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How can I protect my kids' inheritance from divorce, bankruptcy, and their own poor decisions?

How do I avoid heavy taxes from the new law on my retirement plans (like my IRA or 401k)? Come to the LifePlan<sup>™</sup> Workshop!

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(616) 796-9600 IE 12330 James Suite B10 Holland, MI

www.DavidCarrierLaw.com email: David@DavidCarrierLaw.com

# **The Michigan Elder Law Reporter**™ 33 Years Serving Michigan Seniors V

## VOLUME 33, ISSUE 5.2

# How Do You Know?

MAY 2023

## ESTATE PLANNING: PEACE OF MIND OR WASTE OF TIME? WHAT MAKES YOU SO SMART?

#### PEACE OF MIND

Security is the goal of proper estate planning. Knowing that you and your loved ones will be fine, no matter what. Unfortunately, most estate planning fails. Two big reasons: #1. Wrong Goal. #2. Wrong Process.

#### SECURE YOUR PERSONAL FUTURE WITH THE RIGHT GOAL

Security for you and your family does not begin with you in the grave. Yet your funeral is the starting point for most estate planning. "What Happens When You're Dead" is a good way to summarize estate planning for most attorneys. And that is simply wrong.

Now is when you need confidence to live your life; while you are alive. Calm awareness that, come what may, you are prepared. Seems obvious, doesn't it? And yet, most estate planning completely ignores the fact that you are not dead. Goals seem to be limited to events that can only occur after your death. All they know is the familiar mantra: Avoid Probate; Save Taxes; Get It to the Children/Beneficiaries.

There's nothing wrong with these ideas. They are worthy ideas and have their place. But worrying about what happens after you die is a terrible distraction from the Main Event: You. And Your Spouse. While you are on this side of the Great Divide.

How can your estate plan safely and reliably protect you and your loved ones from nursing home poverty, when you weren't even thinking about it? Is it luck? Is it really that easy? Unless you focus on protecting yourself, you will lose the dependable security you have worked for over the years.

Ask yourself: For whom was I planning? If the immediate and obvious answer is not: My Spouse! Me! Then your estate plan is a failure from the start.

#### Achieve Reliable, Dependable Results With The Right Process

Estate planning is not only documents, deeds, and dossiers. Estate planning, without follow through, is wasted paper. And there is so much wasted paper!

Avoiding probate is very popular with most folks. Who wants to put their family through the probate court wringer? Who wants to pay the lawyers? Who wants highly paid professionals encouraging your family members to fight?

Avoiding probate is a worthy goal. Unfortunately, the probate industry is thriving. How can this be so? Haven't the lawyers been promising "Avoid Probate with Trusts" for years? What about all those great "Lady Bird Deeds"? And how about wonderful "beneficiary designations"? Check the Internet or FaceBook... there are lots of puffed-up "experts" touting how easy it is to avoid probate. So why did Kent County (for one example) just add another probate judge?

Maybe none of this stuff works without meticulous, thorough attention to detail. Maybe it is not so easy as the Carnival Barkers proclaim. Maybe, like everything else in your life, there's more to it than a salesman's pitch. Maybe.

The fact is that they don't want you to avoid probate. Avoiding probate shuts off the gushing geyser of probate fees. And who wants to do that? Plus it is real work to make sure your assets are properly retifded to your trust or have proper beneficiary designations. After you signed documents, did you spend months making sure everything worked? Do you know what "funding" is? Are your deeds recorded? If not, your plan will fail. As more than 90% already do. Terrible, horrible, no good, very bad? Yes. And just that common.

#### THE SOLUTION

For 33 years, I have believed that the only way to deliver secure, dependable, reliable planning that incorporates the Right Goal and the Right Process has been one-on-one. Individual, highly tailored planning has worked for tens of thousands of families. But it is not inexpensive.

Nobody ever says: "I don't want to be protected." Or "I can't wait to go broke in a nursing home." But still, there are families that have not worked with us. Why?

The only real reason, I believe, that families reject proper planning is cost. It is too expensive. Your choice: 1. A heap of ineffective, unfocused, mass-produced legalese that is (in my opinion) intended to fail or 2. A proven plan that has worked reliably for thousands of your friends and neighbors over the decades. Is one worth more than the other? Does it take more work to do the job right, to deliver results instead of excuses? Yes. But.

But it still costs more. Until now. Read below to find out how we are now delivering the same results at a fraction of the cost. Get it all. For 50% off. Or 66% less.

#### How Do I Know? Mom And Dad

It's nice to talk about security and reliability and peace of mind. But how do I really know? Maybe the fact that LifePlanning<sup>TM</sup> has served thousands of our client families so well? But there is better evidence than that.

My own Mom and Dad did their planning this way. Years ago, when Mom needed skilled care in the months before she died of vascular dementia, I used that planning to pay hundreds of thousands for her care. Without sacrificing Dad's financial stability. Without losing the homestead. Without surrendering their lifesavings.

Technically, it was not a difficult case. Fairly straightforward. And it worked. I had already seen the effect that proper planning had for hundreds of clients. Now I saw how it worked for my own parents. I learned "up close and personal" just how important LifePlanning<sup>TM</sup> truly is.

Dad's heartbreak at losing his wife was not compounded by losing his home, his workshop, his way of life. And when he died last year, sharp to the end, it was important to him to know that he was leaving a few bucks to each of his kids.

#### How Do I Know? Me

Got some bad news myself a couple weeks ago. Thyroid cancer involving the lymph nodes. Operation time! Turns out there was lots of it. Took all afternoon. But not as bad as it could have been.

Got some more bad news this week. The pathology report says: metastatic carcinoma. I've seen enough TV doctor shows to know that that isn't good. But not as bad as it could have been.

Looking forward to what comes next. Still serving as a Merit Badge Counselor at my son's Boy Scout summer camp in June and at the Boy Scout National Jamboree in July. Still working. Still writing. And the radio show will be back in full this week.

My point is that now I have personal experience of the security and peace of mind that come from knowing your loved ones are well provided for. I don't just preach this stuff, I've done it for myself. And it works. I would have preferred to find out 20 years from now just how reassuring it is to have one's ducks in a row. But I'm finding out now and that's fine. How do I know LifePlanning<sup>™</sup> works?

Saw it work with thousands of you folks and your families over 33 years.

#### Saw it work with Mom and Dad.

Experiencing it work with my own family, right now. AND NOW FOR SOMETHING COMPLETELY DIFFERENT

#### DANIEL K. BURRESON, M.D.

For over 40 years, Daniel K. Burreson, M.D. has been whacking thyroids out of people who needed their thyroids whacked out. It is true that his M.D. is from the University of Michigan, but that was a very long time ago and it would be unfair to hold such a youthful indiscretion against him. Have you ever had the experience of dealing with someone who specialized in something in which you had no experience? Maybe a plumber, carpenter, physician? Someone whose concern and expertise just shone forth? When other people talk about this person, they use their "church voice" and let you know how lucky you were to have your house burn down so Joe the Carpenter could build it back for you. Or how lucky you were to have thyroid cancer so Dan the Surgeon could whack it out for you. It's like that.

#### You Could Do Worse Than Call Today 800-317-2812 david@davidcarrierlaw.com Easy!

#### GET ALL YOU NEED: ESTATE PLANNING IS LIKE FLYING

If you want to fly to Florida, you have many choices. Even among the least expensive airlines. Fly to Florida, direct from home, with no connecting flights. Nonstop! \$59 round trip! Amazing. The seat doesn't recline. No free soda. No free peanuts. There are no movies. You pay extra for everything, but you only pay for the things you want.

You can still get dressed up if you want. If you really like getting a box lunch with rubber chicken at 40,000 feet, go first class. And if you really want to burn through your life savings, fly in a private jet. \$59,000 round trip from Miami to Grand Rapids. Cheap!

#### GET WHAT YOU NEED AT A PRICE YOU CAN AFFORD Air travel is safe. Super safe. You are safer in the airplane way up high in the sky than when you are driving home from the airport. True fact.

You are as safe with your \$59 ticket as you are with a \$59,000 private jet. Plus, both options will get you to Orlando to visit the Mouse. And safely back home again. Just the facts.

Schedule, price, amenities... you get to work this out with the airlines. What do you value? Make your decision. That's the American Way!

All these choices can be confusing. But do you want to surrender? Do you really want to go back to the old way of doing things? I didn't think so.

#### DON'T PICK AND CHOOSE... GET EVERYTHING PRICE REDUCED BY 50-66%

What if you could have it all? Asset Protection. Long-term Care Protection. Full funding of your trust. Access to live counsel. Secure assets for yourself, your spouse, your family. Avoid Probate. Save Taxes. Protect Leftovers for the kids. If you want the old-fashioned, more expensive one-on-one

process... great! We are not giving that up. On the other hand, if you want all the results, at drastically

reduced fees, perhaps you might consider a series of live and video meetings with other folks just like you.

- In person: The LifePlan<sup>™</sup> Workshop No change; Stick with what works.
- In person: The Blueprint Design Together with the other folks from your LifePlan<sup>TM</sup> Workshop, you complete a confidential workbook with detailed information about yourself and your family. Your hopes and dreams. You commit and pay ½ of the reduced fee.
- Zoom Meeting: One-on-one Review Meeting with Your Counsel – Freely and confidentially discuss options and make decisions.
- Email Delivery: Receive and Review Documents. Expert videos step you through each document. Note any questions or concerns you may have to discuss with your Counsel.
- In person: Signing and Initial Funding Meeting Transfer assets to your trusts. Payment of the balance of the fee.
- In person: Follow Through Funding Meetings Finish the Job!
- 7. In person/Zoom/Video: Ongoing support and Assistance
- Cost: One-third to one-half of current fees, plus \$119/ month for ongoing funding and other services. Drop at anytime.

Do you want to fly first-class to Florida? Safe, Secure, Comfortable. Some folks do. And they are willing to pay the additional costs.

Do you just want to get to Florida? Safe, Secure, Some Inconvenience. Drastically reduced fee?

Either way, the process is safe and secure. You get every bit of security and asset protection.

As you continue as a member, you can add optional trusts and features. Membership has its privileges.

GET EVERYTHING YOU NEED, EVERYTHING YOU WANT You do not have to settle for the disappointing failure of traditional estate planning. You can get the LifePlan<sup>TM</sup> Advantage at no greater cost to you.

> No Poverty. No Charity. No Waste. It is not chance. It is choice. Your choice. Sign Up For A Workshop Now. 800-317-2812

## EMPLOYEE RETENTION TAX CREDIT Should Government Keep Your Overpayment Or Give It Back? (You Overpaid During Covid, Why Not Get The Extra Money Back?)

#### It's Your Money - Get Your Money Back

Small businesses run by middle class entrepreneurs are America's lifeline - the backbone of our economy. Now runaway inflation, recession, skyrocketing interest rates, and the difficulty of finding reliable employees are giving small businesses another gut punch.

During COVID, Congress changed the employment tax laws. Consequence: Your business overpaid employment taxes in 2020 and 2021. Should the government keep the extra money?

#### WHY DID YOU OVERPAY?

You overpaid because you were told to pay - by your payroll service, accountant, CPA, bookkeeper, MBA. Millions of small businesses overpaid billions of tax dollars.

#### TAXES ARE THE CONGRESSIONAL HAMMER

Congress never stops tinkering with the tax code so that you will dance. To their tune. When your biggest tool is a hammer, is it ridiculous to think that everything starts looking like a nail?

Taxes are the biggest Congressional hammer. Unemployment from the COVID panic and pandemic was the nail.

#### WHAT THE TAX CREDIT IS, REALLY

Congress offered small businesses a deal: Keep paying your employees. Even if they don't work. Even if governmental orders shut down your business. Even if your revenue falls off.

Congress said if you do these things, we will adjust your employment taxes. In fact, we'll give you additional money back.

Congress said, "Do what we ask and we will give you your overpaid tax dollars back."

#### WHY DID CONGRESS GIVE THE EMPLOYEE RETENTION TAX CREDIT?

Simple. Congress did not want to pay unemployment money to your employees. Congress did not want you to lay off or fire your employees. Because you did what Congress asked you to do. You get a tax benefit, the employee retention tax credit, ERTC. It is payment by the government to you for doing the job and paying the costs Congress did not want to do or pay.

#### Congress Turned Small Businesses Into America's Unemployment Agency

Hundreds of thousands of small businesses went bust during the COVID. Millions of Americans were thrown out of work. Millions of Americans applied for government unemployment benefits. They broke the system. The Depression Era unemployment insurance system was overwhelmed by COVID.

You overpaid your employment taxes because Congress changed the rules. Your tax advisors did not notice and so you paid too much. Should Congress keep the extra money?

If you do not ask for your money back, they will keep it. You must claim your overpayment quickly, by their rules, or your opportunity will be lost forever.

Why would you let your business be their doormat? Why would you leave your hard-earned money to a bully because you couldn't be bothered to pick it up or even ask for it back?

Would the return of a few hundred thousand up to several million dollars of tax overpayments make a difference in your personal or to your business life? Does the government know better than you do how to spend your money?

#### A SAFE, SECURE, RELIABLE SOLUTION

Over 5000 small businesses who overpaid. About \$1.5 billion of overpaid taxes claimed. More companies everyday have benefited from tax preparation services provided by a company created to serve this need of small businessmen and women. Carrier-Robins. Tax Preparation Services from coast-to-coast.

Most of our overpaying taxpayers relied on CPA advice to keep them informed. They counted on payroll tax services to let them know what was happening. Based on this advice thousands of tax paying businesses overpaid millions in employment taxes

Congress and the Internal Revenue Service are playing chess. But your CPA is stuck on checkers.

That's why we have dozens of lawyers to perform your tax preparation services. If you know anything about lawyers, you know that they dig, dig, dig. They are annoying. But thorough.

Numbers driven analysis has its place. Numeric analysis is very useful, no doubt. CPAs and MBAs can be useful, skillful technicians, but that's it.

Attorneys, like you, must see the bigger picture. Make no mistake, the most common reason that clients have stated for: #1 Overpaying their taxes in the first place, and; #2 Letting government keep the overpaid tax, is that THE NUMBER CRUNCHERS SAID SO.

Responsible tax preparers do not offer Pie in the Sky. Is it responsible to inflate overpayment claims or the potential for recovery? Is it right to risk the good name, business, and personal reputation of America's small business owners? You can count on our tax preparation services because our tax preparation services are based on years of evaluating fact patterns, proximate cause, impact, and consequence. Applying the law to specific facts of each unique situation is what we've been doing for decades.

Employing this special expertise in the tax preparation arena, while not legal services, engages highly developed methodologies that MBAs and CPAs simply do not claim to match.

Find out quickly and easily just how much you overpaid. How much of your money is still in the IRS vault right now? It is simple and easy to get started. Simply call. "Rough and ready" estimates can be determined promptly.

And then, when we have analyzed your payroll records, your profit and loss statements, Payroll Protection Plan and other records, and most importantly interviewed you to determine your unique facts, we will reach the precise overpayment amount. Not a penny more, not a penny less.

Look in your e-mail inbox. You've probably got at least half a dozen emails promising \$26,000 per employee. Hogwash! \$26,000 per employee is the absolute maximum you might recover. And you may have overpaid that maximum amount. But experience born of 5000 cases and over \$1.5 billion in reclaimed overpayments suggests that that number is not likely.

Is a good idea to leave money on the table? Are you happy to overpay your taxes and not get the refund? Is it fair for the government to hold on to your money?

### IT'S EASY TO GET STARTED, CALL TODAY 616-361-8400

david@davidcarrierlaw.com Easy!

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