

Gustafson Gervasi Law Office, LLC

Summer / Fall 2013 Newsletter

Greetings!

As summer begins to fade and fall bursts on to the scene, I hope this newsletter finds you well. Below are updates on happenings here in the office as well as in the greater world of estate planning and probate. Enjoy, and be well.

New: Face, Hours, and Firm Name

It is with great pleasure I announce that Sarah E. Wood has joined the practice on a full-time basis, with a focus on probate matters as well as estate planning. Sarah graduated from the UW Law School this past spring and was a clerk in my office during her last year of school. Originally from Cincinnati, Ohio, she holds a Bachelor's Degree in Public Relations and Art History from Xavier University. This October she will marry Tyler Braasch, who works for the UW-Extension. Also, as my children scamper off to classes this fall, you will once again find me in the office a full five days a week. Finally, earlier in the year the office name was modified to Gustafson Gervasi Law Office, LLC. The contact information remains the same: www.gustafsonlegal.com or via phone at 608-274-7192.

Book Release –

Middle Class Philanthropist: How Anyone Can Leave a Legacy

Death does not mean the generosity of the middle class toward their favorite causes must end. Explore how anyone can leave a legacy in my new book *Middle Class Philanthropist: How anyone can leave a legacy*. Available October 2013 – it inspires and educates on how anyone, no matter the size of their wallet, can leave a lasting and valued final gift at the end of life. Sign up for email alerts at www.purpleowlpress.com or look for online purchase options on Amazon.com.

Tips for Pet Owners

Do you share your life and home with a four-legged animal companion? If so, consider entering an emergency contact into your smart phone, should you ever be in an accident. If you land in the ER and cannot get home to put out the kibble, administer a dose of medicine, or take the dog for a walk, who can? Watch for a much more detailed article on pet owners and end-of-life issues in the fall newsletter for the Dane County Humane Society. In it I recount the story of how a new cat came into our home after a sudden and serious illness rendered her previous human companion unable to care for her.

Keeping a Will Safe

Are you tempted to keep your will safe by putting it in your safe deposit box at the bank? If so, consider two other options. Both provide safety but allow for easier access if and when the will is needed (it's the will, locked away in the box, that allows someone to get into the box – see my point?). One, purchase a fireproof box and keep the papers at

home. This offers reasonable safety and access. If you want a bit more security, consider filing your will at the courthouse (in the county where you live). For a \$10 filing fee you can keep your will there, and it would be filed with the court once the court receives notice of your passing. If you take this path, I recommend keeping a copy of the will in your personal papers at home and mark it “COPY – ORIGINAL ON FILE WITH THE COURT.”

Windsor v. United States

Earlier this summer, the United States Supreme Court declared the Defense of Marriage Act (DOMA) unconstitutional, holding that the regulation of marriage is up to the states. Therefore, states now decide whether same-sex couples can marry. Because of this decision, many federal benefits may be available to same-sex couples, such as:

- Claiming the marital deduction under federal law for estate and gift tax purposes;
- Maximizing the annual amount that one is entitled to gift to another tax-free;
- Naming the spouse as a beneficiary under a qualified retirement account and allowing the spouse to “roll over” the account.

Note – whether same-sex couples receive federal benefits is specific to each federal agency. For example, the IRS just announced that the state where a same-sex couple got married, not the state of residence, will determine federal tax status. Therefore, for tax purposes, the IRS would recognize the marriage of a same-sex couple who was legally married in Iowa but resides in Wisconsin. Stay tuned for updates on this evolving issue.

A Lawyer With a Heart Seeks Donations!

Once again I plan to lace up my walking shoes and raise funds for the American Heart Association. As many know, it is pacemaker technology that saved my mother's life in 2008. Without it, my children would have never known their grandmother. My family is not the only one affected by heart disease and strokes – the number one killer of women. Thanks to all who supported my efforts last year; I raised just over \$1,100! In 2013, I have formed a team of walkers and aim to raise even more for cardiac research and education. Help me help others. If you can, please send a small donation (payable to the A.H.A.) to my office (313 Price Place, Suite 204, Madison, 53705) by Friday, October 4th. If you are not able to make a donation, consider walking with our team. The event is free and will be held the morning of Saturday, October 5th at Warner Park in Madison.

Fall Seminars

This fall I have the pleasure of speaking on estate planning and probate issues at a variety of organizations. If your office, place of worship, or favorite nonprofit would enjoy a similar presentation, please contact me to schedule one for later this fall or early 2014. Details of dates and times for all my seminars can be found on the events page at www.gustafsonlegal.com.

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