



2018 Newsletter
Winter Edition
Gustafson Gervasi
Law Office, LLC
313 Price Place, Suite 204
Madison, WI 53705
608-274-7192
www.gustafsonlegal.com
melinda@gustafsonlegal.com

2018 has arrived, bringing with it many new things: an office wall calendar featuring antique maps to remind me of my love of travel; massive changes to the Federal Tax code; and relatively unreported changes to probate administration in Wisconsin. This newsletter provides an update on things I believe you will find of interest in relation to Estate Planning and Probate in Wisconsin.

Federal Tax Updates On January 1, 2018 the Tax Cuts and Jobs Act became law, ushering in a significant change to the federal estate tax. The federal estate tax is a tax on property (cash, real estate, stock, or other assets) transferred from deceased persons to their heirs if those assets exceed a certain amount. If the property value of the deceased is below the set amount, no federal estate tax is assessed. Under the new law, in 2018 the federal exemption level is approximately \$11.2 million per person. The exemption will adjust for inflation through December 31, 2025. Unless Congress takes action in the coming years, on January 1, 2026 the federal estate tax will revert to the current level, \$5 million per person, adjusted for inflation.

In the area of the federal gift tax, the exclusion for 2018 has increased to \$15,000 per person. This means any one person

may make a gift of less than \$15,000/person in 2018 without triggering the gift tax, which is paid by the person making the gift. Note that there are numerous exemptions to the gift tax. Please consult your C.P.A. for a complete understanding of gift tax implications. It is not uncommon for one to make a gift unintentionally, for example, by assisting children with the down payment on a first home or adding a grown child to a bank account.

Wisconsin Probates Turn Paperless

Beginning March 1, 2018 probates in all Wisconsin counties will convert to e-filing as part of the court system's efforts to move to paperless administration. What does this mean in a practical sense? In the future, opening a probate will require the application and subsequent filings to be submitted online. However, if a will exists, the original hard copy needs to be delivered to the court in order for the probate to commence. In an effort to allow for more seamless filing, one may wish to file his or her will with the court now under the "Safe Keeping" filing status. Check with your county of residence for specific requirements. In Dane County this consists of putting the will in a sealed envelope with your full name, address, and date of birth as well as providing a \$10 filing fee with the court. The court then maintains the document in its secured system that is not public, and upon death, when an application for probate is filed, the will is moved from safekeeping to the probate file with the court. My office makes routine deliveries to the Dane County courthouse and is happy to assist clients with complimentary delivery of a will for safekeeping.

Speaking Events One of my favorite ways to give back to the community is to provide legal education about the basics of estate planning and probate. This year I decided to redesign my standard presentation by creating *Six Things Everyone Should Know About Estate Planning and Probate in Wisconsin*. Join me at 7pm April 9th at the Verona Public Library and again at 7pm April 23rd at the Sun Prairie Public Library. These events are FREE and open to the public. WWBIC sponsors the event and requires pre-registration. Visit www.gustafsonlegal.com/events to sign up and explore other speaking events scheduled for 2018. If your office, place of worship, or favorite nonprofit would like to schedule a similar talk, please contact me!

What I've Been Reading The practice of law involves many roles: advising clients, researching statutes, following changes in federal law, drafting documents, and on particularly fun days -- being a guest on Wisconsin Public Radio! This past October I was invited to be a guest on WPR's Central Time for a discussion of the book *The Gentle Art of Swedish Death Cleaning: How to Free Yourself and Your Family from a Lifetime of Clutter* by Margareta Magnusson. Swedish Death Cleaning has been billed as the next big fad to hit the US. At just over 100 pages, the book is a light-hearted memoir of the author's later life when she "death cleaned" following the passing of loved ones. Sprinkled throughout the book are suggestions for motivating yourself to get started and completing the act of taking control of your personal items to declare what is meaningful and purge the rest in creative and earth-friendly ways. I would add to Magnusson's work two thoughts: one, death

cleaning need not be reserved for those 65+, no age is immune to taking a final breath; and two, do not overlook the digital clutter you have accumulated -- digital photos, social media accounts, and countless megabytes of stored documents. If you are interested in learning more or discussing the idea of Swedish Death Cleaning, join me for a book talk on Saturday, February 10th, 2pm at the Cross Plains public library. Library staff request pre-registration for this FREE event, which can be done online at www.rgpl.org.

Middle Class Philanthropist: How anyone can leave a legacy Under the new federal tax laws the standard deduction for single and joint filers increased substantially. As a result, many filers may no longer itemize charitable deductions on income tax returns. As America shifts to this new system, I would like to emphasize a point from my book, *Middle Class Philanthropist: How anyone can leave a legacy*. People give to charity for more reasons than a tax benefit. People give to process grief, to honor a loved one, or to plant an eternal seed for their favorite cause. Anyone can be a philanthropist. Copies of the book are available online through Amazon and Barnes & Noble, or for \$5 direct through me, the author.

Stay Informed & Connected! Follow me on Twitter at @MelindaGG, like the Facebook page for Gustafson Gervasi Law Office, LLC, and/or sign up for updated posts on my blog, Navigator, at gustafsonlegal.blogspot.com. Please call or email any address changes. Be well, and watch your mail for my next newsletter in July 2018.

