

Help Ensure a
Lasting Legacy

ESTATE PLANNING LEAVING A LEGACY

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA





Business Card

THE IMPORTANCE OF ESTATE PLANNING

Estate planning is fundamentally about transferring your assets, along with your core values and priorities, to the people and organizations of your choosing at the time and in the manner you desire. It's about building a plan that leaves your family in harmony and about creating a legacy that may span generations.

Your particular estate planning needs depend on your age, wealth, health, goals, lifestyle, and many other factors, all of which usually change over time. Thus, it is important to have your estate plan periodically reviewed.



The Estate Planning Process. Estate planning is an ongoing process. A well-conceived estate plan can help ensure that you create a lasting legacy for future generations. Effective estate planning includes these key steps:

- ▶ Setting goals and objectives
- ▶ Assessing your current situation
- ▶ Selecting strategies to reduce or eliminate unnecessary expenses, delay, publicity, taxes, risk or challenge
- ▶ Determining income and liquidity needs for your survivors

The material that follows is intended to be a general discussion of some of the possible tools and strategies involved in the estate planning process. It is in no way meant to suggest a course of action or to be legal or tax advice applicable to any specific situation. Moreover, it is not a replacement for professional advice. It cannot be emphasized enough that you should seek the advice of qualified legal and tax advisors.¹ Financial professionals at The Prudential Insurance Company of America and its affiliates (collectively, "Prudential") can address your planning needs with appropriate insurance and financial products.

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THE ESTATE PLANNING PROCESS

STEP #1: SETTING YOUR GOALS AND OBJECTIVES

The first step in preparing an estate plan is to develop a list of specific objectives. This involves deciding who you want to inherit which assets and the time and manner in which you want them to receive your assets. There are several questions you need to consider. The list below is not exhaustive but is designed to help you begin the thought process.

WHO SHOULD INHERIT YOUR ASSETS?

If you are married, you must take into consideration the rights your spouse has under state law before you can decide who should inherit your assets. Each state has laws designed to protect surviving spouses. These laws dictate the minimum amount of property that must pass to a spouse unless otherwise agreed to by the spouses. If your estate plan provides less for your spouse than state law deems appropriate, the law permits the spouse to elect to receive a greater amount. Once you've considered the amount you want to leave your spouse, other questions to consider include.

- ▶ If you have children, do you want all of them to receive some share of your assets?
- ▶ If a child should predecease you, do you want his or her children — your grandchildren — to receive that child's share of your assets?
- ▶ Do you wish to include other individuals as beneficiaries?
- ▶ Do you have philanthropic goals?

WHAT ASSETS SHOULD THEY INHERIT?

This may depend on the type of asset and the ability of each recipient.

- ▶ Do you want a recipient to receive a specific asset? For example, if you own a business, do you want your interest to pass only to the children active in the business? If so, how are other children to be compensated?
- ▶ Do you want a recipient to receive a percentage of the estate value or an interest in your assets? For example, do you want your children to receive an equal share of your estate, or an interest based on need, such as for education or health?
- ▶ Do you own assets that require skill in managing, such as rental properties or an investment portfolio? Is it appropriate for all your beneficiaries to inherit these assets?
- ▶ Have you considered each beneficiary's ability to manage the assets inherited?

WHEN AND HOW SHOULD THEY INHERIT THE ASSETS?

To determine when and how your beneficiaries should inherit your assets, here are some issues you need to consider:

- ▶ What are the ages of your beneficiaries? Should the assets be placed in a trust with distributions made over time as beneficiaries mature or on the occurrence of specific events, or will you want some, or all, assets distributed immediately?
- ▶ Do you have beneficiaries who are not able to care for themselves? For example, if you have beneficiaries with alcohol, drug, or financial problems, you may want to control when and how they benefit.
- ▶ Do you have a beneficiary with special needs? If so, you may want to make sure that distributions will not affect needs-based benefits.
- ▶ Do you want to decide who will ultimately inherit the assets you leave to your surviving spouse? If you have children by a prior marriage, you may want to establish a trust for the lifetime benefit of your spouse but restrict whom he or she can pass any remaining property to at death.
- ▶ Will the size of your estate affect your beneficiaries? A large inheritance may change a beneficiary's personality or work ethic. On the other hand, a small inheritance may not be sufficient to maintain your family in the lifestyle you desire.



STEP #2: ASSESSING YOUR CURRENT SITUATION

After you have identified what you want to accomplish, the next step is to assess your current situation to see how far along you are in reaching your goals. Your current estate situation is reflected in your will and trust documents, and how you own your assets.

WILLS

A will is a legal instrument, usually written, that lists your wishes regarding the distribution of your property after death and identifies who will manage the distribution and who will care for your children. If you die without a will, state laws (called intestacy statutes) will dictate how those matters are handled. The requirements for a valid will vary from state to state. In many jurisdictions, you may change a will by amending your existing will or revoke the current will by executing a new one that indicates your intention to revoke the old will.

TRUSTS

A trust is a legal arrangement, usually created by a written document, under which one party (the trustee) manages property for the benefit of others (the beneficiaries). The trust provisions specify the rules of operation of the trust, spell out the powers of the trustee, and direct how the beneficiaries of the trust are to divide the income and principal of the trust. A trust can be one of the most powerful and flexible tools you can use to pass assets to future generations, reduce estate and income taxes, safeguard yourself in case of incapacity, and potentially reduce the costs and delays of probate. Because of the flexibility and protection that trusts can provide, they can be used for a variety of purposes.

There are two types of trusts. One type is a testamentary trust. This type of trust becomes effective at death and is usually found in the will. Just as a person can change the terms of a will, a testamentary trust can be amended or revoked during life. However, it becomes irrevocable at death. The other type of trust is a living trust or inter-vivos trust. This type of trust is established and funded during a person's lifetime.

IMPACT OF PROPERTY OWNERSHIP AND BENEFICIARY DESIGNATIONS

If you have will and trust documents that reflect your distribution objectives, you may believe that your estate plan is complete. This is a common misperception. Despite the importance of estate documents, they do not control the distribution of assets with beneficiary designations or property owned in joint tenancy with rights of survivorship.

Beneficiary designations on retirement plans, IRAs, annuities, and life insurance policies control the disposition of those assets. In addition, "POD" (payable on death) designations can be made on CDs, bonds, or other investments. When property is owned in joint tenancy and one of the owners dies, the property passes to the other owner. It is not unusual for a significant portion of an estate to consist of assets controlled by beneficiary designations and joint tenancy property ownership.

Consequently, for your advisors to deal with the distribution of your assets effectively, it is important to assemble an inventory of all your property, including its current fair market value, how it is owned, and, where applicable, its beneficiary designations. The lack of coordination between property ownership and beneficiary designations with estate documents is a frequently overlooked aspect of the estate planning process. Some questions that can help you determine whether your estate documents are coordinated with your beneficiary designations and property ownership include:

- ▶ Are all the assets with beneficiary designations current? Do all these assets have current contingent beneficiary designations?
- ▶ At the time your current estate documents were written, did you assemble an inventory of your property, including its value, ownership, and beneficiary designations?
- ▶ Has there been a substantial increase, decrease, or change in the assets that make up your estate since you designed your estate plan with your legal advisor?

DEBTS, FUTURE VALUES & INHERITANCES

In addition to assembling a list of your property, outstanding obligations should be included in the list as well as the preferred disposition (e.g., pay off at death, sell encumbered assets). Finally, because your estate plan may not take effect for many years, it is important to try to forecast future values, especially if there are assets that are likely to appreciate significantly in value, and to include any expected inheritances.



STEP #3: SELECTING STRATEGIES TO TRANSFER YOUR WEALTH

Once you have defined your goals and objectives and assembled the provisions of your existing estate documents and an inventory of your assets and liabilities, your advisors will be able to understand the size and complexity of your estate as well as the planning that has already been accomplished. The next step is for you and your legal advisor to identify changes and to select strategies that meet your needs and circumstances.

HOW THE FEDERAL ESTATE TAX SYSTEM WORKS

Estate planning techniques are as varied as the circumstances of the people who use them. Since many of the strategies are designed to reduce federal estate tax, a good place to start is to ask yourself whether you need to worry about estate taxes. The answer depends on the fair market value of your estate and whether you or your spouse are U.S. citizens.

If spouse is a U.S. citizen. As a resident of the U.S., the tax on your estate generally is calculated by totaling the fair market value of the worldwide assets you own and then deducting debts and expenses. Next, the tax law allows you to make two large deductions. It allows an unlimited deduction for the value of all property passing to a qualified charity. And it allows an unlimited deduction for the value of all property passing to a surviving spouse who is a U.S. citizen. The unlimited marital deduction results in no estate tax on the property passing to a surviving spouse who is a U.S. citizen but may result in tax on the property when it is passed from the surviving spouse to the children (again depending on the size of the estate of the surviving spouse). The remaining amount is called the taxable estate. From this taxable amount, any value over the "exemption equivalent" amount is taxed.

SIMPLE WAY TO COMPUTE YOUR ESTATE TAX EXPOSURE

Value of Assets You Own	\$
Less: Debts & Expenses	\$
Less: Charitable Bequests	\$
Less: Transfers to U.S. Citizen Surviving Spouse	\$
Taxable Estate	\$
Less: Exemption Equivalent	\$
Subject to Federal Estate Tax	\$

If either spouse is not a U.S. citizen. If either you or your spouse is a citizen of a country other than the United States but with residency in the U.S., your worldwide assets are subject to U.S. estate and gift taxes. However, the rules are slightly different.

Unquestionably, the major difference that exists for married couples living in the U.S. where either one or both is not a U.S. citizen is that the unlimited marital deduction may not apply to transfers to a noncitizen spouse. Specifically, unlike transfers to a U.S. citizen spouse, outright transfers at death to a spouse who is not a U.S. citizen do not qualify for an unlimited marital deduction. To qualify for the estate tax marital deduction, either the surviving spouse must become a U.S. citizen before the due date of the estate tax return or the property must be transferred to a special trust called a “qualified domestic trust” or QDOT.

The qualified domestic trust is essentially a substitute for the marital trust but with some additional restrictions and covenants. Like a marital trust, a QDOT requires mandatory distribution of the trust’s income, but distribution of principal will generally be subject to tax. The qualified domestic trust ensures that distributions of principal to the noncitizen spouse during life and distributions at the death of the noncitizen spouse will incur federal estate taxation. Basically, the estate tax is imposed as if the property had been included in the first spouse’s gross estate.

The clear result of the restrictive tax rules that apply to a noncitizen spouse is that he or she does not have as much flexibility as a U.S. citizen. Whether the freedom to utilize assets due to planning restrictions is lost or asset value is lost to taxes, the noncitizen spouse may have a greater need for a ready source of income and cash than a citizen spouse. One way to help provide that is through life insurance.

Life insurance can be used to provide a surviving noncitizen spouse a source of funds free of the QDOT limitations. The noncitizen spouse can apply for insurance as owner and beneficiary on the life of the citizen spouse. Unlike with a QDOT, the noncitizen spouse can access the entire amount of the life insurance or take the proceeds out of the U.S. and have no liability for any current estate tax.

LIFETIME GIVING

While we often think of estate planning only in terms of passing assets upon death, gifts made during your lifetime can provide benefits to you and the recipients. You may want to consider some of the alternatives that are available for giving to individuals and to charities. Of course, only assets or amounts of cash that will not be needed in the future should be considered for gifts. The following are a couple of strategies using gifts:

Annual Gift Tax Exclusion. An individual is entitled to give up to \$13,000 a year (2008 amount, indexed for inflation) to as many recipients as desired with no gift tax consequences. The recipients must have a “present interest” in the property for the gift to qualify for this exclusion.

Gift Tax Exemption. Gifts exceeding the annual exclusion amount may be made free of gift taxes up to \$1,000,000 by applying the lifetime gift tax exemption. Each U.S. citizen or resident can give \$1,000,000 free of gift taxes during his or her lifetime.

Gift Tax Marital Deduction. An individual can transfer an unlimited amount of property to a spouse who is a U.S. citizen. Often these types of gifts are used to balance the estates of a husband and wife so that the full amount of the estate tax applicable exclusion may be used regardless of the order of death. However, gift transfers to a noncitizen spouse are not eligible for the unlimited marital deduction. Instead, there is a limited annual exemption.



STEP #4: DETERMINING INCOME AND LIQUIDITY NEEDS FOR SURVIVORS

The final step in the process is the estate liquidity analysis. Estate plans that are otherwise great can fail if there are not enough resources to provide for the income and liquidity needs of your survivors. Following are descriptions of some of the primary income and liquidity needs. Your licensed financial professional can help quantify these needs.

ESTATE SETTLEMENT COSTS

If you are like many people, when you think of the need for estate liquidity, you think only in terms of the need to have funds to pay expenses that your executor must pay before your estate can be distributed to your designated beneficiaries. These expenses are usually referred to as estate settlement costs and can include the following:

- ▶ Funeral expenses
- ▶ Attorney's fees
- ▶ Executor's fees
- ▶ Probate court costs
- ▶ Appraiser's fees
- ▶ State death taxes
- ▶ Federal death taxes
- ▶ Sales commissions
- ▶ Decedent's income taxes
- ▶ Estate's income taxes

The amount of these expenses will vary depending on the complexity and size of the estate. Settlement costs can be significant if estate values exceed the amount exempted from estate taxes.

For many individuals, the continuing income and cash needs of surviving dependents are the primary needs for liquidity. Even if you have a modest size estate, these amounts can add up to a fairly large sum. The amount of indebtedness for which you are responsible may pose a serious liquidity problem, particularly if your assets are not readily saleable. College funding and other large outlays may also create a need for cash. Questions you should consider:

- ▶ Will your family members be able to maintain their current lifestyle?
- ▶ Will you leave your beneficiaries burdened with debt? Will the survivors be in a position to pay mortgage costs and other expenses as they become due?

BUSINESS OWNERS

There may be additional liquidity needs for those who have a family business. The loss of an owner often triggers the payment of a bank loan, causing an immediate need for cash in a business. If the objective is to continue the business into the next generation, it may be desirable to provide cash for those heirs who are not affiliated with the family business. If the business is to continue, it may be a handicap to have to sell business property, or to mortgage it to compensate other heirs or to pay settlement costs.

SOURCES OF LIQUIDITY

Though the amount of liquidity needed to provide an income to your family, pay settlement costs, and/or pay off debts will vary with circumstances, the problem is serious enough to justify creating a liquidity plan as part of the estate process. The lack of liquidity may result in additional settlement costs, including sales commissions for the sale of assets, and the forced liquidation of property below market value, which further shrinks the estate ultimately transferred to your heirs.

THE ROLE OF LIFE INSURANCE

Life insurance can be an important tool in helping to accomplish a number of estate planning objectives:

- ▶ **Maintain heirs' lifestyles.** Your death may result in a significant reduction of income that is currently available to your family. Life insurance proceeds can help to replace your lost earning power.
- ▶ **Provide immediate liquidity** to help pay debts and mortgages, expenses such as probate, funeral, or final medical costs. Even large estates are often cash poor if they are composed primarily of assets such as closely held business interests, real estate or collectibles.
- ▶ **Pay death taxes.** Under current tax law, an estate above a certain financial threshold can be decimated by a federal and state death tax that can approach 50% of its value at death. Insurance can help offset tax liabilities.
- ▶ **Equalize estate distributions** by providing a means to help balance inheritances among heirs.
- ▶ **Increase bequests** to charities or family members.

Liquidity may come from several sources: savings and checking accounts, loans secured by the estate, sale of investments, life insurance proceeds, or as a last resort, the liquidation of property. Regardless of which option or options you select, you will have addressed one of the important estate planning issues.

WHERE DO YOU GO FROM HERE?

Even the best of estate planning efforts means little unless you actually implement the plan. It's easy to put off developing and implementing an estate plan. Even if you have developed and implemented a plan, you must also periodically review your plan to ensure it fits any changes in your situation.

We've given you some things to think about. A simple way to begin is by completing the Estate Checklist on the following page. After you have completed this questionnaire, we would like to meet with you to discuss your particular insurance and financial needs. We are confident we can help you protect and preserve what you have spent years building so that you may provide a legacy for those you love.

ESTATE CHECKLIST

On the next page you will find a number of questions. A negative answer to any of them may indicate a need to review your estate plan with your tax and legal advisors.

ESTATE CHECKLIST

1.	Do you have a will?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2.	Is your state of residence the same as it was when your estate plan was developed?	Yes <input type="checkbox"/> No <input type="checkbox"/>
3.	Is your family's status the same as when your estate plan was developed?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.	Does your will name a guardian for your children in the event both you and your spouse are deceased?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5.	Are you comfortable with the executor(s) and trustee(s) you have selected?	Yes <input type="checkbox"/> No <input type="checkbox"/>
6.	Have you made sure that your property ownership and beneficiary designations are coordinated with your estate planning documents?	Yes <input type="checkbox"/> No <input type="checkbox"/>
7.	Is the value of your estate generally the same as when your estate plan was developed?	Yes <input type="checkbox"/> No <input type="checkbox"/>
8.	If you have a revocable living trust, have you changed the title of your assets to the name of the trust?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.	Have you executed a durable power of attorney and the appropriate healthcare documents?	Yes <input type="checkbox"/> No <input type="checkbox"/>
10.	If either spouse is a resident but not a citizen of the United States, have you considered including QDOT (qualified domestic trust) provisions in your estate plan?	Yes <input type="checkbox"/> No <input type="checkbox"/>
11.	If your estate will be subject to estate tax, do you and your spouse each own enough assets to take advantage of your full estate tax applicable exclusion amounts?	Yes <input type="checkbox"/> No <input type="checkbox"/>
12.	If each spouse owns enough assets to take advantage of the estate tax applicable exclusion amount, are both your estate plan and your spouse's designed to take advantage of this amount?	Yes <input type="checkbox"/> No <input type="checkbox"/>
13.	Have you considered taking advantage of the annual gift tax exclusion?	Yes <input type="checkbox"/> No <input type="checkbox"/>
14.	Do you have sufficient liquid assets to pay for the debts and taxes that become due at death?	Yes <input type="checkbox"/> No <input type="checkbox"/>
15.	Does your estate plan provide sufficient income for your surviving spouse to maintain his or her lifestyle?	Yes <input type="checkbox"/> No <input type="checkbox"/>
16.	Are you certain that you have the right amount and type of life insurance?	Yes <input type="checkbox"/> No <input type="checkbox"/>
17.	Are you certain your estate plan is up-to-date and takes into account potential tax-saving strategies?	Yes <input type="checkbox"/> No <input type="checkbox"/>



INSURANCE
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Membership promotes ethical market
conduct for individual life insurance,
long-term care and annuities.

Life insurance is issued by The Prudential Insurance Company of America, Newark, NJ, and its affiliates. All are Prudential Financial companies. Each is solely responsible for its own financial condition and contractual obligations. Life insurance policies contain exclusions, limitations, reductions in benefits and terms for keeping them in force. Your financial professional can provide you with costs and complete details.

Securities and Insurance Products:
Not Insured by FDIC or Any Federal Government Agency.
May Lose Value.
Not a Deposit of or Guaranteed by the Bank or Any Bank Affiliate.

This material contains references to concepts that have legal, accounting and tax implications. It is not intended to be legal, accounting or tax advice. Such services should be provided by your own tax and legal advisors.

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Value of Assets You Own	\$
Less: Debts & Expenses	\$
Less: Charitable Bequests	\$
Less: Transfers to U.S. Citizen Surviving Spouse	\$
Taxable Estate	\$
Less: Exemption Equivalent	\$
Subject to Federal Estate Tax	\$

If either spouse is not a U.S. citizen. If either you or your spouse is a citizen of a country other than the United States but with residency in the U.S., your worldwide assets are subject to U.S. estate and gift taxes. However, the rules are slightly different.

Unquestionably, the major difference that exists for married couples living in the U.S. where either one or both is not a U.S. citizen is that the unlimited marital deduction may not apply to transfers to a noncitizen spouse. Specifically, unlike transfers to a U.S. citizen spouse, outright transfers at death to a spouse who is not a U.S. citizen do not qualify for an unlimited marital deduction. To qualify for the estate tax marital deduction, either the surviving spouse must become a U.S. citizen before the due date of the estate tax return or the property must be transferred to a special trust called a “qualified domestic trust” or QDOT.

The qualified domestic trust is essentially a substitute for the marital trust but with some additional restrictions and covenants. Like a marital trust, a QDOT requires mandatory distribution of the trust’s income, but distribution of principal will generally be subject to tax. The qualified domestic trust ensures that distributions of principal to the noncitizen spouse during life and distributions at the death of the noncitizen spouse will incur federal estate taxation. Basically, the estate tax is imposed as if the property had been included in the first spouse’s gross estate.

The clear result of the restrictive tax rules that apply to a noncitizen spouse is that he or she does not have as much flexibility as a U.S. citizen. Whether the freedom to utilize assets due to planning restrictions is lost or asset value is lost to taxes, the noncitizen spouse may have a greater need for a ready source of income and cash than a citizen spouse. One way to help provide that is through life insurance.

Life insurance can be used to provide a surviving noncitizen spouse a source of funds free of the QDOT limitations. The noncitizen spouse can apply for insurance as owner and beneficiary on the life of the citizen spouse. Unlike with a QDOT, the noncitizen spouse can access the entire amount of the life insurance or take the proceeds out of the U.S. and have no liability for any current estate tax.

LIFETIME GIVING

While we often think of estate planning only in terms of passing assets upon death, gifts made during your lifetime can provide benefits to you and the recipients. You may want to consider some of the alternatives that are available for giving to individuals and to charities. Of course, only assets or amounts of cash that will not be needed in the future should be considered for gifts. The following are a couple of strategies using gifts:

Annual Gift Tax Exclusion. An individual is entitled to give up to \$13,000 a year (2008 amount, indexed for inflation) to as many recipients as desired with no gift tax consequences. The recipients must have a “present interest” in the property for the gift to qualify for this exclusion.

Gift Tax Exemption. Gifts exceeding the annual exclusion amount may be made free of gift taxes up to \$1,000,000 by applying the lifetime gift tax exemption. Each U.S. citizen or resident can give \$1,000,000 free of gift taxes during his or her lifetime.

Gift Tax Marital Deduction. An individual can transfer an unlimited amount of property to a spouse who is a U.S. citizen. Often these types of gifts are used to balance the estates of a husband and wife so that the full amount of the estate tax applicable exclusion may be used regardless of the order of death. However, gift transfers to a noncitizen spouse are not eligible for the unlimited marital deduction. Instead, there is a limited annual exemption.



STEP #4: DETERMINING INCOME AND LIQUIDITY NEEDS FOR SURVIVORS

The final step in the process is the estate liquidity analysis. Estate plans that are otherwise great can fail if there are not enough resources to provide for the income and liquidity needs of your survivors. Following are descriptions of some of the primary income and liquidity needs. Your licensed financial professional can help quantify these needs.

ESTATE SETTLEMENT COSTS

If you are like many people, when you think of the need for estate liquidity, you think only in terms of the need to have funds to pay expenses that your executor must pay before your estate can be distributed to your designated beneficiaries. These expenses are usually referred to as estate settlement costs and can include the following:

- ▶ Funeral expenses
- ▶ Attorney's fees
- ▶ Executor's fees
- ▶ Probate court costs
- ▶ Appraiser's fees
- ▶ State death taxes
- ▶ Federal death taxes
- ▶ Sales commissions
- ▶ Decedent's income taxes
- ▶ Estate's income taxes

The amount of these expenses will vary depending on the complexity and size of the estate. Settlement costs can be significant if estate values exceed the amount exempted from estate taxes.

For many individuals, the continuing income and cash needs of surviving dependents are the primary needs for liquidity. Even if you have a modest size estate, these amounts can add up to a fairly large sum. The amount of indebtedness for which you are responsible may pose a serious liquidity problem, particularly if your assets are not readily saleable. College funding and other large outlays may also create a need for cash. Questions you should consider:

- ▶ Will your family members be able to maintain their current lifestyle?
- ▶ Will you leave your beneficiaries burdened with debt? Will the survivors be in a position to pay mortgage costs and other expenses as they become due?

BUSINESS OWNERS

There may be additional liquidity needs for those who have a family business. The loss of an owner often triggers the payment of a bank loan, causing an immediate need for cash in a business. If the objective is to continue the business into the next generation, it may be desirable to provide cash for those heirs who are not affiliated with the family business. If the business is to continue, it may be a handicap to have to sell business property, or to mortgage it to compensate other heirs or to pay settlement costs.

SOURCES OF LIQUIDITY

Though the amount of liquidity needed to provide an income to your family, pay settlement costs, and/or pay off debts will vary with circumstances, the problem is serious enough to justify creating a liquidity plan as part of the estate process. The lack of liquidity may result in additional settlement costs, including sales commissions for the sale of assets, and the forced liquidation of property below market value, which further shrinks the estate ultimately transferred to your heirs.

THE ROLE OF LIFE INSURANCE

Life insurance can be an important tool in helping to accomplish a number of estate planning objectives:

- ▶ **Maintain heirs' lifestyles.** Your death may result in a significant reduction of income that is currently available to your family. Life insurance proceeds can help to replace your lost earning power.
- ▶ **Provide immediate liquidity** to help pay debts and mortgages, expenses such as probate, funeral, or final medical costs. Even large estates are often cash poor if they are composed primarily of assets such as closely held business interests, real estate or collectibles.
- ▶ **Pay death taxes.** Under current tax law, an estate above a certain financial threshold can be decimated by a federal and state death tax that can approach 50% of its value at death. Insurance can help offset tax liabilities.
- ▶ **Equalize estate distributions** by providing a means to help balance inheritances among heirs.
- ▶ **Increase bequests** to charities or family members.

Liquidity may come from several sources: savings and checking accounts, loans secured by the estate, sale of investments, life insurance proceeds, or as a last resort, the liquidation of property. Regardless of which option or options you select, you will have addressed one of the important estate planning issues.

WHERE DO YOU GO FROM HERE?

Even the best of estate planning efforts means little unless you actually implement the plan. It's easy to put off developing and implementing an estate plan. Even if you have developed and implemented a plan, you must also periodically review your plan to ensure it fits any changes in your situation.

We've given you some things to think about. A simple way to begin is by completing the Estate Checklist on the following page. After you have completed this questionnaire, we would like to meet with you to discuss your particular insurance and financial needs. We are confident we can help you protect and preserve what you have spent years building so that you may provide a legacy for those you love.

ESTATE CHECKLIST

On the next page you will find a number of questions. A negative answer to any of them may indicate a need to review your estate plan with your tax and legal advisors.

ESTATE CHECKLIST

1.	Do you have a will?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2.	Is your state of residence the same as it was when your estate plan was developed?	Yes <input type="checkbox"/> No <input type="checkbox"/>
3.	Is your family's status the same as when your estate plan was developed?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.	Does your will name a guardian for your children in the event both you and your spouse are deceased?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5.	Are you comfortable with the executor(s) and trustee(s) you have selected?	Yes <input type="checkbox"/> No <input type="checkbox"/>
6.	Have you made sure that your property ownership and beneficiary designations are coordinated with your estate planning documents?	Yes <input type="checkbox"/> No <input type="checkbox"/>
7.	Is the value of your estate generally the same as when your estate plan was developed?	Yes <input type="checkbox"/> No <input type="checkbox"/>
8.	If you have a revocable living trust, have you changed the title of your assets to the name of the trust?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.	Have you executed a durable power of attorney and the appropriate healthcare documents?	Yes <input type="checkbox"/> No <input type="checkbox"/>
10.	If either spouse is a resident but not a citizen of the United States, have you considered including QDOT (qualified domestic trust) provisions in your estate plan?	Yes <input type="checkbox"/> No <input type="checkbox"/>
11.	If your estate will be subject to estate tax, do you and your spouse each own enough assets to take advantage of your full estate tax applicable exclusion amounts?	Yes <input type="checkbox"/> No <input type="checkbox"/>
12.	If each spouse owns enough assets to take advantage of the estate tax applicable exclusion amount, are both your estate plan and your spouse's designed to take advantage of this amount?	Yes <input type="checkbox"/> No <input type="checkbox"/>
13.	Have you considered taking advantage of the annual gift tax exclusion?	Yes <input type="checkbox"/> No <input type="checkbox"/>
14.	Do you have sufficient liquid assets to pay for the debts and taxes that become due at death?	Yes <input type="checkbox"/> No <input type="checkbox"/>
15.	Does your estate plan provide sufficient income for your surviving spouse to maintain his or her lifestyle?	Yes <input type="checkbox"/> No <input type="checkbox"/>
16.	Are you certain that you have the right amount and type of life insurance?	Yes <input type="checkbox"/> No <input type="checkbox"/>
17.	Are you certain your estate plan is up-to-date and takes into account potential tax-saving strategies?	Yes <input type="checkbox"/> No <input type="checkbox"/>



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