

Life Care and Elder Law Newsletter

a courtesy to the Life Care & Estate Planning Partners of

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August 2008

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You are as young as
your faith, as old as
your doubt; as young
as your self-
confidence, as old as
your fear; as young as
your hope, as old as
your despair.

~Douglas
MacArthur

Robert Anderson Receives the 2008 NAELA John Regan Writing Award

We are pleased to announce that the National Academy of Elder Law Attorneys (NAELA), a national organization of over 4,600 Elder Law Attorneys, has awarded its 2008 writing award to Robert C. Anderson, a Certified Elder Law Attorney, of Marquette, Michigan for his ground-breaking article "Estate Planning with Nonqualified Annuities: Navigating the Labyrinth", which was recently published in the NAELA Journal. The award was recently presented to Mr. Anderson at the NAELA Symposium in Maui, Hawaii.

Too often in America, unsuspecting senior citizens are purchasing annuities which they do not understand and do not need. Robert Anderson's article is valuable since it helps to reduce the tax, Medicaid and estate planning complexity of annuities.

The NAELA John Regan Writing Award is presented on an annual basis to the best original article published in the NAELA Journal during that year. The award was established in memory of John J. Regan, a long-time NAELA member and Fellow and a pioneer in elder law.

Articles considered for the award must be original in-depth articles exploring a single topic, which has an impact on the field of elder law. Articles are reviewed by a subcommittee of the NAELA Publications Committee.



Senior Citizen Scam Alert

If you are around aging parents who are starting to have moments of forgetfulness, look for warning signs that are an indication they need your help. For example, mail that is accumulating on the counter may be a clue that you need to take over the bill paying.

You also want to do all you can to protect your parents from getting ripped off. Beware of "senior" scams—such as sweepstakes entries and insurance policy pitches. Consumers lose more than \$40 billion a year to telemarketing fraud and people over 50 years of age are especially vulnerable. In fact, they account for about 56% of all victims, according to a study by the American Association of Retired Persons.

Scam artists often target older people, knowing they tend to be trusting and polite toward strangers. They're also likely to be home and have time to talk with callers.

Try to get a peek at your parents' mail to see if there are a lot of solicitations for contests. Take a preventive step by getting your parents on the "do not call" lists that are available in most state attorney generals' offices. It doesn't mean everyone is going to abide by that, but it could keep some of those horrible abusers of seniors—phone callers with contests and such—from making those calls.

If your parents are bombarded with calls and mailings from scam artists, here are the places you can contact with complaints:

Federal Trade Commission's Consumer Response Center

CRC-240

Washington, DC 20580

1-877-FTC-HELP (382-4357); TDD: 202-326-2502

www.ftc.gov

You can file a complaint with the commission by contacting the CRC by phone, mail, or filling out a form on line.

National Consumers League

1701 K Street, NW, Suite 1200

Washington, DC 20006

202-835-3323

www.ncl.net

The National Consumers League and the American Association of Retired Persons conducted research on telemarketing fraud targeting the elderly and offer suggestions for older people and their families in a brochure, "They Can't Hang Up," which is available through the National Consumers League Web site

Helen McGregor Leaves Legacy as Champion of U.P. Women and Seniors



Helen McGregor, 59, editor and co-owner of Mrs. McGregor's Fiftyplus Newspaper, passed away on Wednesday, May 28 at the Dickinson County Hospital in Iron Mountain, Michigan. Helen was well known across the Upper Peninsula for her efforts spotlighting issues facing adults over 50 years of age and her strong support for women in business.

Known to most as "Mrs. McGregor", her paper and editorials were read by thousands of people in the U.P. every month. Her publications included Mrs. McGregor's Mature Citizen, which later became Mrs. McGregor's Fiftyplus, and U.P. Woman Magazine. With over 16 years in publication, the Fiftyplus monthly paper grew to become a primary source of "senior" information to people in the U.P.

"Helen was passionate about providing news and information to her readers that celebrated their lives," said Attorney Robert Anderson, of Anderson Associates of Marquette. "She was adamant about quality of life, and sharing stories and articles that focused on improving that quality for people over 50. She was a woman who lived each day to the fullest, and refused to be defined by her age."

Helen grew up in Traunik, Michigan (Alger County), the oldest of eight children of Tony and Marian Knaus. She graduated from Eben High School in 1967 and attended Northern Michigan University.

Her passion for writing began as a small child, and never waned. In a sixth grade essay she wrote that she wanted to be the editor of a newspaper some day, and in 1992, fulfilled that dream. Deciding that there was an "information void" in the Upper Peninsula for people 50 and over, she started her own newspaper and called it "Mrs. McGregor's Mature Citizen."

In 2003 the name was changed to Mrs. McGregor's Fiftyplus. With the new moniker, the paper grew and prospered. Filled with vital information for baby boomers, it also featured one of the things McGregor treasured most; humor. As an Upper Peninsula native, she was familiar with her audience and worked tirelessly to provide the type of information, advice and perspective she felt they were looking for.

McGregor was appointed to and served on the Marquette General Advisory board from its inception in 1994 until 2008. She was an active member of the North American Mature Newspapers Association, and actively promoted businesses and organizations that served the Upper Peninsula's senior community.

"Helen was a complete joy to be around, all of the time," reflected husband, Ken. "She was dedicated to her profession, but had a gentle and caring nature. She always put others first. Most people didn't realize it, but for the last six months, the majority of the papers were produced in Hospitals in Michigan, Florida, North Carolina and Wisconsin. In fact, the current (May issue)

of Mrs. McGregor Fiftyplus was produced completely in room 805 of St. Joseph's Hospital in Marshfield, WI. It was important to her to be near her loved ones, but her readers also came first and she wasn't about to let them down."

The May edition of Mrs. McGregor's 50plus featured, as it did each month, "Life as I See It", an editorial by Helen McGregor. Her last words to her devoted readers included, "As I look back at these sixteen years of my life this "baby" as I call her, I look back on a career filled with tremendous opportunities and blessings. I feel as if this publication is a part of who I am and what I still want us to achieve together. Aging in the Upper Peninsula is tough. I want to be a positive part of making it easier for all of Mrs. McGregor's Family. Have a wonderful month of May. There is so much to celebrate."

Client Appreciation Luncheons have been scheduled for this fall. Please find your region's Luncheon date below and call our office to reserve your seat at this event.

Marquette – September 24, 2008 – Holiday Inn
Sault Ste. Marie – October 1, 2008 – Best Western
Iron Mountain – October 15, 2008 – Country Inn & Suites
Marinette/Menominee – October 29, 2008 – Best Western
Houghton – To Be Determined

Bipartisan Senate Bill Would Fix Estate Tax at 2009 Level

A bipartisan bill that would freeze the estate tax at the level that will prevail in 2009 under the current law has been introduced in the Senate.

The legislation, S3284, was introduced July 17, 2008, by Senators Tom Carper (D-DE), Patrick Leahy (D-VT) and George Voinovich (R-OH). The bill would create a lifetime estate tax exemption of \$3.5 million, indexed for inflation, and impose a top tax rate of 45percent.

"I believe our bipartisan approach to fixing the estate tax problem is a fair way of handling the issue and would cost roughly three-fifths as much as legislation making the repeal permanent," Senator Carper said. "Rather than giving up on finding a solution to the estate tax dilemma, I hope other senators will see our proposal as an acceptable middle ground."

Under the legislation only two estates out of every 1,000 would be subject to the estate tax,

according to Carper's office. That amounts to 11,000 estates by 2012. By comparison, 50,000 estates were taxed in 2001 when the tax started being phased out.

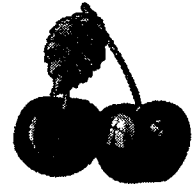
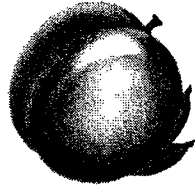
Two days earlier, Representative Jim McDermott (D-WA) introduced an estate tax reform bill in the House.

H.R. 6499 would freeze the current \$2 million estate tax exemption and impose other reforms, including providing for estate and gift tax reunification by permitting lifetime gifts up to a maximum of \$2 million rather than the \$1 million gift tax limit under current law.

Under the Economic Growth and Tax Reconciliation Act of 2001, the estate tax will expire for the year 2010, followed in 2011 by an individual exemption of \$1 million and a top tax rate of 55 percent, unless Congress acts in the interim.

Smart Health Choices

Sweet Stone Fruits of Summer



Golden apricots, sunset-colored peaches and deep red and purple plums are among the marvels of summer. Along with cherries and nectarines, stone fruits are succulent picks of the season. All contain substances that scientists say might be protective against cancer.

Stone fruits – so-called because they have large pits in their center – have Asian origins dating back thousands of years. Greeks called apricots “the golden eggs of the sun.” In China, peaches represented immortality and paradise. Eventually, stone fruits spread throughout the world along the silk-trade route. English settlers brought them to America.

The phytochemicals in these fruits act as the plant’s natural defense system, protecting them against disease and infection. Experts believe those benefits may be transferred to the humans who eat them.

The carotenoid beta-carotene imparts the rich orange pigment we see in apricots, peaches and nectarines. In the body, beta-carotene can be transformed into vitamin A. This vitamin plays a role in maintaining healthful skin and vision function. Research also points to its potential to help protect against cancer.

Stone fruits are packed with antioxidants like vitamins A and C (defenders against “free radicals,” which can harm cells) and have been linked to fighting certain types of cancer. “They’re a fair source of fiber too,” says Renee Lafferman, M.S., R.D., a dietitian at Frederick Memorial Healthcare in Maryland.

Stone fruits contain small concentrations of flavonoid phytochemicals, which may boost production of proteins called “enzymes” that get rid of toxins in the body. Cherries contain perillyl alcohol, a phytochemical that may protect cells from becoming cancerous, slow cancer cell growth and strengthen immunity.

The following recipes make the most of delicious stone fruits. At the market, they shouldn’t feel too hard or too soft when pressed or have soft spots or bruises. Farmers’ markets and roadside stands will have the ripest fruits, so buy them locally when you can.

