



*Protecting What You Value Most Through
Estate Planning and Asset Protection*

Providing Solutions That Secure and Enhance Your Wealth and Your Legacy

Everyone understands the benefits of having insurance to protect your assets from unanticipated events. Hazard and casualty insurance is necessary to provide protection from the risks of fire, floods and wind damage. Liability insurance is necessary to provide protection from the risks of auto accidents and personal injury. But what can you do to protect your assets from claims in excess of your insurance or from risks of lawsuits or from unexpected business liabilities or from an overabundance of tax consequences? Fortunately having an asset protection plan in place can help insulate you from these potentially significant risks.

We believe in providing you with effective solutions so that you can have confidence that your assets and your legacy are protected. An effective asset protection plan needs to be in place before a lawsuit or claim is made against you, and well in advance of your retirement or death, so it is important to take the step toward greater protection today.

Wild Felice & Pardo is a full-service, Fort Lauderdale, Florida based law firm with a specialty in asset protection. We utilize a combination of estate planning, real estate law, corporate formation, family law, and asset structuring to assure that our clients are protected from potential litigation, creditors, and any other threats that may be looming. A properly designed asset protection plan can accomplish many of your most important objectives:

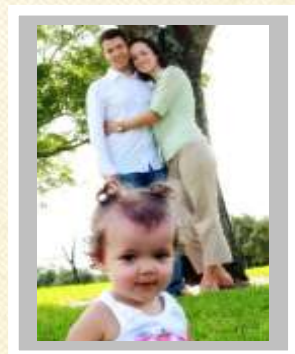
- Protection of family savings and investments from lawsuits and claims.
- Protection against inadequate or unavailable insurance coverage.
- Insulation of rental properties reducing your exposure to potential lawsuits.
- Protection of business assets and accounts receivable from potential claims.
- Elimination of probate.
- Reduction of estate taxes.



ESTATE PLANNING EDITION

With the 55 percent estate tax right around the corner, it's a good time to start thinking about long-term planning for the protection of your children, both while you are alive and after you are gone. In this issue, we will discuss:

- How a Revocable Trust May Benefit Your Family
- The Issues Involved With Owning Properties In Multiple States
- The Many Benefits of an Irrevocable Trust
- The Documents You Should Gather Prior To Meeting With Your Attorney
- Discovering Whether You Are a Grasshopper or an Ant



*Every American should have an
estate plan in place but the need for
comprehensive estate planning is
even greater when you have
children.*



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How a Revocable Trust May Benefit Your Family

More than anything else, a trust will provide you peace of mind and protect a lifetime of work. In 2011, the estate tax will rise to 55 percent on everything over the first million dollars. A million dollars may sound like a large amount of money but it is really quite small when you consider that it includes life insurance proceeds, the value of your home, stocks, bank accounts, retirement accounts, jewelry, paintings, and anything else that you may have had titled in your name at the time you died. This tax has bankrupted families.

Beyond estate tax protection, distributing assets through a revocable trust will avoid probate completely. Probate is the process of gathering up all of the assets that are titled in the sole name of the deceased. Many people believe that having a will avoids probate but probate will be required whether or not the decedent has left a will. The probate of an estate will usually cost between four and seven percent of the value of the entire estate and can tie up your assets between six and eighteen months, without any contests or challenges.

Another benefit to using a revocable trust is the automatic asset protection that you are able to provide to your beneficiaries. When your assets are distributed through a will, the beneficiaries accept the assets outright with no protection. A bad divorce, a car accident, a lawsuit or even existing creditors can take those assets from your beneficiaries. However, when you distribute your assets through a revocable trust, your beneficiaries will receive the assets in trust. Your beneficiaries will have as much access to the assets as you wish to give them but those assets will be protected from unexpected events that may be a financial threat to them.

There are an infinite amount of reasons to make a revocable trust the centerpiece of your comprehensive estate plan. If you have over \$75,000 worth of assets, a revocable trust is a virtual necessity. But keep in mind that trusts are very complex documents and should never be attempted without the guidance of a legal professional that specializes in such matters.



Michael D. Wild is a Florida attorney specializing in the areas of estate planning and asset protection. For more information on successful Florida estate planning and asset protection techniques, please contact the South Florida law firm of Wild Felice & Pardo, P.A. at 954-944-2855 or via email at info@wfplaw.com to schedule your free consultation. Protecting what you value most.

Did you know?



Owning real estate in several states will pose a challenge when executing a will. If you own real estate in another state, outside of your state of residence, the probate process usually must be repeated in the state where that property is located. This is because the laws of the state where the property is located will govern what happens to that property after you die. This additional probate procedure is called ancillary probate, and cannot be avoided by a will provision.

BEFORE MEETING WITH YOUR ATTORNEY...

It would be wise to take some time and organize all the information your attorney will need to draft your trust. Having this information at hand will save you legal fees. Giving your attorney precise and complete information will ensure that the trust is complete and reflects your intentions accurately.

- Supply your attorney with a complete list of the account numbers of current checking, savings, investment, and retirement accounts. Don't forget to include the name and location of the financial institutions where they are located.
- Provide a record of all outstanding loans and credit purchases.
- Estimate the value of business interests (if any).
- Estimate the value of personal property and important possessions. Personal property that fall into this category are art, special collections (stamps, valuable china, rare books, and the like), and other unique possessions.

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THE MANY BENEFITS OF AN IRREVOCABLE TRUST

Many of my clients ask me about the benefits of using a trust as part of their estate plan but they are unaware that there are many different types of trusts and each may serve an important purpose as a part of your estate plan, depending on what your ultimate goals and concerns are.

Every trust, no matter what its purpose, will be labeled as either Revocable or Irrevocable. An Irrevocable Trust serves the dual purpose of asset protection and estate tax reduction. The assets in an Irrevocable Trust are protected because the Grantor no longer owns them in the eyes of the law. When an Irrevocable Trust is created, a new entity is formed with its very own Federal Tax ID number. It is not an extension of its creator. On the contrary, it is its own unit that can accept, manage and distribute assets through the named Trustee and only by the wording of the initial trust language. Once the Irrevocable Trust is created and funded, it can no longer be amended or revoked. The only parties with access to the trust assets are the Trustee and the beneficiaries.

The Grantor is not permitted to be the Trustee or the beneficiary. However, the Trustee may be the same party as the beneficiary and, in fact, this is often the most ideal situation. Once the assets are in the Irrevocable Trust, they are now protected from the creditors, litigants and spouse of the Grantor. The assets are also protected from the creditors, litigants and spouses of any Trustees or beneficiaries, so long as the assets remain in the Trust. Since the Irrevocable Trust has no creditors of its own, the assets will remain out of the reach of any financial vultures looking to acquire them.

In addition, by removing these assets from your individual name and assigning them to the newly formed Irrevocable Trust, you have reduced your eventual estate tax level by that same amount. When you die, the Federal Government will add up the value of all of the assets you owned in your individual name and assess your estate with a tax based on that value. This estate tax will take into account real estate, bank accounts, brokerage accounts, collectibles, cars, jewelry, paintings, and even life insurance policies. By moving your assets from your individual name into the name of your newly created Irrevocable Trust, you will remove those assets from your estate even if you retain access and enjoyment to them during life. For more on Irrevocable Trusts, please contact your South Florida estate planning and asset protection attorneys. Trusts are very complex documents and should never be attempted without the guidance of a legal professional that specializes in such matters.



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ARE YOU THE GRASSHOPPER OR THE ANT?

The old fable of the grasshopper and the ant centers around an ant that works hard preparing and storing for the cold winter ahead while the grasshopper ignores the coming winter and procrastinates until the cold finally comes and the grasshopper starves.

We don't like to think about our own mortality and we certainly don't expect our lives to end today but tomorrow isn't promised to any of us. While we can't help you live forever, we can help you plan now so that your family is taken care of at the time of your death or incapacity. Hiding your head in the sand won't stop the winter from approaching; it will just cause your family to starve when it does.



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