Estate & Financial Planning Council of Southern New Jersey



Member of the National Association of Estate Planners and Council

NOVEMBER 17, 2016 BREAKFAST MEETING "NEW REGIME FINANCIAL UPDATE"

Date:

Thursday, November 17, 2016

Location:

Laurel Creek Country Club 701 Centerton Rd., Mt. Laurel, NJ

Speakers:

Anne Bucciarelli, CFA - Bernstein Wealth Management

Renee Vidal, J.D. LL. M. - Flaster Greenberg

Moderator: Kip Schaefer - Bernstein Wealth Management

Time

8:00 am— Breakfast 8:30-9:30 am—Educational Program

This meeting is sponsored by:







For additional Information Please see Page: 7

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LETTER FROM THE PRESIDENT

Dear Council Members:



For those of you fortunate enough to have been in attendance for our first educational event last month, I am sure you will agree that our esteemed colleague **Glenn Henkel, Esquire**, did not disappoint! Glenn's presentation on New Jersey's adoption of a version of the Uniform Trust Code was artfully presented, and both timely and informative. Glenn, on behalf of the entire Council, we thank you for your thoughtful presentation. Please also join me in extending our sincere appreciation to **Sean Rice**, of **Gar-**

den State Trust Company, for being an exclusive sponsor for our first educational event of our year. Sean, we very much appreciate your commitment to the Council. Thank you!

Looking ahead, our next breakfast meeting will be held on November 17, 2016 at the Laurel Creek Country Club. Breakfast will begin at 8:00a.m., and our programming will get underway promptly at 8:30 a.m. For that event, we are thrilled to have Renee Vidal, Esquire, a Shareholder in Flaster Greenberg's Cherry Hill office, and Anne Bucciarelli, Vice President and Director at Bernstein Private Wealth Management, speak to us about the "New Regime." Kip Schaefer, Vice President and Financial Advisor, also with Bernstein Private Wealth Management, will be moderating. It's hard to know where to begin in promoting this event. With Election Day on November 8th, New Jersey's changes to the Estate Tax and the Gas Tax, and the Proposed Regulations to Section 2704, significant changes are on the horizon for all of us in the estate and financial planning world. By the time we attend our meeting on November 17^{th} , the election results will be in. Renee, Anne and Kip will speak to us about the significance of those results for us as estate and financial professionals. They will highlight planning opportunities for year-end and beyond. I look forward to seeing all of you there.

Of course, as you all know, Membership renewals are fully underway. As a whole, we have done an excellent job of remembering to get our renewals in. But, if any of you have been lax and not yet renewed, I encourage you to do so promptly so that you can take full advantage of all of the wonderful things the Council has to offer. I do not know any organization which offers such great networking and such relevant educational opportunities. We all have colleagues and friends who would benefit from Membership in our Council. Please consider bringing a colleague to our next breakfast event on November 17th. They are sure to be favorably impressed, and we would love to welcome new faces. If that is not enough incentive for you, just think about all the praise you will receive when you win the Member-Get-A-Member contest this year!

Finally, one more shameless plug for sponsorships!! Sponsorships are the key to our success. They make our educational events possible. We are almost sold out of sponsorship opportunities for the year, but we do have a few remaining. Please hop on the bandwagon NOW so that we can promote you and your organization ALL YEAR LONG! Or, if you want even more constant exposure and to be featured on each of our Newsletters, please consider becoming a Newsletter Sponsor. We need two new newsletter sponsors for 2016-2017! Again, the sooner you sign on, the sooner we can promote you in our Newsletters.

If you have any questions about sponsorship opportunities, Membership, the Newsletters or anything else, please always feel free to reach out to Abby Murray, Tim Bower, myself, or any one of our committed Board members. We are here to serve you.

Lastly, reminders: The New Regime on November 17^{th} , and join us for a new twist to our Elder Law Forum on January 19^{th} . Save the dates!!

Sincerely, Jamie Shuster Morgan, Esq. Council President



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

2016-2017 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 29, 2016

Topic: Update on Uniform Trust Code
Speaker: Glenn Henkel, JD, LL.M., CPA - Kulzer & DiPadova, PA
Location: The Mansion on Main Street, Voorhees, NJ
Schedule: Breakfast 7:45 a.m.; Program 8:15-9:30a.m.
Sponsor: Garden State Trust Company

Thursday, November 17, 2016

Topic: New Regime Financial Update

Speakers: Anne Bucciarelli, CFA - Bernstein Wealth Management, Renee Vidal, J.D. LL. M. - Flaster Greenberg

Moderator: Kip Schaefer - Bernstein Wealth Management

Location: Laurel Creek Country Club, 701 Centerton Rd., Mt. Laurel, NJ

Schedule: Breakfast 8:00 a.m.; Program 8:30-9:30a.m.

Sponsors: Mass Mutual Financial Group, Praxis Data Systems, UBS Financial Services, Inc.

Thursday, January 19, 2017

Topic: Dilemmas of Dementia - Elder Care Event
Speakers: An exciting line up of presenters will be announced shortly
Location: Laurel Creek Country Club, 701 Centerton Rd., Mt. Laurel, NJ
Schedule: Breakfast 8:00 a.m.; Program 8:30-9:30a.m.
Sponsors: Virtua SeniorWise Care Management
There are **Two** Sponsorship Opportunities still available

Do not miss this opportunity to sponsor an EFPCSNJ Event - Call 856-795-0551 Today!

Thursday, February 16, 2017

Topic: International Tax Consequences Here and Abroad
Speakers: Michael J. DeLaurentis, JD and Patrick McCormick, JD—Kulzer & DiPadova
Location: The Mansion on Main Street, Voorhees, NJ
Schedule: Breakfast 8:00 a.m.; Program 8:30-9:30a.m.
Exclusive Sponsor: Praxis Data Systems

Thursday, May 4, 2017

Topic: Able Act Accounts and Special Needs Trusts Speaker: Jane Fearn Zimmer - Rothkoff Law Group Location: Laurel Creek Country Club, 701 Centerton Rd., Mt. Laurel, NJ Schedule: Breakfast 8:00 a.m.; Program 8:30-9:30a.m.

eakiast 6.00 a.iii., Fiografii 6.50-9.50

Sponsor: Gelnmede

There are **Two** Sponsorship Opportunities still available Do not miss this opportunity to sponsor an EFPCSNJ Event - Call 856-795-0551 Today!

June, 2017

EFPCSNJ Installation and Awards Dinner Location: TBD

Schedule: 6:00 pm - 9:00 pm

Sponsors: Sponsorship Opportunities are Still available

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 $If you are interested in sponsoring an EFPCSNJ meeting in the 2015-2016 \ Meeting Year, please contact Abby Murray at 856-795-0551.$

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A CPA'S VIEW ON THE FEDERAL TAX ISSUES OF CLOSING DOWN THE ESTATE

Provided by

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

TO BE OR NOT TO BE (an Executor), THAT IS THE QUESTION

When a loved one dies, somebody must step up to the plate to handle all the resulting tax issues. It's pretty common knowledge that the executor's job is to identify the estate's assets, pay off its debts, and then distribute whatever is left to the rightful heirs and beneficiaries. The executor is also required to file any necessary tax returns and pay any taxes. Here's where CPA firms like Abo and Company can help (no, no - not to pay). If these duties are not handled properly, the IRS (and states) can potentially come after the executor personally for tax underpayments plus penalties and interest. So, the executor may decide to hire a pro (like us) to handle the tax issues. The same goes for many of our lawyer or financial planning colleagues, especially non-tax and estate planning attorneys, who will bring us in, working closely with them in attending to the many legal issues. That could be a smart move.

Responsibility 1: Filing the Decedent's Final Form 1040

The decedent's final Form 1040 covers the period from January 1 of the year of death through the date of death. The return is due on the standard date (i.e. 4/17/17 is the unextended filing deadline for someone who dies in 2016). If the decedent had a surviving spouse, the final Form 1040 can be a joint return filed as if the decedent were still alive as of year-end. In that case, the final joint return includes the decedent's income, deductions, and credits up to the date of death plus the surviving spouse's income, deductions, and credits for the entire year. So far, so good. Now it starts getting more complicated.

Electing Income Tax Deduction for Unpaid Medical Expenses. The executor can elect, for federal income tax purposes, to treat all or a portion of medical expenses that are paid out of the estate during the one-year period that begins on the day after the decedent's date of death as if they were paid at the time they were incurred. In other words, making the election creates the fiction that the expenses were paid when the related medical services were rendered. Therefore, making the election usually allows medical expenses paid within one year after death to be deducted on the decedent's final Form 1040. Making the election may allow deductions on a Form 1040 for an earlier year.

To claim a federal income tax deduction for medical expenses that were unpaid on the date of death, the executor must affirmatively waive the right to deduct those liabilities in determining the decedent's taxable estate for federal estate tax purposes. In effect, this election gives the executor two options:

- Option 1-make the election to claim the expenses as a federal income tax deduction and forgo a federal estate tax deduction.
- Option 2-forego the income tax deduction and instead claim a federal estate tax deduction.

When no federal estate tax is due (the most likely situation thanks to the relatively generous federal estate tax exclusion amount of \$5.43 million for 2016, Option 2 has no value. So if Option 1 would result in income tax savings, the Option 1 election should be made. On the other hand, Option 2 is usually the correct choice when there is a taxable estate because the federal estate tax is assessed at a flat 40% rate. The maximum individual federal income tax rate is "only" (yeh, right) 39.6%. Medical expenses deducted on the federal estate tax return (Form 706) are unaffected by the applicable percent-of-AGI deduction threshold (either 7.5% or 10%) that applies for federal income tax purposes. Finally, the increased income tax liability from not deducting the medical expenses for income tax purposes will reduce the taxable estate. For all these reasons, the election to forego an estate tax deduction in favor of an income tax deduction (Option 1) is generally appropriate only when there is no federal estate tax liability.

Quick note. When medical expenses paid by the estate are deducted for federal income tax purposes under the Option 1 election and are subsequently reimbursed thanks to health insurance or Medicare coverage, the reimbursements must be reported as income on the estate's federal income tax return. The reimbursements must also be included in the decedent's gross estate for federal estate tax purposes

Responsibility 2: Filing the Estate's Federal Income Tax Return

The executor may also have to file one or more federal income tax returns for the estate on Form 1041 (U.S. Income Tax Return for Estates and Trusts). Essentially, what happens here is that once an individual has died, any income generated by his or her holdings after death is now part of the estate. The estate's initial federal income tax year begins immediately after death. The tax year-end can be December 31 or the end of any other month that results in an initial tax period of 12 months or less. The executor must file the initial Form 1041 by the 15th day of the fourth month after the estate's tax year-end (adjusted for weekends and holidays). For a person who dies in 2016, the deadline is 4/17/17 if the "standard" December 31 tax year-end is chosen for the estate.

However, if the estate has gross income below \$600, there is no need to file Form 1041. There is also no need to file Form 1041 when all of the decedent's income-producing assets bypass probate and go straight to the surviving spouse or other heirs by contract or operation of law. This is

Twhat happens, for example, with real estate owned jointly with right of survivorship, retirement accounts and IRAs that have designated account beneficiaries, and life-insurance proceeds paid directly to designated policy beneficiaries.

Responsibility 3: Filing the Estate's Federal Estate Tax Return

The federal estate tax return is filed on Form 706 (United States Estate Tax Return). Assuming the decedent did not make any taxable gifts before dying, no federal estate tax is due and no Form 706 is required-unless the gross estate exceeds the basic exclusion amount (\$5.45 million for 2016). The taxable estate exceeding the exclusion amount is taxed at a flat 40% rate. Taxable gifts are those made during a year to a single individual in excess of the annual gift tax exclusion amount for that year (\$14,000 for 2013-2016; \$13,000 for 2009-2012; \$12,000 for 2006-2008; \$11,000 2002-2005; \$10,000 for years prior). If taxable gifts were made, the excess over the applicable annual exclusion amount is added back to the estate to see if the taxable estate exceeds the basic exclusion amount.

If Form 706 is required, it is due nine months after death, but the deadline can be extended for six months by filing an extension request using Form 4768.

Responsibility 4: Filing a Federal Estate Tax Return to Make the Portability Election

Abo and Company sent an email alert earlier in the year where we advised that the executor can make an election to transfer a married decedent's unused exclusion amount to the decedent's surviving spouse. This election is commonly called the portability election. A decedent can have an unused exclusion amount in two situations: (1) the decedent's gross estate is valued at less than the exclusion amount; or (2) the gross estate is larger than the exclusion amount, but a marital, charitable, or medical expense deduction is claimed on Form 706, resulting in a taxable estate that is less than the exclusion amount. If the executor makes the portability election, the surviving spouse can add the decedent's unused exclusion amount to the surviving spouse's own exclusion amount and then use the increased exclusion amount to shelter lifetime gifts by the surviving spouse and bequests after his or her death.

Making the portability election requires the executor to file a Form 706. Fortunately, executors of estates that are not otherwise required to file Form 706 can usually use a simplified Form 706 filing procedure.

Responsibility 5: Filing the New Basis Consistency Reports

Executors of affected estates (generally those large enough to owe federal estate tax) must now provide the IRS and beneficiaries who inherit assets with so-called basis consistency reports using new Form 8971 (Information Regarding Beneficiaries Acquiring Property from a Decedent). This new reporting requirement is an attempt to ensure that heirs use the Fair Market Value as reported on the Form 706 to determine their basis in inherited assets for federal income tax purposes.

The new basis consistency reporting requirement potentially applies to property reported on Form 706 filed after 7/31/15. While the IRS postponed the initial deadline for filing Form

8971 (due 30 days after the 706) three times so far, to our knowledge, as of the writing of this alert, the day of reckoning came with the last postponement to 6/30/2016.

Responsibility 6: Handling Miscellaneous Tax-related Details-Before filing Form 1041 and/or Form 706, the executor will need to obtain a federal employer identification number (EIN) for the estate. The fastest way to do this is online at irs.gov. Next, the executor should file Form 56 (Notice Concerning Fiduciary Relationship) to notify the IRS that he or she will be acting on behalf of the estate regarding federal tax matters. Then, it's time to open a checking account in the name of the estate with some funds transferred from the decedent's accounts. The executor has the legal power to do this, but it's important to use the estate's EIN to open the account. The executor can then use the account to deposit estate income and to pay the estate's expenses.

Conclusion

Even after handling all the aforementioned tasks (or delegating some or all of them to a pro like us), the executor's work (and our work) might still not be done. State income tax returns for the decedent and the estate may have to be filed along with a possible state inheritance tax return too. Yikes! As they say, no good deed goes unpunished. Apparently, this truism was aimed at executors (among others). We mentioned in an email alert a year or so back, that one of our technical subscriptions provided what we believe is an excellent checklist of an executor's major responsibilities. For each item, there's space to indicate who is primarily responsible for completing the task (e.g., the executor, CPA, attorney, etc.). If you would like to receive a copy, please just send us a quick email.



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.

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EFPCSNJ NOVEMBER 17 2016 BREAKFAST MEETING "NEW REGIME FINANCIAL UPDATE"

Date: Thursday, November 17, 2016

Location: Laurel Creek Country Club, 701 Centerton Rd., Mt. Laurel, NJ

Speakers: Anne Bucciarelli, CFA - Bernstein Wealth Management

Renee Vidal, J.D. LL. M. - Flaster Greenberg

Moderator: Kip Schaefer - Bernstein Wealth Management **Time:** 8:00 am— Breakfast, 8:30-9:30 am—Educational Program

Section 2704 Proposed Regulations and the election results, may have a profound impact on estate and wealth planning. The proposed regulations may mitigate or eliminate the wealth transfer benefits of utilizing valuation discounts. The current political environment and election outcomes have created uncertainty and opportunity. Bring a colleague or client to learn more about the issues and what's at stake, the presentation will include:

- An overview of the proposed regulations (including New Jersey Gas Tax)
 - What they mean for clients and practitioners
 - Planning opportunities for year-end and beyond
 - Wealth planning implications

EFPCSNJ Members - \$30.00 Non-Members - \$40.00

This meeting is being sponsored by:







We are applying for this meeting to qualify for the following CE credits: 1.0 CPE credit (for CPAs), 1.0 CFP credits, NJ & PA CLE credits Thank you to our CLE Sponsor:



November 17, 2016 EFPCSNJ Meeting Registration Form

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ONLINE REGISTRATION OPTION: Register online at the EFPCSNJ website (www.efpcsnj.org) and pay with a credit card.

This option is fast, easy, secure and convenient

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SAVE THE DATE FOR THE EFPCSNJ JANUARY 19, 2017 BREAKFAST MEETING

" DILEMMAS OF DEMENTIA—ELDER CARE EVENT"

Date: Thursday, January 19, 2017

Time: Breakfast - 8:00 am, Educational Program - 8:30 am - 10:00 am

Note-This will be a 90 minute Program

*****Location: Laurel Creek Country Club, Centerton Rd, Voorhees, NJ*****

Speaker: The presenter(s) will be announced shortly. Stay Tuned!

EFPCSNJ Members - \$30.00 Non-Members - \$40.00

Sponsor:



Virtua Senior Wise Care Management

There are **two** sponsorship opportunities left for this event.

Please contact Abby Murray at 856-795-0551 for additional information.

We are applying for this meeting to qualify for the following CE credits: 1.0 CPE credit (for CPAs), 1.0 CFP credits, NJ & PA CLE credits Thank you to our CLE Sponsor:



January 19, 2017 EFPCSNJ Meeting Registration Form

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- An active link to your web site on the sponsor's page of the Council's web site.

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For more information contact
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Or
856-795-0551

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Estate and Financial Planning Council

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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, 2017. Any current EFPCSNJ member that recruits a new member will receive complimentary attendance at a future educational event in the 2016-2017 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 of 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 efpcsnjmbrsvcs@bowermanagementservices.com.



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2016-2017 DUES RENEWAL

Description	Amount
Individual Member @ \$170	
Corporate Members – first 4 members @ \$170	
Corporate Members – 5th member and more @ \$120	
Total	

\$170 for dues paid after 10/1/16

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 your membership. Please call 856-795-0551 for assistance.

Please make check payable to EFPCSNJ and mail to: PO Box 460, Collingswood, NJ 08108

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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:		
	State:Zip:	
Phone:	Fax:	
E-mail:		
**Discipline:		
Attorney	Accounting	Financial Planning
Insurances	Reverse Mortgage Consultant	Trust Officer
Other (please explain)		

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2016-2017 Council Executive Board



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Council Sponsorship

Becoming a Council sponsor is a great way to support the Council and promote your company's commitment to the financial services profession.

GOLD SPONSOR - \$475

- ~ A 1/4 page ad in every newsletter.
- ~ A link to your company's web site on the patrons page of the Council's web site.

MEETING SPONSOR - \$400

- ~ Company name on all meeting notices.
- ~ Attendance for 2 at the event.
- ~ Display of materials promoting your firm.
- ~ Verbal recognition at the event.
- ~ Multiple sponsors for the event
- Honorary membership in the Council for current membership year.

For more information contact Abby Murray at:

efpcsnjmbrsvcs@bowermanagementservices.com Or 856-795-0551

Tim Bower, CAE

Executive Director

PO Box 460 Collingswood, NJ 08108

Phone: 856-795-0551 Fax: 856-210-1619

Estate & Financial Planning Council of Southern New Jersey

Membership Application

Apply online at www.EFPCSNJ.org

Apply online at <u>www.EFPCSivj.org</u>
Name:
Title:
Company:
Address:
Phone: Fax:
Email:
I am actively engaged in the estate and/or financial planning profession in county
for years.
I hold a license or designation/certification and am a member in good standing in the following:
Attorney CPA CFP ChFC CLU
CTFA or qualified professional employed in tax, trust or estate practice by a financial services firm.
Or I have a certification/designation.
My area of discipline(s): Accountant Attorney Financial Planner
Reverse Mortgage Consultant Insurance Trust Officer
Or: I have been involved in this industry as:
Or I would like to apply to be a member of EFPCSNJ under one of the following NEW non-voting member catego-
ries:Student (\$25 annually) For students attending undergraduate or graduate programs)
Faculty (\$40 annually) For University/College faculty
Young Professional (\$75 annually) For young professionals 35 years of age or less that do not have the nec-
essary credentials or experience but are working towards full membership
Associate Member (\$195 annually) for people that provide services to the clients of EFPCSNJ members but
do not have the necessary designations to become a full member and are not primarily involved in the financial planning process. Associate Members are offered a \$100 discount on one EFPCSNJ Breakfast Meeting Sponsorship.
Signature: Date:
Recommended by Member:
(please print)
Signature of Member:
Membership cost: \$170 per year. You can also submit your membership application online at www.efpcsnj.org. Corporate membership is available.
More information can be found at www.EFPCSNJ.org .

Tim Bower, CAE

Executive Director

PO Box 460 Collingswood, NJ 08108

Phone: 856-795-0551 Fax: 856-210-1619

Estate & Financial Planning Council of Southern New Jersey

www.EFPCSNJ,org

Member of the National Association of Estate Planners and Councils

Council Executive Board

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Call for Articles

Please consider submitting an article for inclusion in future newsletter issues. We are now seeking articles for the EFPCSNJ newsletters.

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 efpcsnjmbrsvcs@bowermanagementservices.com.

This is a great way to get involved with EFPCSNJ and to share knowledge and information with the rest of the members.

To view recent newsletters please visit the EFPCSNJ website (www.efpcsnj.org) and go to Documents.