



Moskowitz LLP Presents:

- **The Essential Guide to  
Estate Planning Services**

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## Welcome to Estate Planning Services

At Moskowitz LLP, we understand that effective estate planning is a vital component of financial security and family well-being. We believe that a well-structured estate plan goes beyond the mere distribution of assets; it encompasses your values, aspirations, and the legacy you wish to provide to your loved ones.

Our dedicated team of attorneys wants to provide comprehensive, personalized estate planning services that address a wide array of needs—both immediately and for the future—as well as showing you how an estate plan can be successful in not making any physical changes to your current life but still providing you with major income tax savings during your life.

Whether you are just beginning to think about your estate plan or need to make updates to an existing one, we are committed to representing you through the process with expertise and compassion.



## Comprehensive Estate Planning

Our estate planning process begins with a detailed consultation where we assess your current financial situation, family dynamics, and immediate and long-term goals. We take an approach that considers your personal values and wishes, providing that your estate plan reflects what is most important to you.

Our attorneys work collaboratively with you to create a tailored estate plan that may include trusts, a special type of will that you only have when you have a trust, and other legal instruments designed to protect your assets and provide for you and your loved ones.





## Tax-Efficient Strategies

### Estate Tax Planning

Minimizing estate taxes is a primary concern for many clients, and our attorneys are well-versed in the intricacies of estate tax law. We employ a variety of strategies to reduce the taxable value of your estate, including:

- **Gifting Strategies:** We explore options for making lifetime gifts to family members or charitable organizations. By utilizing both the annual and lifetime gift tax exclusion, you can transfer wealth to your heirs while reducing the overall size of your estate. This can be particularly beneficial for high-net-worth individuals looking to transfer wealth while minimizing tax impact.  
We also discuss strategic gifting techniques that may involve the use of trusts or family LLCs to further optimize tax savings.
- **Trusts:** Utilizing various types of trusts, such as revocable living trusts, irrevocable trusts, and generation-skipping trusts, we help you strategically plan for the distribution of your assets while minimizing tax liabilities. Each trust type serves different purposes, from avoiding probate to protecting assets from creditors. Our attorneys will help you decide which combination of trusts is best suited for your situation, providing that your estate plan is both effective and flexible.

### Special Needs Trusts

A special needs trust (SNT) is a legal arrangement designed to provide financial support to individuals with disabilities without jeopardizing their eligibility for government benefits, such as Medicaid and Supplemental Security Income (SSI). Here are some key points about special needs trusts:

**1. Purpose:** SNTs are established to manage funds for the benefit of a person with disabilities, providing that they receive additional support while still qualifying for essential government assistance.

**2. Types:**

- **First-party SNT:** Funded with the disabled individual's own assets (often through a settlement or inheritance). These trusts must comply with specific state and federal laws.
- **Third-party SNT:** Funded with assets from someone other than the individual, such as family members.

**3. Benefits:** Funds in a special needs trust can be used for a variety of expenses, for example:

- Medical care not covered by government programs
- Educational expenses
- Recreational activities
- Personal care services
- Transportation costs



## Tax-Efficient Strategies

### Special Needs Trusts

**4. Trustee:** A trustee is appointed to manage the trust. This can be a family member, a friend, or a professional trustee who is knowledgeable about the needs of the beneficiary.

**5. Legal Requirements:** Establishing a special needs trust typically involves legal documentation and compliance with specific laws.

**6. Impact on Benefits:** Properly structured SNTs do not count as assets for the purpose of determining eligibility for government benefits, allowing beneficiaries to maintain their benefits while enhancing their quality of life.

### Estate Freeze Techniques

We may recommend strategies such as family limited partnerships or intentionally defective grantor trusts (IDGTs) to freeze the value of your estate, allowing future appreciation to occur outside of your taxable estate. These techniques can be particularly useful for business owners and individuals with appreciating assets, allowing you to effectively transfer wealth to the next generation while minimizing tax exposure.





## Income Tax Considerations

Our team also addresses the income tax implications of your estate plan. We provide guidance on managing your investments and assets to optimize tax efficiency, allowing you and your heirs to retain more wealth.

Key strategies may include:

### Tax-Advantaged Accounts

We help you maximize contributions to tax-advantaged accounts, such as IRAs and 401(k)s, providing that you benefit from tax deferral while planning for your heirs. This involves advising on contribution limits and withdrawal strategies that align with your estate planning goals, including how to manage required minimum distributions (RMDs) effectively.

### Tax-Efficient Withdrawals

Our attorneys advise on strategies for withdrawing from retirement accounts in a way that minimizes tax liability for both you and your beneficiaries. This may include discussions around Roth conversions, timing your withdrawals to coincide with lower-income years, or utilizing specific tax strategies to minimize taxable income.





## Advanced Health Care Directives

Planning for health care decisions is a critical aspect of estate planning, especially as we age or face unexpected health issues. We assist clients in drafting advanced health care directives, which include:

Documents that outline your preferences for medical treatment in situations where you may be unable to communicate your wishes. We provide that your directive is clear and comprehensive, covering various medical scenarios, such as end-of-life care and resuscitation preferences. This saves the healthy spouse from having to make certain agonizing decisions that will always be second-guessed and avoid the situation where others, such as family members from suing you claiming that you are making the wrong decision. You want to avoid being involved with anything remotely similar to the Terri Schiavo case where the husband and the family battled in court for seven years over whether the husband could have his wife removed from life support even though she was in a vegetative condition.

The Terri Schiavo case was a highly publicized legal battle in the United States that centered around the life support treatment of Terri Schiavo, a woman who suffered severe brain damage due to cardiac arrest. Her condition left her in a persistent vegetative state. The controversy began when her husband, Michael Schiavo, sought to remove her feeding tube, believing that Terri would not have wanted to be kept alive under such circumstances.

Her parents, Bob and Mary Schindler, opposed this decision and fought to keep her on life support, arguing that she showed signs of awareness. The case involved numerous court rulings and appeals. Ultimately, the courts upheld Michael Schiavo's decision, and Terri Schiavo's feeding tube was removed.

The case raised significant ethical, legal, and moral questions regarding end-of-life decisions, patient rights, and the role of family in making medical decisions.

It also sparked national debates about the right to die and the implications of advance directives.





## Advanced Health Care Directives

### Durable Power of Attorney for Health Care

We help you designate a trusted individual to make medical decisions on your behalf when you can't, providing that your health care preferences are respected. This can relieve family members of the burden of making difficult decisions during emotionally charged times, providing that your wishes are followed without confusion or conflict.

### HIPAA Releases

In addition to health care directives, we can draft HIPAA releases that provide that your medical information can be shared with designated individuals, facilitating communication among family members and healthcare providers.

This is crucial for enabling that your family can make informed decisions regarding your care.

### Emergency Medical Plans

We also discuss the importance of creating emergency medical plans that outline specific medical interventions and preferences in case of unforeseen health crises. These plans can be shared with family, friends, and others that you designate.

### Emergency Medical Plans: Your Essential Guide

In today's fast-paced world, the unexpected can happen at any moment. Whether it's a sudden medical emergency or a natural disaster, having a robust emergency medical plan in place is crucial for providing for the safety and well-being of individuals and families. At Moskowitz LLP, we understand the importance of being prepared, and we are dedicated to helping you navigate the legal aspects of emergency medical plans.





## Emergency Medical Plans: Your Essential Guide

### What is an Emergency Medical Plan?

An emergency medical plan outlines the procedures and protocols to follow in the event of a medical crisis. This plan is designed to provide immediate care to individuals and provide that they receive the necessary medical attention as quickly as possible. It can cover various scenarios, including but not limited to:

- **Accidents:** Injuries sustained at home, work, or during recreational activities.
- **Illnesses:** Sudden health issues such as heart attacks, strokes, or allergic reactions.
- **Natural Disasters:** Emergencies arising from events like fires, earthquakes, floods, or hurricanes.

### Key Components of an Emergency Medical Plan

1. **Emergency Contacts:** A list of individuals to contact in case of a medical emergency, including family members, friends, and healthcare providers.
2. **Medical History and Information:** Important medical details, such as existing conditions, allergies, and medications, that can inform emergency responders.
3. **Location of Medical Resources:** Information on nearby hospitals, urgent care facilities, and pharmacies, including their contact numbers and addresses.
4. **Emergency Response Procedures:** Clearly defined steps to take in various emergency scenarios, including how to perform first aid and when to call emergency services.
5. **Legal Considerations:** Understanding advanced directives, Do Not Resuscitate (DNR) orders, and other legal documents that outline your healthcare wishes in emergencies.

### Why You Need an Emergency Medical Plan

Having an emergency medical plan is not just about being prepared; it can also provide peace of mind.

Here's why it's essential:

- **Rapid Response:** In a medical emergency, every second counts. A well-structured plan provides that you and your loved ones know exactly what to do, minimizing confusion during critical moments.
- **Personalized Care:** By including your medical history and preferences, you can provide that emergency responders are aware of your specific needs, leading to more effective treatment.
- **Legal Protection:** Establishing clear advanced directives and healthcare proxies can help prevent disputes among family members regarding your medical care during emergencies.



## How We Can Help

At Moskowitz LLP, we offer comprehensive legal services in implementing an emergency medical plan.

Our experienced attorneys can:

- Draft advanced directives and healthcare proxies.
- Understand your rights and options concerning emergency medical care.
- Navigate the complexities of healthcare laws and regulations.

An emergency medical plan is a vital tool for providing that you and your loved ones receive timely and appropriate care in a crisis.





## Conclusion:

Preparing a comprehensive estate plan provides that you and your loved ones have the absolute best of everything possible during your lifetime and beyond. It's physical and psychological, involving income and assets, and tax savings.

It's personal, it's to provide what you want, and that's so personal and different for everyone, and so vitally important to you and your loved ones. We listen to you and partner with you to provide you with the very best that the law has to offer.

At Moskowitz LLP, we are committed to helping you prepare for the unexpected and also benefit from all that the law has to offer for the well-being of your loved ones and yourself.







For more information on how Moskowitz LLP can  
assist with your Estate Planning needs, please  
contact us at:

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