deed? How can my family avoid a Schaivo tragedy? How much will Mom's care cost? Should I buy Long-Term Care Insurance? Will Medi-Cal take my home?

The answers to these and many other questions are given in H.E.L.P.'s classes. See page 3 for more information.

Nuts and Bolts Guides

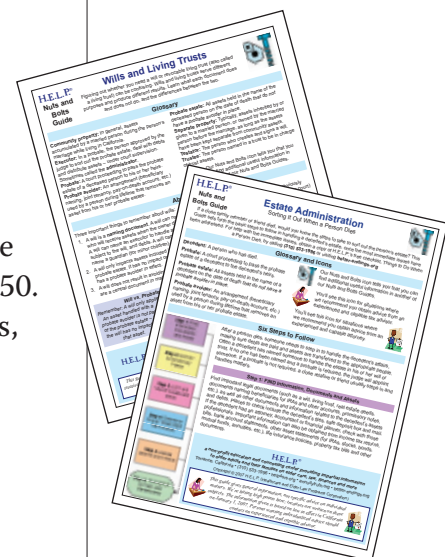
Have questions about wills and trusts, probate, avoiding probate, or estate administration? Want to know more about how capital gains, estate and real property taxes work? Need the straight story on how the Medi-Cal nursing home program works?

You can learn the essentials through our plain-language *Nuts and Bolts Guides*. Created by H.E.L.P., these

laminated guides provide solid and concise information based on law in effect in California.

All seven *Nuts and Bolts Guides* are available in "The Ultimate Pack" for \$50. The Guides are available at our classes, at help4srs.org and at the H.E.L.P. Center.

See page 11 for more pricing and ordering information. ❖



Trudy's Special Needs

using the funds solely for Trudy. Spending and creditor problems, divorce, death and other issues can disrupt this approach.

The more formal approach calls for you or another family member to create a **special needs trust**. This approach sets aside money for Trudy in trust, to be managed and used for Trudy's benefit by a trusted family member or other trustee. For a special needs trust arrangement, you need to think of the "three Ds" – documents, doers and dollars.

- The **documents** must be carefully prepared to comply with the government program rules and provide the most flexibility for meeting Trudy's needs.

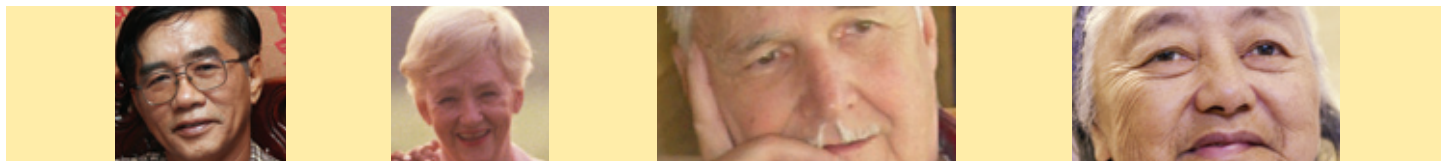
- The **doers** are the trusted people you'll select to serve as trustees and respond to Trudy's needs. They might retain a professional care manager to assist them.
- To decide the **dollars** to set aside you should focus on Trudy's living situation, desires and needs – keeping in mind that differing living situations and care and personal needs can require largely different amounts of money.

You can set up a special needs trust today to receive money (be funded) at your death. But perhaps a better approach is to create the trust today and fund it now with a starter amount, so you'll get to see it in action during

your lifetime. The latter approach will give you a chance to make adjustments if you see that the trust isn't working quite the way you want.

In creating a special needs trust, be sure to use an experienced and capable attorney. The rules are tricky. The ideal attorney will be someone with whom you are comfortable, who has created dozens of these trusts and who devotes a large portion of his or her ongoing practice to helping trustees manage active special needs trusts.

Thanks for your question – and for thinking ahead about Trudy's future. ❖



Special IRA Rule Expires December 31, 2007

There's good news for those who care about and support qualified charitable organizations. Under a rule passed by Congress in 2006, if you are 70½ or older you can have money from your IRA sent directly to the charitable organization of your choice, with no tax cost or concern about deductions.



The new rule applies to the 2006 and 2007 tax years only, and allows giving up to \$100,000 each year. The gifts even count against your minimum distribution requirements. When you give this way, the money withdrawn is not taxed, and you don't have to worry about the deduction rules.

Cautions: Never give away money you may need. Although the new rule applies to H.E.L.P., it doesn't apply to all charities. The gift must be made directly from your IRA trustee to the charity. This is a Federal income tax law; at this time, the California income tax laws don't contain the rule. Check with your tax advisor.

In Honor Of

Ed & Patty Long
(Mary B. Long)

In Memory Of

Andy Andersen
(Edward Clay)

Mary Bateman
(Barbara Sepeda)

Middy Dethlefsen
(Douglas Dethlefson)

Clay Jackson
(Walter & Jo Ann Black;
Ruby Balagso; Gail Green)

Satoru Miura
(Dawn, Derrick, and Dorina
Glinn)

Susan Leventhal
(Marvin & Gertrude Barab)

Edwin Wood
(Dan & Liz Fitzgerald)

Lilli Zapata
(Vincente Zapata)

In Celebration Of

The Success of *Hula with H.E.L.P.*
(The H.E.L.P. Board of Directors and Staff)



*Do you have
someone you
wish to **honor**
or **remember**,
or something
you want to
celebrate?
Include the
information with
your donation
to be listed in
H.E.L.P. Is Here.*

Volunteers

Lucille Abrams; Chie Akiba; Eric Andersen; Kristin Andersen Bejjani; David Armes; Carolyn Ayers; Eleanor Barkelaw; Hilary Bloom; Roberta Brake; Roman Castaneda; Ed & MaryAnne Chappellear; Jena Choi; Mary & Randy Silva; Kate Crane; Cliff & Joanne Evans; Mary Fernandez; Eileen Fiore; Dan Fitzgerald; John Fuchs; Michelle Fullerton; Brian Gnerre; Margo Greenberg; Kevin Grove; Michael Grove; Tom Grove; Mark Gudaitis; Bob Gulcher; Angus Hall; Jim Hendrickson; Patrick Hickey; Judy Higa; Katie Hong; Harry

Hudson; Misa Ikuta; Marsha Jackson; Bob Kennedy; Marcia Kuplis; Rhea Laughlin; Connie Lazar; Gail Leburg; Jean Lee; Gretchen Lewis; Joe Lubinski; Dr. Roberta Mann; Norma Masuda; Bob McCaman; Michael Neils; Elsie Obemacha; Hiroko Ota; Alice Patterson; Barbara Pavliscak; Lauren Phan; Donna Phelan; Deedee Rehtin; Richard Rosas; Helen Schroeder; Dick Seaberg; Marilyn Sears; Jennifer & Richard Sittel; Garrett Suemori; Karen & Chuck Tucker; Anne & Jerry Wittels; Lillian Wang; Lily Yang; Nadene Yim; Nicole Yim; Lois Yoshimoto

Postal Service Acts – Ouch!

Recently the United States Postal Service raised its rates. For most people, this only meant that the price of mailing a letter went from 39 cents to 41 cents, a 5% increase – not a big deal. But, for many mailings we do (like *H.E.L.P. Is Here, Your Way* and similar

publications) the rates jumped by 31% to 54%! This translates into \$2,200 or more of increased annual program costs for H.E.L.P.

Ouch! ❖

H.E.L.P. thanks our generous donors and volunteers for their wonderful support. All 2007 donors and volunteers will be listed at help4srs.org and also in our printed annual report. Due to space constraints we are only able to list in this issue our recent volunteers and major donors.

We will hold a thank you event for our 2007 major donors in the first quarter of 2008

Support Levels

Up to \$99 – Big H.E.L.Per	\$5,000 to \$9,999 – Mega H.E.L.Per
\$100 to \$499 – Extra H.E.L.Per	\$10,000 to \$24,999 – Colossal H.E.L.Per
\$500 to \$999 – Super H.E.L.Per	\$25,000 to \$49,999 – Super Colossal H.E.L.Per
\$1,000 to \$4,999 – Major H.E.L.Per	\$50,000 or more – Mega Super Colossal H.E.L.Per

Foundations, Government and Groups

Mega Super Colossal H.E.L.Per UniHealth Foundation	Knabe; Silicon Valley Community Foundation / The Noble and Lorraine Hancock Family Fund
Colossal H.E.L.Per The Ahmanson Foundation; Employees Community Fund of Boeing California; J.B. & Emily Van Nuys Charities	Major H.E.L.Per The Board of Christian Action of The Neighborhood Church of Palos Verdes Estates; City of Torrance; The Corwin D. Denney Foundation; Employees Charity Organization of Northrop Grumman; Las Vecinas; Little Company of Mary Health Foundation; Los Angeles County Bar Foundation; Marcil Family Foundation; The Rotary Club of Del Amo; Sandpiper Associates; Sidney Stern Memorial Trust
Mega H.E.L.Per Abe & Catherine Kaplan Philanthropic Fund; Bank of America Charitable Foundation; The Confidence Foundation; Los Angeles County Supervisor Don	

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Mega H.E.L.Per BP - Carson; Chevron Corporation; Continental Development Corporation	

Individuals, Couples and Families

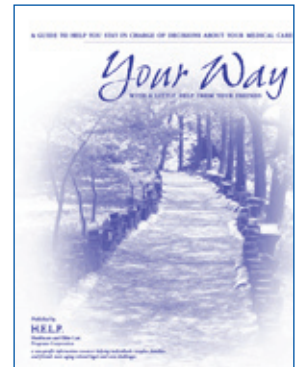
Mega Super Colossal H.E.L.Per Jimi Andersen	Liz Fitzgerald; Michelle & Bob Fullerton; Marylyn Ginsburg; Bill & Phyllis Glantz; Jacky Glass; Lowell & Margo Greenberg; Kjell & Cheryl Hellberg; Cathy Hendrickson; Ellen & Jim Hill; Hoon Y. Ho; Stella Horton; Irene Hougasian & Gregory Dulgarian; Ed & Pam Johnson; Ed & Marcia Kuplis; Hal & Connie Lazar; Ted W. Lieu; Ed & Pat Long; Richard & Melanie Lundquist; Roberta Mann; Mildred & Howard Marx; Kevin & Teresa McCormick; Carmen & Otto Neely; Donna Phelan; William Plourde; Carol Lee Rhyne; Nan Salley; Carolyn & Dick Seaberg; Ron & Marilyn Sears; Tom & Ruth Shigekuni; The Nunn Family; Gary & Sherrie Tossell; Tom & Sandy Wilson; Jerry & Anne Wittels
Super Colossal H.E.L.Per Ralph & Loraine Scriba Elaine Seegar	
Mega H.E.L.Per Rod Burkley & Lauren Phan; Frank & Marilyn Schaffer	
Major H.E.L.Per Jean Adelsman; Anonymous(3); Roger & Carolyn Ayers; Michael & Honeya Barth; Ed & Susie Beall; Kristin Andersen / Ghassan Bejjani; Ilene & Lee Clow; Steve & Adrienne Cole; Al & Dee Edridge; Carolyn & Julian Elliott; Cliff & Joanne Evans; Dan &	

Use the envelope enclosed at the centerfold to place orders by filling in the item number, description, quantity and total price. Except where noted, our pricing includes shipping, handling and sales tax (if any), within the United States. Pricing is subject to change without prior notice.

Your Way

Our plain-language guide helps you sort out, record and communicate your feelings and views about medical care and other important matters. Also helps you choose who will speak for you, and helps them know how to help you.

Item #	Quantity	Price
YW01	2	Free
	3 - 49	\$2.50 each
	50 - 99	\$2.25 each
	100 or more	\$2.00 each

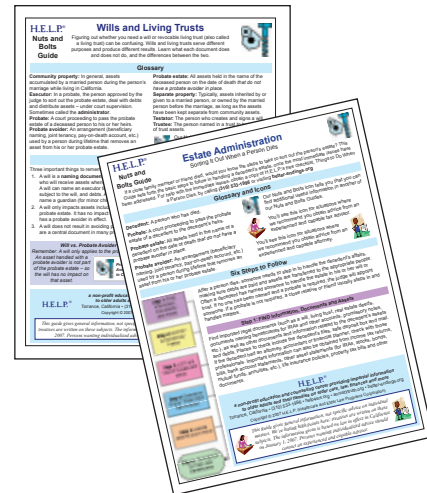


Nuts and Bolts Guides

Our four-page laminated guides are the best concise guides available for these complex subjects. The Ultimate Pack includes all seven Guides. You can also order online at help4srs.org/publications/nuts&boltsintro.html.

Item #	Title	Price (Ind.)	Package
NB01	Medi-Cal for Nursing Home Care		
NB02	Your Home and Taxes		
NB03	Probate (and Avoiding It) in California		
NB04	The Taxes on Giving: Estate and Gift Tax	\$10	
NB05	Wills and Living Trusts		
NB06	Estate Administration		
NB08	Your Aging Preparedness Kit (two pages)	\$5	

The Ultimate Pack (NB07) includes all seven Guides, for \$50



Services for Older Adults

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