

GUSTAFSON GERVASI LAW OFFICE, LLC

WINTER 2022

Attorney Melinda Gustafson Gervasi

5555 Odana Rd, Suite 205, Madison, WI 53719

www.gustafsonlegal.com / 608-274-7192 / melinda@gustafsonlegal.com

COVID-19 Safety Measures at the Office

Our office continues to follow CDC guidelines and local public health directives in an effort to keep our clients, ourselves, and our families safe and healthy during this unprecedented pandemic. Currently, the only in-person meetings are for clients signing documents. All other meetings are held via Zoom or phone. This policy will be updated as the pandemic progresses. Please note that my office will continue to offer the option of Zoom or phone meetings after the pandemic recedes, as many clients prefer to minimize the time and effort associated with driving into my office for meetings. All signings must be conducted in person in order to meet Wisconsin's statutory requirements.

Doing Away with Mystery

I love a good mystery and turn to the works of P.D. James, Henning Mankell, and other great mystery writers for my bookworm moments. I do not, however, enjoy a good mystery at the office. My position on this topic was reinforced this past summer when I participated in a Zoom coffee with a friend of mine who works in the wealth management division of a local bank. As my friend talked, my eyes grew larger and larger as she recounted stories of the bank's clients that would leave hidden notes and other cryptic hints designed to lead the bank officials to hidden estate planning documents and assets. We all love a good thriller until we are the star of a mystery. My advice is to leave the suspenseful estate plan story to movies such as Knives Out and instead opt for concise, clear, and straightforward estate planning documents.



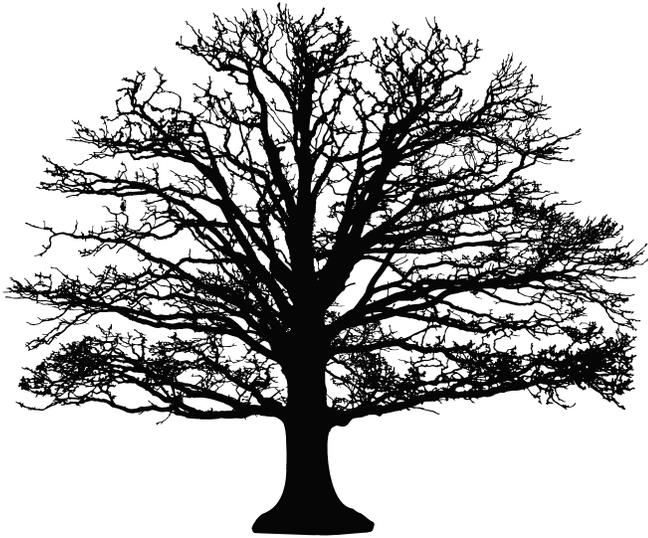
Lawyer Behind the Mask



Attorney Melinda Gustafson Gervasi

Hello! As we enter a third year of pandemic living I wanted to share a glimpse of your lawyer. I am the one hidden behind a mask during our signings. Thank you to all who have asked me to be your legal counsel during the estate planning as well as probate process. From my home to yours, best wishes for a safe and healthy 2022!





Proposed Green Cemetery

According to a November 2, 2021 article in the Wisconsin State Journal, a second “green cemetery” was proposed for the Bishops Bay Development in Middleton. A green cemetery is also called a natural cemetery and generally uses earth-friendly materials, such as trees as markers, and prohibits chemicals such as embalming fluid. Middleton held a public hearing on the proposal and recorded positive and negative reactions. Another natural burial cemetery in our area is The Natural Path Sanctuary at The Farley Center located near Verona.

Turn an Estate Plan into an Outstanding Estate Plan with Letters of Instruction

Minutiae – the small details of your life – are best handled with a Letter of Instruction written to people you have put in charge of your affairs. I give all my clients sample letters in their final packet of documents. Recently I completed an extensive re-write of my sample letters. You can find the updated versions on my blog (gustafsonlegal.blogspot.com); click on the posts from October 22 (for the sample to a Trustee of Child’s Trust) and December 1, 2021 (for the sample to a Personal Representative) or email me at melinda@gustafsonlegal.com.

Home Safe Considerations

Type “home safe” into Amazon and you’ll find over 6,000 listings! From biometric to digital to combination to key, there are a plethora of options for your consideration.

Keyed safes have been used for hundreds of years, are considered secure and reliable, and are affordable. They are also stodgy, boring, and unlikely to be featured in a Hollywood thriller. Should you select the more sophisticated digital or biometric option, first ask yourself – how will access be gained if I am incapacitated or deceased? I highly suggest you ask yourself this question now rather than going forward with the purchase and having a loved one who survives you have to Google the question later.

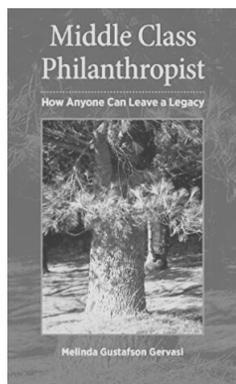


Technology Alert: Your Medical Alert Device May Lose Its Connection....Permanently

February 2022 begins the phaseout of 3G technology, the backbone of the older wireless devices we have grown to depend on. Medical alert bracelets, alarm systems and phones may be impacted. A November 2021 article in The Washington Post (3G Shutdowns Could Leave Most Vulnerable Without a Connection: Older Phones, Emergency Alert Devices and Alarms Are Set To Lose Service in 2022) highlights the change and risks for older Americans and those living alone who depend on these lifeline devices. According to the article, consumers should review all wireless devices to determine if they use 3G technology. If they do, replacement is needed. More can be learned about this change on the Federal Communications Commission website under "Plan Ahead for Phase Out of 3G Cellular Networks and Service".

Middle Class Philanthropist: How Anyone Can Leave a Legacy

by Melinda Gustafson Gervasi



In 2013, I released a small book with the intention of sparking inspiration in the average person to leave a charitable gift upon his or her death. You can find the book online at Amazon or Barnes & Noble or several copies are available in the public library System.



What seemed impossible became possible in 2020. I made the pivot from live educational Estate Planning 101 seminars to virtual programs. Thanks to Deb Neubauer, Financial Education Center Director at UW Extension Dane County, one of my virtual seminars was recorded. Check it out on my new YouTube Channel **Navigator**. If your employer, place of worship, neighborhood group or other organization would like to schedule a session of Estate Planning 101, please contact me.

Filing a Will at the Courthouse

Without question, I recommend that Dane County residents consider filing a will for safekeeping with the Dane County Probate Court. The one-time fee is \$10/will. Water and fire protection offered by the courthouse is superior to what can be provided in a home setting. Moreover, when the time comes to open a probate, the will is already at the courthouse. Add the fact that a will is less likely to be lost when filed for safekeeping; it seems to be an obvious storage option. My office has temporarily suspended our service of delivering original wills to the courthouse. Hopefully in a few months we can resume this service.

- Due to lack of space, the Dane County Probate Court requests that old wills be removed from safekeeping before filing a new document. Under courthouse rules, only you (the will declarant), are allowed to remove an old will filed for safekeeping.
- Dane County Courthouse, Probate Court, Room 1005, 215 S Hamilton St., Madison, WI 53703 The phone number is 608-266-4311.
- If you have an urgent need to file your will you can find specifics on the process for Dane County residents on my blog, **Navigator** gustafsonlegal.blogspot.com. See the February 22, 2021 post: *Will Safekeeping - Dane County, WI*



What I've Been Reading

For those interested in death rituals and burial practices from around the globe, you may be interested in reading *From Here to Eternity: Traveling the World to Find the Good Death* by Caitlin Doughty. The book chronicles the author's world travels to explore a variety of burial practices different from those used in the western world. It is a fast read but not for the faint-of-heart – it was a bit ghoulish, and fitting since I read it around Halloween.

Tax Issues for 2022

"...but in this world nothing can be said to be certain, except death and taxes".

- Benjamin Franklin, 1789.

With the new year our country has some updated tax laws related to estate planning and probate. As of January 1, 2022, the federal estate tax exemption is now \$12.06 million per individual. This means if you die with a net worth exceeding \$12.06 million (this amount is doubled for married couples), the amount in excess is subject to the federal estate tax. If your net worth is below the limit, your estate is "exempt" from the estate tax.

While the estate tax is an issue for a small fraction of society, the federal Gift Tax is a tax that hits far more people. In 2022 the annual gift tax exclusion increases to \$16,000/year/person. This means any person may give another person up to \$16,000 per year without triggering the gift tax. However, there are exceptions to this rule, where the tax is not owed. As always, please consult with a CPA for advice specific to your situation.

Stay Connected



608-274-7192



melinda@gustafsonlegal.com



Melinda_GG



@GustafsonGervasiLawOfficeLLC



Navigator



gustafsonlegal.blogspot.com

Contact me if you have an address change or would like to be removed from the mailing list.

Organization Tip!

Print out a hard copy of your holiday card mailing list to keep with your estate plan.

This is an easy way to leave a record of those you consider close to you who should receive notice if something should happen, either a severe illness or death.

Whether it is old fashioned snail mail addresses or an email, the list will make it easier for the person handling your final affairs now that the "phone book" has become a relic in our society.