

Estate & Financial Planning Council of Southern New Jersey



Member of the National Association of Estate Planners and Councils

IT TAKES A VILLAGE: A COLLABORATIVE APPROACH TO THE CLINICAL, LEGAL AND FINANCIAL COMPONENTS OF INTEGRATED ELDERCARE

EVENT CO-SPONSORS:



EFPCSNJ, SAMARITAN HEALTHCARE & HOSPICE, VIRTUA SENIORWISE CARE MANAGEMENT,

Thursday, February 25, 2016

The Mansion

3000 Main Street, Voorhees, NJ 08043

Moderator: Joseph G. Maniaci, JD, Maniaci, Ciccotta & Schweizer

Panelists: Adam Brodman, CLU, Regional Vice President, Prudential

Ethan Ordog, Esquire, Begley Law Group

Stephen Goldfine, MD, Chief Medical Officer, Samaritan Healthcare & Hospice

Alicia Kagan, Director of Public Benefits, Rothkoff Law Group

Nancy Carman, MA, CMC, Manager, Geriatric Care Management, Virtua SeniorWise Care Management

Time: This event will start at 7:45 am with a continental breakfast and dedicated time to network with your colleagues and visit the vendor tables. There will be two educational sessions with a break in the middle for additional networking. The event will end at 12pm with closing remarks and a prize drawing.

Registration Fee:

\$60.00

Current Sponsors:

LifeSpan Care Management

(Only 3 More Sponsorships Available)

Current Vendor Tables:

5 Star Senior Living, Cadbury at Home, Garden State Trust Company, Lichman Associates, LLC

(Only 10 more Vendor Tables Available)

For additional information please see Page : 9 (Registration form on Page 10)

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REMINDER...

- **3rd Annual Elder Care Legal Forum—** Thursday, February 25, 2016 details on page 9 Registration Form on Page 10
- **Have you renewed your EFPCSNJ Membership? If Not, Renew Today!** Additional information on page 7
- **EFPCSNJ Member Get a Member Program:** page 6
- **Mark Your Calendars!** EFPCSNJ 2015-2016 Meeting Schedule on page 3

LETTER FROM THE PRESIDENT

Dear Council Members:



I think we all secretly hoped Winter would pass us by this year. All through December it certainly seemed that might happen. But “Old Man Winter” has clearly arrived!

Your Board, especially incoming President Jamie Shuster Morgan and Immediate Past President Yasmeen Khaleel, have been working exceptionally hard with Tim and Abby and our Co-Sponsor Team from Samaritan Healthcare & Hospice on giving our February 25th Elder Care Forum a new and improved format. The title says it all— “It Takes a Village— a collaborative Approach to the Clinical, Legal and Financial Components of Integrated Eldercare”. The location for this year’s event is The Mansion in Voorhees. The registration cost is \$60 person and includes a continental breakfast.

Highlights of what you will experience are—CE’s for all of us and our friends in the nursing and social work professions connected with Samaritan Healthcare & Hospice; Two separate case studies analyzed in depth by a 4 person panel with extensive audience participation to help find the optimum solutions; Case 1 involves a family with very little money; Case 2 is the opposite and involves a family with significant money; 20 vendors for us to learn from; expanded Networking opportunities with our fellow professionals from the Health Care, Nursing and Social Work fields. Please mark your calendar to attend AND invite multiple colleagues to attend. This promises to be a highly interactive event will be well worth your time.

Other news/issues I want to bring to your attention are—

- 1) We have openings for 3 sponsors for the Elder Care Forum. Cost is \$500/sponsor. If you know of a firm that might be a good fit please call them and alert Abby or me. We will follow up.
- 2) All attendees will receive a Resource Directory of service providers for South Jersey. Ads are now being accepted for a quarter page and cost \$75. Please contact Abby. Her email address is: efpcsnjmbbrsvcs@bowermanagementservices.com
- 3) Our membership now stands at 94. We are hoping that with your help we will climb to 100 members or higher within the next month or two. We have one new member this month. Please keep on the lookout for prospective new members and invite them to our Elder Care Forum.
- 4) This newsletter now has an opening for an advertiser. Annual cost is \$475. First come first served! Contact Abby at email address: efpcsnjmbbrsvcs@bowermanagementservices.com
- 5) Looking beyond the Elder Care Forum our March 17th meeting topic is “Same Sex Partnerships” with our own Doug Fendrick, Esq. Please be sure to attend!

Lastly, final touches are being put on some revisions to our By-Laws that will allow and encourage new membership category for younger prospective members. Keep an eye out for it as we hope to have the final version to you for a vote on the proposed changes in our March 17th or May 19th meeting. Think Snow and Happy Shoveling!!

William S. Merriken, Jr., ChFC
2015-2016 Council President

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Director, R⁴ Strategic Planning



Glenn Mellin, CFS
Director, R⁴ Research & Analysis



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Professional estate planners can now achieve an accreditation that acknowledges their experience and specialization in estate planning.

The Accredited Estate Planner is available to attorneys, Chartered Life Underwriters, Certified Public Accountants, Certified Trust and Financial Advisors, Chartered Financial Consultants, and Certified Financial Planners®.

The AEP designation is a graduate level specialization designation which recognizes estate planning professionals who meet stringent requirements of experience, knowledge, education, professional reputation and character. It is awarded by the National Association of Estate Planners & Councils.

For more information contact Tim at EFPCSNJ@mail.com or 856-795-0551.

2015-2016 MEETING SCHEDULE

Educational Meetings are usually approved for 1.0 CFP & CPE credits.
Meeting registration and more information can be found at www.EFPCSNJ.org

Thursday, September 17, 2015

Topic: Business Succession Planning Panel and Case Study Discussion
Speakers: Don DiCarlo, JD, LLM, Glenn Henkel, JD LLM and Yasmeen Khlaeel, Esq.
Location: The Mansion on Main Street, Voorhees, NJ
Schedule: Breakfast 7:45 am.; Program 8:15–9:30 a.m.
Sponsors: Hempstead & Co and Merriken Financial

Thursday, November 19, 2015

Topic: Changed Your Domicile? Your Former State May Disagree
Speaker: Dave Kuchinos—Blank Rome
Location: Laurel Creek Country Club, 701 Centerton Rd., Mt. Laurel, NJ
Schedule: Breakfast 8:00 a.m.; Program 8:30-9:30a.m.
Sponsors: Fiduciary Advisors, Friedman, LLP, Surety Title
Do not miss this opportunity to sponsor an EFPCSNJ Event - Call 856-795-0551 Today!

Thursday, February 25, 2016

Topic: EFPCSNJ 3rd Annual Elder Care Legal Forum
“It Takes a Village: A Collaborative Approach to the Clinical, Legal and Financial Components of Integrated Elder Care”
Moderator: Joseph G. Maniaci, JD, Maniaci, Ciccotta & Schweizer
Panelists: Adam Brodman, CLU, Regional Vice President, Prudential
Ethan Ordog, Esquire, Begley Law Group
Stephen Goldfine, MD, Chief Medical Officer, Samaritan Healthcare & Hospice
Alicia Kagan, Director of Public Benefits, Rothkoff Law Group
Nancy Carman, MA, CMC, Manager, Geriatric Care Management, Virtua SeniorWise Care Management
Location: The Mansion, 3000 Main Street, Voorhees, NJ
Schedule: 7:45am—12:00 pm—Two Panel Discussions and Vendor Showcase
Sponsors: LifeSpan Care Management (*Only 3 sponsorships remaining*)
Vendor Tables: 5 Star Senior Living, Cadbury at Home, Garden State Trust Company, Litchman Associates, LLC
(*Only 10 more vendor tables available*)

Thursday, March 17, 2016

Topic: Same Sex Partnerships
Speaker: Douglas Fendrick—Fendrick & Morgan, LLC
Location: The Mansion, Voorhees, NJ
Schedule: Breakfast 8:00 a.m.; Program 8:30-9:30a.m.
Sponsors: Glenmede
Sponsorship Opportunities still available.
Do not miss this opportunity to sponsor an EFPCSNJ Event - Call 856-795-0551 Today!

Thursday, May 19, 2016

Topic: TBD
Speaker: Thomas Varley—PNC Delaware Trust Company
Location: Laurel Creek Country Club, 701 Centerton Rd., Mt. Laurel, NJ
Schedule: Breakfast 8:00 a.m.; Program 8:30-9:30a.m.
Sponsors: Sponsorship Opportunities still available.
Do not miss this opportunity to sponsor an EFPCSNJ Event - Call 856-795-0551 Today!

June 2016

Installation of Officers and Member Awards Dinner
Location: TBD
Join EFPCSNJ for the annual Awards and Installation Dinner.

INTERESTED IN SPONSORING AN EVENT?

Do not miss this opportunity to sponsor an EFPCSNJ Event - Call 856-795-0551 Today!
If you are interested in sponsoring an EFPCSNJ meeting in the 2015–2016 Meeting Year, please contact Abby Murray at 856-795-0551.

Converting a Sole Proprietorship to LLC

by

Martin H. Abo, CPA/ABV/CVA/CFF

There are a number of advantages to operating a business as a sole proprietorship. Sole proprietorships are easy to form and operate, there are few administrative burdens, and income and losses are simply reported on a taxpayer's Form 1040, without the need for separate return filings. We've also seen several disadvantages to this form of operation, but probably the most significant is that there is no limited liability for the owner as proprietorship status exposes your personal assets to the risks and liabilities of your business operation. Most states' statutes allow a sole proprietor to conduct business as a Limited Liability Company (LLC). Simply said, converting to a single member LLC and then treating it as a disregarded entity for tax purposes can be a relatively low cost way to cure this disadvantage without losing any of the advantages to operating as sole proprietorship. The intent is to provide a broader protection from liability.

The concept of the LLC statute is that the owner (technically referred to as a "member") does not have any liability for business debts solely by reason of being a member or owner. Of course, this does not relieve you, as the owner, of responsibility for personal actions nor for any debts personally guaranteed. But personal assets would be protected from claims arising because of ordinary business transactions. This liability protection could be particularly advantageous if you have employees working in the business, as their actions presently may expose the owner's personal assets. If this aspect of personal liability protection is of interest, your attorney should be consulted to more fully explore the protections that are relevant to each particular business situation.

Another attractive aspect of LLC status is that IRS regulations allow the owner to continue reporting for income tax purposes as a proprietor, despite forming an LLC entity under state law. Gaining the extra legal protection of an LLC entity will not entail any extra filing with the IRS.

Of course, there will be transaction costs to create the LLC. It will be necessary for the attorney to draft an LLC document to be filed with the state. The attorney can provide an estimate of this cost, as well as any initial or recurring fees that must be submitted to the state office. Also, if an owner conducts business as an LLC, it will be necessary to consistently use the LLC designation on business letterhead, the business checking account, business licenses, and the like. The owner or someone so delegated would need to go through the process of adding the LLC designation to the various contracts and documents under which business is conducted.

We at Abo and Company and Abo Cipolla Financial Forensics are obviously not attorneys but here are some of the type of questions we typically would like to see clients at least address:

1. Is the business such that it can operate as an LLC under state law in the proposed state of organization? Some states have limitations on the purposes for which an LLC can be formed. In addition since an LLC is a creature of state law, the converting business must adopt articles of organization and an operating agreement that conform to the requirements of the LLC statute in the state of organization. While we are told that most state LLC statutes provide a high degree of flexibility in how LLCs are organized and operated, there may be statutory constraints that make operation as an LLC
2. Will an additional member be added? If so, will the proprietor's share of the business's debts decrease in an amount that exceeds his basis in the LLC (requiring gain recognition)? In addition, gain could be recognized if a new member's contributed debt exceeds the basis of contributed assets and the debt becomes exculpatory.

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3. Does the proprietor have any secured creditors with respect to his business assets? If so, consent of the creditors may be needed to convert.
4. Will the proprietor be required to recapture losses under the at-risk rules? Although not usually a problem with a cash basis sole proprietor who is likely to be on the hook for everything put into the business, it is possible for the conversion to result in the former proprietor recognizing income due to required loss recapture under the at-risk rules if losses have been recognized in prior years.
5. Should clients or customers of the proprietorship be notified of the conversion? If the entity considering conversion to LLC status has secured creditors who can object to the transfer of assets, those creditors must be notified of the intended conversion and agree to it.
6. Will the conversion be subject to state or local transfer taxes perhaps trigger a reassessment of property taxes or subject the LLC to state taxes or fees that were not assessed on the sole proprietor? If the sole proprietor contributes assets to an SMLLC taxed as a disregarded entity, no transaction occurs for tax purposes, since he (she) is deemed to continue holding the assets as a sole proprietor. However, for state law purposes, the SMLLC holds title to the assets of the business after the conversion. If real estate is involved, it may need to be retitled and if the property is subject to a mortgage, the loan may need to be transferred to the SMLLC. Fees may have to be paid on such transactions. These are some of the significant nonincome tax considerations in planning for the conversion of an existing entity into an LLC and the cost of these nonincome tax considerations may be so prohibitive in some situations that the business contemplating conversion decides against it.

For example, we have been told that in some states a conversion may result in a reassessment of the business entity's property for property tax purposes. Additionally, some states charge a fee for recording the property transfer. They may also impose taxes and other costs on an LLC that don't apply to the proprietorship, such as annual filing fees, franchise tax, and other state taxes and fees. Further, many lenders charge a fee or require new appraisals (plus recording costs) for refilling liens and other legal documents in the new LLC's name.

7. Does the proprietorship have any intangible assets or agreements (such as franchises or patents) that must be re-registered or require the consent of a third party to transfer ownership?

In summary, the advantages of the liability protection from LLC status should be weighed against the initial legal and administrative costs of accomplishing the conversion. For many proprietors, the added liability protection will merit the costs of converting to LLC status, but this should be explored more fully with legal counsel



Martin H. Abo, CPA/ABV/CVA/CFF is a member of Abo and Company, LLC and its affiliate, Abo Cipolla Financial Forensics, LLC, Certified Public Accountants – Litigation and Forensic Accountants.

Martin can be reached at 856-222-4723, or online at www.aboandcompany.com

This article reflects the opinions of the author and not necessarily those of EFPC of SNJ.

Estate and Financial Planning Council

of Southern New Jersey, Inc.

Member of the National Association of Estate Planners and Councils

Member-Get-a-Member Contest

EFPCSNJ is announcing a great opportunity to get involved in the organization and help all of the members and meeting attendees become more successful. As you know, one of the most important benefits of EFPCSNJ is networking with other professionals that work in the same industry as you do. By increasing membership we will increase the opportunity for networking and that will help everyone increase their professional circle. Increased membership and meeting attendance will help in the sharing of industry best practices as well as increase the potential for business referrals.

Please Help EFPCSNJ Grow!!! **HERE IS HOW**

EFPCSNJ will be running a contest now through April 30, 2016. Any current EFPCSNJ member that recruits a new member will receive complimentary attendance at a future educational event in the 2015-2016 program year. The EFPCSNJ member who recruits the most new members will receive 2 complimentary tickets to the Installation and Awards Dinner where they will receive an award.

The process is simple:

1. Discuss EFPCSNJ and the great benefits you receive from being a member with your professional colleagues that meet the membership criteria (Trust Officers, Chartered Life Underwriters, Attorneys, CPAs, CFPs, CFCs and other qualified professionals who are primarily involved in the financial planning process). Once they are ready to join they simply need to go to www.efpcsnj.org and select "Application Form" on the left hand menu.
 1. They will need to complete the form and make sure to put that they are recommended by you for membership at the bottom of the online form.
- Once the application is received it will be reviewed and the EFPCSNJ Office will get back to them regarding the status of their application.

Please help EFPCSNJ grow so we can continue to help all of our members prosper.

Some information about EFPCSNJ:

The Estate and Financial Planning Council of Southern New Jersey (EFPCSNJ) was established in 1975 and serves our members by providing educational and networking opportunities throughout the year. Our members are Trust Officers, Chartered Life Underwriters, Estate Attorneys, CPAs, CFPs, Chartered Financial Consultants and other qualified professionals who are involved in the estate and financial planning process. We have approximately 125 members that service clients in the NJ counties of Camden, Burlington, Atlantic, Cumberland, Ocean, Salem and Cape May. Being a part of this group provides you educational opportunities, networking events and the ability to get continuing education credits if you are a CFP, CPA or lawyer registered in NJ or PA.

EFPCSNJ holds 5 educational events per year and has an annual Installation and Awards Dinner. The educational events are held in September, November, January, March and May and the dinner is usually held in early June. For a complete listing of events please visit www.efpcsnj.org.

For more information on the Member-Get-a-Member Contest please call Abby Murray at 856-795-0551 or contact her by email at efpcsnjmbbrsvcs@bowermanagementservices.com.



Estate and Financial Planning Council
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PO Box 460 • Collingswood, New Jersey 08108
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2015-2016 DUES RENEWAL

****There was no dues increase this year. EFPC-SNJ appreciates your past support****

Description	Amount
Individual Member @ \$150 *Discount Special \$135 until September 30th.	
Corporate Members – first 4 members @ \$150 *Discount Special \$135 until September 30th.	
Corporate Members – 5th member and more @ \$100	
Total	
<p>*Save \$15 on dues paid on or before 9/30/15 × \$150 for dues paid after 10/1/15 Please make check payable to EFPCSNJ and mail to: PO Box 460, Collingswood, NJ 08108 You can renew online and pay by credit card by going to the EFPCSNJ website (www.efpcsnj.org) and click "Member Renewal" on the left hand menu bar. You will need to log into the website as a member to renew</p>	

BENEFITS OF MEMBERSHIP

- Access to National web site and all its resources
- Quality speakers at the meetings
- Great networking opportunities
- Continuing education credits at every meeting
- Access to great resources through the membership directory

CONTACT INFORMATION

Member: _____

Nickname: _____

Discipline**: _____

Title: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

E-mail: _____

Website: _____

**Discipline:		
Attorney	Accounting	Financial Planning
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Other (please explain)		

SPECIALITY OR BRIEF DESCRIPTION _____

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For more information on our firm, contact
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or visit www.archerlaw.com.

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**EFPCSNJ ANNOUNCES THE 3RD ANNUAL
ELDER CARE LEGAL FORUM :
IT TAKES A VILLAGE: A COLLABORATIVE APPROACH TO THE CLINICAL, LEGAL AND
FINANCIAL COMPONENTS OF INTEGRATED ELDERCARE**



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Samaritan Healthcare & Hospice
Virtua SeniorWise Care Management**

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(Only 3 More Sponsorships Available)

Current Vendor Tables:

5 Star Senior Living, Cadbury at Home, Garden State Trust Company, Lichman Associates, LLC

(Only 10 more Vendor Tables Available)

Sponsorship, Vendor Tables and Directory Ads are still available:

\$500 for sponsorship includes a vendor table, 1/2 page ad in directory,

2 free registrations and the opportunity to address the attendees

\$250 for vendor table and & a quarter page ad in directory - 1 free registration

\$75 for directory quarter page ad only no free registrations

The Estate and Financial Planning Council of Southern New Jersey (EFPCSNJ), Samaritan Healthcare and Hospice, Seniorwise Care Management and Virtua are pleased to announce the date for the Third Annual EFPCSNJ Elder Care Forum. This years Forum will focus on the complete spectrum of Elder Care and will include case studies and panels that will highlight how all the disciplines Financial, Legal and Clinical act as a team to provide the best advice and knowledge for the client. This year we are expanding the discussions and the registration to include Social Workers, Nurses and Care Managers while still making sure we will stay focused on the Legal and Financial information that you have come to expect from this great event. We are applying for CFP, NJ CPE, NJ CLE, PA CLE, Social Worker CEU and Nursing CEU.

We expect between 80-110 professionals to attend this event and it provides you a great opportunity to network with other professionals. As we all know it takes a team of professionals to advise clients on the complicated issues related to Elder Care. This event will have a vendor showcase. We are expecting 20 companies to participate in the vendor showcase. They will be providing information on the services they offer in an informal setting. You can expand the professional resources available to you in one enjoyable night. This is a must attend event. At this event you can reconnect with old acquaintances as well and make new ones. You will solidify your current relationships and expand your professional circle by forming new relationships.

Please see the registration form for this must attend event on page 10. For information regarding Registration, Sponsorship and Vendor Table opportunities please call Abby Murray at 856-795-0551 or contact her by email at efpcsnjmbrrsvcs@bowermanagementservices.com.

Samaritan Healthcare & Hospice is an approved provider of continuing nursing education by New Jersey State Nurses Association, an accredited approver by the American Nurses Credentialing Center's Commission On Accreditation. P# 260-04/15-18.

Samaritan Healthcare & Hospice will award contact hours for these continuing nursing education activities. To complete an activity, the participant must attend for the length of the activity and complete and hand in the evaluation form.

DISCLAIMER: Accredited status does not imply endorsement by NJSNA, Samaritan Healthcare & Hospice or ANCC of any commercial products or services.

DISCLOSURE: All speakers have declared that they have nothing to disclose.

EFPCSNJ 3RD ANNUAL ELDER CARE LEGAL FORUM : IT TAKES A VILLAGE: A COLLABORATIVE APPROACH TO THE CLINICAL, LEGAL AND FINANCIAL COMPONENTS OF INTEGRATED ELDERCARE



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February 25, 2016 EFPCSNJ Meeting Registration Form

NAME: _____ Member ___ Guest ___

COMPANY: _____

PHONE: _____ EMAIL: _____

NAME: _____ Member ___ Guest ___

COMPANY: _____

PHONE: _____ EMAIL: _____

Registration Fee: \$60 Enclosed is my check for \$_____ payable to:

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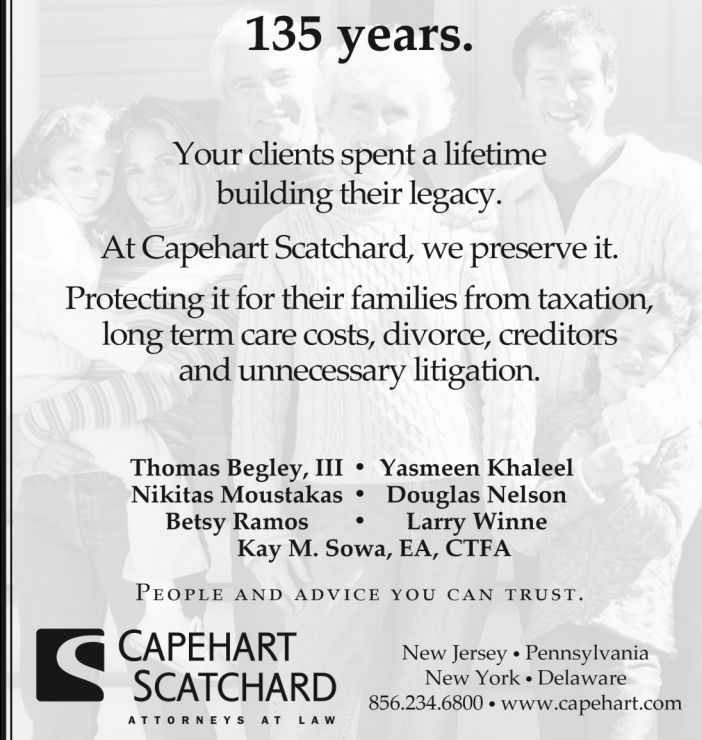
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Articles should be between 1,200 and 2,000 words
which is usually three to six typed pages.

Submissions should be sent as a word document to Abby Murray at
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