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LAW FIRM

ESTATE PLANNING MATTERS

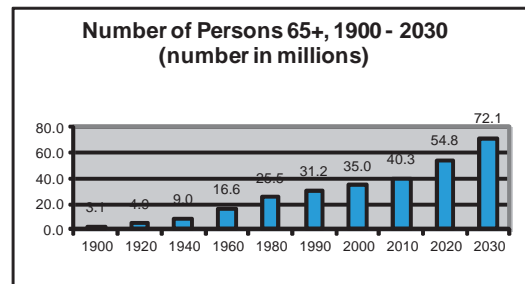
SPRING 2013

May is "Older Americans Month"

Since 1963 Older Americans Month has been celebrated each May to honor and recognize older Americans for the contributions they make to our families specifically and to our communities and society in general.

The theme for 2013 is "Unleash the Power of Age!". The purpose is to encourage elders to seek opportunities to volunteer their time to support those who are less fortunate, to teach others the skills they've honed over the years, or to become involved in civic matters. In addition to helping others, this can help older Americans stay positive, active, and looking forward.

According to the U.S. Administration on Aging people reaching age 65 have an average life expectancy of an additional 18.8 years. From this chart, it is obvious that Older Americans Month is going to become a very large celebration in the not-too-distant future.



Individually and as a nation it is necessary for us to utilize the knowledge and skills of this growing population. It is also necessary for everyone to plan well for a future realizing there are many years to live and, hopefully, be productive after reaching the seemingly "magic" retirement age of 65. To find ongoing opportunities, contact the volunteer coordinator for your city, hospital, or other organization to volunteer or, if you are looking for a paying position, ask the coordinator for referrals.

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The legal services of Kramer Radin, LLP include estate planning, trusts, probate and trust administration, related tax matters, litigation and dispute resolution, elder law, Medi-Cal planning, and conservatorships.

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Medicare Scam Alert

Our office is committed to keep you, our valued friends and clients, aware of elder abuse issues. We are available to assist you in mitigating any instances of elder abuse. Contact us should this be a concern. There are many ways we can help you and your loved ones with legal advice and/or action if you feel there is a potential elder abuse issue. Financial elder abuse is one of the prevalent types of abuse. A new scam has surfaced targeting Medicare recipients.

A caller claiming to represent Medicare telephones and asks for verification of personal information including Medicare or Social Security number, bank routing and account numbers, date of birth and possibly other personal identification information. The alleged reason for the call is to provide the person called with a new or updated Medicare/medical ID card so that the senior's medical benefits will be continued and Medicare benefits will be directly deposited to the bank account.

MEDICARE IS NOT ISSUING NEW CARDS AND DOES NOT TELEPHONE TO ASK FOR BANK OR OTHER PERSONAL INFORMATION. DO NOT GIVE ANY INFORMATION TO SUCH A CALLER.

Although Social Security has switched to a direct deposit basis, Medicare distributes only to medical providers and does not distribute funds directly to a beneficiary (you). And, neither Social Security Administration nor Medicare will ever telephone you to request information. Any such call that is received is, in fact, a scam.

Without giving any of your information to the scam caller, try to obtain the name of the person calling and his/her phone number. You should report all such calls to your local police department, county District Attorney's office and to your bank and/or credit card company especially if that information has been provided to the scammer.

To safeguard your information you should:

1. Refuse to give out any personal information over the phone, on the Internet or in person to any strangers. If you did not initiate the contact, be extremely skeptical when a stranger is requesting your information.
2. Take extra precaution when carrying your Medicare card in your purse or wallet. The Medicare number on your card is your Social Security number and, if lost, that information could be used to commit identity theft. For the same reasons, never carry your Social Security card with you.

If you think you or a loved has been scammed, you should immediately contact us and the following:

- **District Attorney's office**: Contact the consumer protection division. It is equipped to investigate consumer fraud and scams. The Santa Clara County contact number is 408.792.2880 and the San Mateo County contact number is 650.363.4636.
- **Local law enforcement**: File a police report of the scam and provide as much detail as you can to aid the investigation.
- **Your bank and credit card companies**: Inform them that your identity has been stolen and ask them to put a fraud alert on your accounts.
- **Credit reporting agencies**: Call at least one of the credit reporting agencies (Experian, Equifax or TransUnion) and have them place a fraud alert on your credit report.

Stay safe. Don't get scammed. Give information only if you have initiated the contact.

Podcasts of Linda Kramer and Deborah Radin's radio broadcasts concerning preventing elder abuse are available on our Website—www.kramerradin.com.

Charitable Gifting in 2013

The American Taxpayer Relief Act of 2012 (ATRA) extended the qualified charitable distribution (QCD) provisions for 2012 and 2013. A QCD is an otherwise taxable distribution from an IRA (other than an ongoing SEP or SIMPLE IRA) owned by an individual who is age 70½ or over that is paid directly from the IRA to a qualified charity. An IRA owner can exclude from gross income up to \$100,000 of a QCD made for a year, and a QCD can be used to satisfy any IRA required minimum distributions for the year. Also, the amount of a QCD excluded from gross income is not taken into account in determining any deduction for charitable contributions. ATRA does not guarantee this will be available in the future.

For those just attaining age 70½ as well as for those who have successfully surpassed this mark of maturity, this is something for you to consider along with your other planning.

We Are Pleased To Announce . . .

Jerome Galli has received the designation of “Certified Specialist, Estate Planning, Trust and Probate Law, State Bar of California Board of Legal Specialization”. This designation is bestowed upon attorneys who have demonstrated high competence in their area of law through evaluations by a panel of State Bar of California experts as well as high peer respect for their knowledge and practice of law. Congratulations, Jerome.

Betsy Marder Friedman, attorney at law, has joined our firm as an associate. She obtained her law degree from Golden Gate University School of Law. Betsy is an avid reader who also enjoys attending concerts and cooking at home. Her practice concentrates on estate planning. Welcome, Betsy.

Bogus Charities

IRS warns taxpayers to watch out for bogus charities and solicitors. Many fraudsters set up false websites, particularly after a horrific tragedy either of natural or human causes, and claim they are collecting money for the victims. You can get information about tax-exempt organizations, including those eligible to receive tax-deductible charitable contributions, at www.charitynavigator.org or www.irs.gov. In addition, you may verify an organization's tax-exempt status and eligibility to receive tax-deductible charitable contributions by asking to see an organization's IRS letter in which it is recognized as tax-exempt. You may also confirm an organization's status by calling the IRS (toll-free) at 1-877-829-5500.



'TIS SPRING

In the spring, at the end of the day, you should smell like dirt. -

Margaret Atwood

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- Inside this issue
- May Is "Older Americans Month" -----Page 1
- Medicare Scam Alert-----Page 2
- Charitable Gifting in 2013 -----Page 3
- We are Pleased To Announce . . . -----Page 3
- Bogus Charities-----Page 3

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