
TABLE OF CONTENTS

Introduction	1
I. What's New in 2018	
II. Options in Estate Planning	1
III. Steps in Estate Planning	4
IV. Taking Inventory	7
V. Preparing for Contingencies	10
PART I: PLANNING FOR YOUR OWN RETIREMENT	13
Chapter 1: Social Security and Medicare	15
I. Social Security Benefits	15
II. Medicare Benefits	21
Chapter 1: Test Your Knowledge	25
Chapter 1: Solutions and Suggested Responses	27
Chapter 2: Individual Retirement Arrangements (IRAs)	29
I. Traditional IRA	29
II. Converting from Any Traditional IRA into a Roth IRA	47
III. Distributions	51
IV. Acts That Result in Penalties or Additional Taxes	59
Chapter 2: Test Your Knowledge	63
Chapter 2: Solutions and Suggested Responses	65
Chapter 3: Employer-Sponsored Retirement Plans	67
I. Introduction and Overview	67
II. Simplified Employee Pension (SEP) Plans	68
III. SIMPLE Plans	74
IV. Qualified Plans	80
Chapter 3: Test Your Knowledge	97
Chapter 3: Solutions and Suggested Responses	99
Chapter 4: Variable Annuities	101
I. Overview: What Is a Variable Annuity?	101
II. How Variable Annuities Work	102
III. Final Considerations	108
Chapter 4: Test Your Knowledge	111
Chapter 4: Solutions and Suggested Responses	113
Chapter 5: Life Insurance	115
I. Overview	115
Chapter 5: Test Your Knowledge	125
Chapter 5: Solutions and Suggested Responses	127
PART II: ENFORCING YOUR WISHES AT DEATH	129

Chapter 6: Probate and Probate Avoidance Tools	131
I. Probate: An Introduction	131
II. Probate Avoidance	132
III. Probate Reform and Informal Probate	138
Chapter 6: Test Your Knowledge	141
Chapter 6: Solutions and Suggested Responses	143
Chapter 7: Drafting a Valid Will	145
I. Introduction and Overview of the Formalities of a Will	145
II. Special Issues Involved in Drafting a Will	150
III. Problems of Construction	154
IV. Changing and Revoking a Will	157
V. Types of Wills	159
VI. Types of Beneficiaries and Interests	160
VII. The Role of a Personal Representative	162
Chapter 7: Test Your Knowledge	167
Chapter 7: Solutions and Suggested Responses	169
Chapter 8: Spousal and Children’s Rights	171
I. Spousal Rights	171
II. Children’s Rights	179
Chapter 8: Test Your Knowledge	185
Chapter 8: Solutions and Suggested Responses	187
Chapter 9: Contesting a Will	189
I. Overview	189
Chapter 9: Test Your Knowledge	197
Chapter 9: Solutions and Suggested Responses	199
Chapter 10: Intestate Succession	201
I. Intestate Succession: An Overview	201
II. Rules of Distribution	207
III. Uniform Probate Code	208
Chapter 10: Test Your Knowledge	213
Chapter 10: Solutions and Suggested Responses	215
Chapter 11: Trusts and other Estate Planning Tools	217
I. Trusts: What Is a Trust?	217
II. Trust Creation	219
III. Types of Common Trusts	222
IV. Modification and Termination	228
V. Construction of Trusts	231
VI. Saving for Children and Education	232
Chapter 11: Test Your Knowledge	237
Chapter 11: Solutions and Suggested Responses	239

PART III: PLANNING FOR INCAPACITY	241
Chapter 12: Powers of Attorney	243
I. Introduction	243
II. Durable Power of Attorney	244
III. Statutory Power of Attorney Forms	247
Chapter 12: Test Your Knowledge	253
Chapter 12: Solutions and Suggested Responses	255
Chapter 13: Conservatorship and Guardianship	257
I. Conservatorship: An Overview	257
II. Guardianship	260
Chapter 13: Test Your Knowledge	265
Chapter 13: Solutions and Suggested Responses	267
Chapter 14: Medical Advance Directives	269
I. Overview of Options	269
Chapter 14: Test Your Knowledge	273
Chapter 14: Solutions and Suggested Responses	275
PART IV: TAX IMPLICATIONS OF DEATH	277
Chapter 15: Estate and Gift Taxes	279
I. Introduction	279
II. Estate Taxes: An Overview	281
III. Gift Tax	294
IV. Generation-Skipping Tax	301
V. State Death Taxes	306
Chapter 15: Test Your Knowledge	311
Chapter 15: Solutions and Suggested Responses	313
Chapter 16: Decedent's Final Tax Return	315
I. Final Return for Decedent	315
Chapter 16: Test Your Knowledge	325
Chapter 16: Solutions and Suggested Responses	327
Chapter 17: Tax Benefits for Survivors	329
I. Introduction	329
Chapter 17: Test Your Knowledge	341
Chapter 17: Solution and Suggested Responses	343

Chapter 18: Estate Planning Issues for Small and Family Businesses	345
I. Introduction: The Importance of Planning Ahead	345
II. Choice of Entity: Ease of Passing Business Interests Upon Death	346
III. Deferring Estate Tax Payments	353
IV. Special Rules for Family Farms and Other Small Businesses	354
Chapter 18: Test Your Knowledge	359
Chapter 18: Solutions and Suggested Responses	361
Appendix A: California Simple Will	363
Appendix B: IRS Form 706 and Instructions	379
Appendix C: IRS Form 1041 U.S. Income Tax Return for Estates and Trusts and Instructions	469
Glossary	517
Index	527
Final Exam Copy	529