



October 2010

CHUBB REPORT

WHAT'S GOIN' ON BY WAYNE CHUBB

Let's see –the leaves are turning in the Sierras, there's a chill in the air (it's been over 100 twice this week), and my beloved Browns are only three games out of 1st – it must be October! That means that the holidays are upon us, starting with Halloween – more on that later. I apologize that this is a little late – it means you have missed the **Loomis Eggplant Festival** and the **Tracy Dry Bean Festival**. Sorry.

The weekend of Oct 9 offers several fun events that require a drive. The first is **WhiskyFest**, a celebration of all things malt at the SF Marriott. It is sponsored by Malt Advocate, a rather pretentious magazine that this month features good bargain whiskeys. Interestingly, the event costs \$110 bucks to learn about them. Less expensive, and the event we'll probably attend, is **ArtCar Fest** in Berkeley. When the words "art" and "Berkeley" are combined with cars ... well, you get the idea. Would you prefer red wine and chocolate? The **Fall Chocolate and Wine Festival** is held Oct 9 in Oakhurst, just outside Yosemite – a great spot this time of year. The **Auburn Wine and Food Festival** in downtown Auburn offers more great foothill wines and cuisine on the 9th. I'll probably stay a little closer to home, though, as the **Sacramento Gem Fair**, at the Scottish Rite Temple October 8-10, is a great place to start your Christmas shopping.

The 3rd weekend of the month is a bit quieter this year than in the past, but you can wear your brocade and tights this month on the 16th and 17th in Folsom at the **Folsom Renaissance Faire** – practice up on the Queen's English. Head east to the **Art and Wine Festival** in Placerville for some of the foothill's best wineries on the streets of Placerville on the 16th, or stay in town that day and head to Cal Expo for **Octoberfest** and the light drink and fare that my fellow Germans are known for.

The weekend of Oct 23-24 jump starts the Halloween season. Get a fast start on losing your holiday weight and enjoy the fall colors at the **Run Through the Colors 5 and 10K** runs on the 24th in Nevada City, then head across the (state) border to Genoa, Nevada's oldest town, to start Halloween with the **Haunted Genoa**

Cemetery Walk and the **Kit Carson Trail Ghost Walk** in Carson City. Both feature period characters and some of the west's most colorful history, as well as the possibility of an other worldly experience or two. For closer ghosties, the **Maines Haunted Mansion** at 25th and I St downtown is open this year on the 22nd-24th, and the **Mansion After Dark** night time tours of the allegedly haunted Governor's Mansion here in town will be on the 29th this year.

The last weekend of the month mostly belongs to the kids. New this year is **Halloween in the Park** at the Marshall Gold Discovery State Park in Coloma, with hay rides, surprises in the cemetery, and other historic fun. **The World's Largest Corn Maze** is open all month in Dixon, as is the **Pumpkin Maze** (also featuring a pumpkin catapult with a ¼ mile range – way cool!) in Lathrop. **Fairytale Town's Safe and Super Halloween** is a great way for the kids to start the season, Oct 22-24. Google 'Safe and Sane Halloween Sacramento' for alternatives like **Boo at the Zoo**, a chance to trick or treat with the animals, on both the 30th and the 31st. Leave the kids at home, though, for the **Exotic Zone Ball** at Cal Expo on the 30th, along with your inhibitions and most of your costume.

There are two great kids events that go on over several days, especially if they are train nuts – and what kid isn't? The first is the **Sacramento Valley Live Steamers Haunted House**, where you ride a miniature train to one of the best done haunted houses in Sacramento, at Hagen Park in Rancho Cordova beginning Oct. 9. Check the SVLS website. The second is the **Spookomotive Train**, the steam train that runs out of Old Sac along the river and is specially decked out for Halloween, starting on the 16th.

Hey I know what I'll be for Halloween! It's crazy, unexpected, something you rarely see...I'll either be a sane and sensible political commentator, a robust economy, or a Cleveland Brown in the playoffs. Not sure which.

How to Preserve Your Social Media Accounts After Death.....BY HEATHER CHUBB

By now you should know that I strongly believe that estate planning means so much more than just avoiding taxes and planning for death. Instead, it's about preserving your "whole family legacy," which includes family values, traditions, and memories, should something unexpectedly happen to you.

To that end, your memories are priceless treasures that you've spent a lifetime trying to preserve. Years ago, you would have kept a shoe box of pictures under the bed or a trunk in the attic, but in today's tech-savvy world, social media has taken their place.

More and more people are using social media sites such as Twitter and Facebook to record important memories such as the birth of a baby, a child's graduation, a wedding, and so much more. What makes this option so special is that it allows the owner of the social media account, along with friends and family to post comments and other valuable insights on each post.

Social media accounts serve as a cache for photos and videos--all of which are incredibly valuable to your family. Doesn't it make sense, then, that you include a plan to preserve the memories hosted on your social media accounts along with the rest of your family's legacy? Even though we are still at the dawn of what social media will become, the major platforms are already beginning to address the issue of how to handle social media accounts when the owner passes away. Here are a few examples:

Twitter

Twitter recently adopted a policy (go to the Twitter Help Center for more info) to handle ownership of a deceased user's account. The process requires the following information:

1. Your full name, contact information (including email address), and your relationship to the deceased user.
2. The username of the Twitter account, or a link to the profile page of the Twitter account.
3. A link to a public obituary or news article.

Once you provide Twitter with these three things, you can either request that the deceased user's account be deleted or receive an archive of all of the deceased user's tweets offline.

Facebook

Facebook has a unique feature where they will memorialize the profile of a deceased account holder. When a profile is memorialized, only current "friends" will be able to see it. The profile remains active, however, so that friends can leave messages on the wall in remembrance.

To have someone's profile memorialized, go to the Facebook Help Center and you'll be able to submit a request. You can also request that the decedent's account be deleted using this form.

LinkedIn

LinkedIn has a simple Verification of Death form, which is easy to complete. You can find this form and the information required to close the account at the LinkedIn Customer Support Center. You can opt to submit the form either online or via fax. You will need to know the account holder's email address used on the account, which is used to verify the person's identity.

As with all other aspects of estate planning, it's important to discuss what you want to happen to your online profiles with your estate planning attorney, so your wishes can be documented in writing.

If you're ready to get started putting together an estate plan that protects and preserves your *entire* legacy, call us today at 916.635.6800 to schedule a Peace of Mind Planning Session. Mention this article, and we'll waive the fee--normally \$750. We can only do 8 of these sessions a month, so call today to schedule yours!

Written by Heather R. Chubb, Life Transition Lawyer, speaker, mom and Sandwich Generation Kid. Heather makes it easy for your family to talk about and plan for tough subjects like money, death and taxes, caring for your parents and other life transitions. Visit her online at www.chubblawfirm.com and www.sandwichedmom.com.

Lot of Thank Yous



Thank you to everyone who donated to **Zach Hatch's Eagle Scout project**. He was blown away by your generosity and our military men and women thank you, too.

Thank You for Your Referrals

There is no question that I have the best clients on the planet. My business is built on word of mouth advertising and I'd like to thank the following people who were kind enough to recommend my services to their friends and family. Thank you soooo much!

Ed Melia
Suzy Parmeter
Carroll Dudley
Medi-Cal Regulations Specialists



Significant Other Dies, Woman Kicked Out of Own Home.....BY HEATHER CHUBB

Bob and Alice met later in life and were the apple of each other's eye. While they never married, they were together for more than 20 years. During that time they did many of the things that long time married couples do, including pooling their money to build their dream home. Bob liquidated some stocks and Alice sold her home to make the dream happen. They put both names on the deed and agreed that it was their home.

Sadly, Bob died recently after a short illness. And that is when the trouble started. Soon after Bob's memorial service Alice received a call from Bob's niece Susan. Susan wanted to talk about the house, specifically when they were going to sell it so she could get the money out of her share. Alice was stunned and upset. She had planned on living in the home for the rest of her life and couldn't believe that Susan could be so uncaring.

Alice was aware that Bob was going to leave his estate to Susan, since a number of years before they went to a lawyer who drew up their wills. They both met with the lawyer and both were aware of what the other was doing. But Alice never thought that what she worked so hard for could be taken from her so coldly.

Susan was adamant that the house be sold. Alice tried to figure out a way to buy out Susan, but all her funds were tied up in the house. It was her nest egg. And while the home was free and clear, her modest retirement income was not enough to allow her to qualify for a mortgage large enough to fund the buy out. Susan was unmovable on the subject of Alice living in the home. Frustrated, Alice put the home up for sale and sold it 6 months later. The day she moved out Alice felt like a beaten woman; her happy memories of her life with Bob were tarnished. Her dream was gone.

How could this happen? Alice felt like she and Bob did all the right things. They put both names on the house and went to a lawyer to get things taken care of. They had wills in place. While we will never know exactly why this plan failed, we can explore some of the possibilities.

Not working with the right kind of lawyer. It is unfortunate that when asked if they can draft a will many lawyers will say 'yes'. And because of the ready availability of software the drafting is easy (and you can do it, too! There are plenty of online and do-it-yourself options out there). But creating documents is one thing, and understanding the nuances of estate planning and how those documents relate to your situation is quite different. So if the lawyer just dabbles in estate planning occasionally drafting a will, trust or power of attorney, or if he is doing it as a favor it is very easy to miss some really big issues that will have a detrimental impact on you and your loved ones.

You hire a lawyer for their skill and knowledge in a particular area and because they know more about it than you do. When it comes to wills and trusts, to get the most for your hard earned money, the lawyer you hire must be able to do more than create documents. She must understand the possible outcome of the proposed planning, must understand how the law fits your situation and communicate it to you. You should be able to rely on the lawyer to raise the questions that you didn't think of and give you additional information. You want a trained professional to guide you through the process and fill in any holes or blanks.

You don't want a lawyer that just drafts whatever you ask them for without educating you and counseling you that there are, or may be, other options. In Bob and Alice's case I wonder whether their lawyer ever really looked at the situation and the assets involved. Did he discuss the possible outcome of the course Bob had chosen? Did Bob realize that leaving his share directly to Susan would result in the sale of the house? Did Bob think that Susan would be kind and let Alice remain in the home for as long as she wished?

Not knowing the right questions to ask. It's not the client's job to go to law school. Bob and Alice were not educated in the area of estate planning and didn't know what they didn't know. You hire a skilled professional like a lawyer because you do not have the skill and knowledge to tackle the problem yourself. You should expect this professional to not only be well educated on the particular area of law, but to identify any issues that your situation may create.

In order to fulfill this expectation however, you must hire the right professional. You would not go to a family practice doctor to treat a heart condition. Neither should you go to just any lawyer for life transition planning. You want a lawyer that has a process in place to get the job done, but you also want a lawyer that will take the time to answer all your questions, even the one's you didn't know you had. You want a lawyer that will keep in touch with you over the years to ensure that your plan will stand the test of time and the changes that life and the law throw at you. You want a good communicator that you can rely on to answer your quick questions and not nickel and dime you to death.

If you have a plan in place and aren't sure of what it does or if you just want a review to make sure you understand all its nuances, we'd be happy to help. Call us today to schedule an Estate Plan Review meeting. Mention this article and we'll waive the fee—normally \$950. We can only do 4 of these sessions a month, so call today to schedule yours!

Written by Heather R. Chubb, Life Transition Lawyer, speaker, mom and Sandwich Generation Kid. Heather makes it easy for your family to talk about and plan for tough subjects like money, death and taxes, caring for your parents and other life transitions. Visit her online at www.chubblawfirm.com and www.sandwichedmom.com.



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Wayne recently celebrated his birthday and I made him the best chocolate cake ever! It was a Martha Stewart recipe, which means it was complicated, but sounded so delicious I had to try it. It took me 3 hours on a Saturday afternoon to make this cake and I kept wondering if I would ever finish. I didn't have the right size cake pan, but figured I could turn a 3 layer cake into a 2 layer cake easy enough. Wayne loves chocolate and this cake was right up his alley. It called for almost 1-1/2 pounds of the delectable stuff! But that's not all, it also had a caramel sauce and chocolate crispies made by coating Rice Crispies with milk chocolate. It turned out gorgeous, delicious and well worth the time (and the mess I made of the kitchen).

The best part (besides eating it) was taking this cake to a bbq and sharing it with our friends.

We had a wonderful evening with the perfect set up. Two sets of friends have adjoining yards so when it came time to eat, the kids (9 in all) were in one yard and the adults enjoyed ourselves in the other. A perfect fall evening!

All my best,

P.S. Didn't get your September newsletter? Don't feel left out. We were so busy at the end of August with the start of school, end of vacation and just general laid back summer feel, that we couldn't pull the newsletter together in time.

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