



EDWARD R. CAINGLIT, ESQ.

An Estate Planning, Trust & Probate Law Firm

Westlake Village & Los Angeles

www.cainglit.com

818-597-8800

ESTATE PLANNING BASICS

AN OVERVIEW OF THE ESTATE PLANNING PROCESS

WHO NEEDS AN ESTATE PLAN?

All income levels can benefit from an estate plan.

With an estate plan you can:

- control what happens to your property if you die or become incapacitated;
- make your wishes clear and help avoid family disputes; and
- Preserve assets and provide for loved ones.



WHAT IS AN ESTATE PLAN?



- An estate plan is a map
- It is a reflection of the way you want your personal and financial affairs to be handled in case of incapacity or death

PLANNING FOR INCAPACITY

- Incapacity can strike anyone at any time.
- Failing to plan means a court would have to appoint a guardian.
- Lack of planning increases the burden on your guardian.
- Your guardian's decisions might not be what you would want.



WHAT HAPPENS IF YOU DIE WITHOUT AN ESTATE PLAN?



- Some property passes automatically to a joint owner or to a designated beneficiary (i.e., IRAs, retirement plans, life insurance, trusts)
- All other property generally passes according to state intestacy laws

WHAT HAPPENS IF YOU DIE WITHOUT AN ESTATE PLAN?



WILLS AND PROBATE

- Most wills must be probated
- Will is filed with the probate court
- Executor collects assets, pays debts, files tax returns, and distributes property to heirs
- Typically, process lasts several months to a year
- Fees
- Public



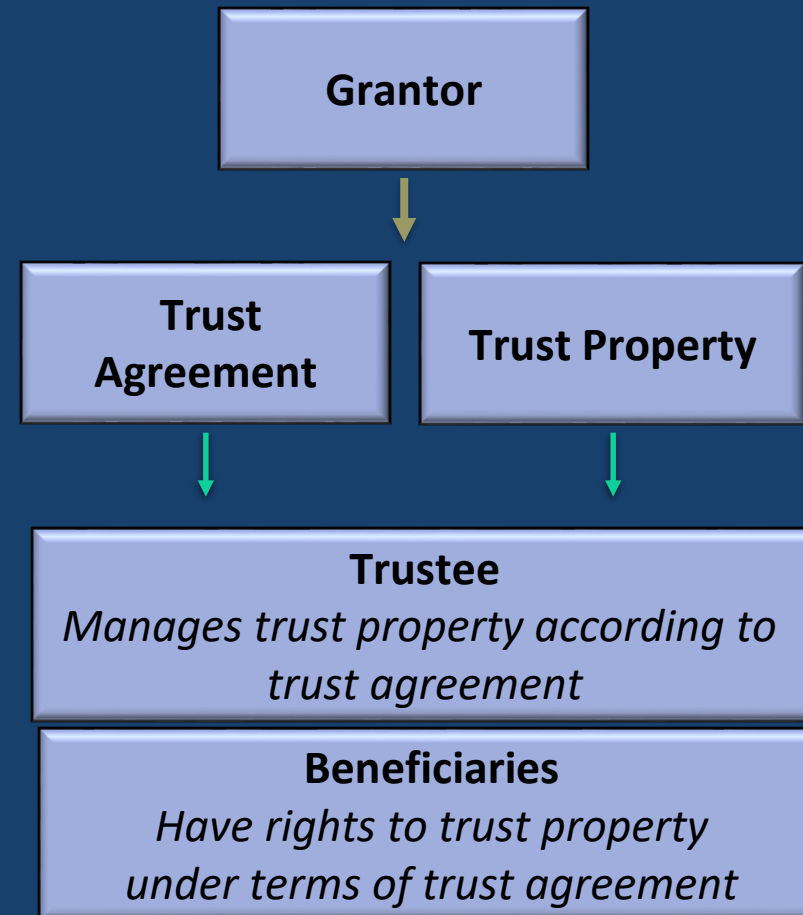
AVOIDING PROBATE

- Own property jointly with rights of survivorship
- Complete beneficiary designation forms for property such as IRAs, retirement plans, and life insurance
- Make lifetime gifts
- Use trusts



WHAT IS A TRUST?

- Legal entity that holds property
- Parties to a trust: grantor, trustee, beneficiary
- Living trusts vs. testamentary trusts
- Revocable trusts vs. irrevocable trusts



CONCLUSION

- Have you implemented a plan for incapacity (health and property)?
- Do you have a trust?
- Are taxes a concern for you?
- Does your overall estate plan reflect your current wishes and circumstances?
- Do you need to meet privately with the attorney first?





EDWARD R. CAINGLIT, ESQ.

An Estate Planning, Trust & Probate Law Firm

Westlake Village & Los Angeles

www.cainglit.com

818-597-8800