HOGE ▪ FENTON

TAX/TRUSTS & ESTATES INFORMATION

Hoge Fenton Resources

- 13 Tax Reduction Strategies That May End Soon
- New PPP Forgiveness Applications and Rules Available
- New Law Makes PPP Loans More Flexible for Borrowers
- Reopening California - Resources
- Webinar Recording - Notarization Alternatives
- Notarization Alternatives for California Estate Plans in the Age of COVID-19
- Wealth Planning Opportunities in Tough Times
- Managing the Assets of Family who Passed Due to the COVID-19 Coronavirus

08.21.2020 | Firm Post

The pandemic and current political environment are disruptive. However, low interest rates combined with looming reductions in estate tax benefits have focused estate planners on significant opportunities for wealth transfers. As with most opportunities, these benefits will not last very long.

The Current Situation

In 2020, an individual who passes away with less than $11.58 million of assets is likely to avoid the 40% federal estate tax. However, the prospects of maintaining this historically high estate and gift tax exemption are grim. The post COVID-19 relief packages must be funded and income tax revenues are declining. A new administration will be looking for ways to pay for those stimulus payments and will likely consider lowering the estate tax exemption. If Republicans lose the White House and the Senate, and Democrats retain control of the House of Representatives in 2020 elections, the estate tax exemption is expected to be substantially reduced. In any event, under current law the estate and gift tax exemption will be lowered in 2026 to around $6 million ($5 million adjusted by inflation), and it seems likely other estate and gift tax planning tools may be severely limited or eliminated. As explained below, other revenue raising proposals eliminate or severely limit the use of other common planning tools.

Historically low interest rates also offer a once in a lifetime opportunity to shift assets and future appreciation to family members. Federal interest rates are used by the government to determine the minimum interest required to be charged in inter-family loans and to value gifts in certain common planning vehicles used to shift appreciating assets to future generations. Interest rates are certain to increase in the future, so it is a good time to make loans and set up certain wealth-shifting trusts.

13 Strategies to Reduce Taxes

This article discusses 12 strategies to take advantage of the current opportunities before they are lost.

What You Can Do

An individual who wishes to avoid or minimize future estate tax has three basic tools: (1) give away assets at no or low gift tax cost before they appreciate by using available tax exemptions, (2) lower the gift and estate tax value of assets transferred or assets remaining in their estate; and, (3) leave assets to charity. All estate tax planning tools use one or more of these concepts. Below are some tried and true ways to reduce or perhaps eliminate a future estate tax.

Use Current Exemptions to Make Tax-Free Transfers

1. **Use the high $11.58M lifetime estate and gift tax exemption now.** Wealthy individuals should consider using their exemption to remove assets from their estate before the exemption is reduced. The IRS has indicated that the use of high exemptions now will not be lost or “clawed back” if death occurs later when the exemption is lower, so there seems to be little risk to using this opportunity. The high exemption can be used to shelter simple gifts, gifts to trusts or in conjunction with some of the other tools set forth below.

2. **Use the annual gift tax exclusions.** This year an individual can make annual gifts of up to $15,000 in value to any number of people without having to file a gift tax return on the transfers. A married

couple can give away $30,000 to as many people as they wish this year without any tax consequence to them or the recipients of the gifts. These gift tax exemptions may be reduced in the future.

3. **Pay educational or medical expenses for family members.** Tuition payments made directly to an educational organization on behalf of a person, and payments for a person's medical care made directly to the provider are not treated as taxable gifts. This gift tax exclusion is in addition to the annual gift exclusion. In some cases it may be allowable to prepay tuition expenses and have that prepayment qualify. This technique removes value from an estate without using any of the $11.58M lifetime exclusion.

4. **Combine the $11.58M Gift Exemption with the high generation-skipping transfer (GST) tax exemption.** The purpose of the GST Tax is to limit the government's estate tax loss if wealthy individuals make gifts to grandchildren or other younger generations and bypass their children. The GST is an added estate tax on such “skip” gifts. Each individual currently has an exemption from GST equal to the estate exemption and can shield $11.58 million worth of transfers to grandchildren (and other people 2 or more generations below the individual) from the GST tax. The exemption is scheduled to decrease in 2026 and may be reduced or altered sooner. Individuals with significant wealth may take advantage of the high GST exemption during life by making gifts to grandchildren, or setting aside property in irrevocable trusts for grandchildren (or for children and ultimately for grandchildren). A “dynasty trust” extends the shelter of the GST exemption and holds assets for the benefit of multiple generations for the maximum period permitted by law. If structured correctly, there would be no future gift, estate, or GST tax assessed on the property contributed to and held in the dynasty trust or on distributions to the trust beneficiaries. Over many generations, this can shelter very large amounts from transfer taxes.

A revenue-raising proposal would limit the number of generations that can be sheltered by the GST exemption, so it seems appropriate to implement long-term planning before such a change is made.

Use Low Interest Rates Before They Go Back Up

5. **Make low interest loans.** Low interest loans can be made to family members in the current low interest rate environment. Low Applicable Federal Rates make low interest loans an attractive alternative. Intrafamily loans can be useful to children or older family members in need of financial assistance and can be used to refinance existing loans.

6. **Sell assets to family members (or trusts) in exchange for low interest rate notes.** A variant of the low interest rate loan is a sale to a family member or trust in exchange for a low interest rate installment note. This technique can “lock in” the current asset value in an estate and shift the future appreciation to the buyer. The seller also retains some cash flow. In the future, as interest rates climb, the note might be restructured or forgiven over time or at the death of the seller.

7. **Create grantor retained annuity trusts (GRATs).** A GRAT is an irrevocable trust in which the grantor retains an annuity payment for a set term of years. At the end of the annuity period, any remaining property, including all appreciation, passes as to designated beneficiaries, outright or in ongoing trusts. The gift tax value of the GRAT gift is the value of the future gift reduced by the annuity payments. The effect of a successful GRAT is to remove future appreciation of an asset from the estate. GRATs are most effective when interest rates are low, because the assets given to the GRAT

do not need to appreciate as fast to yield a successful GRAT result. As a result, GRATs may provide a significant opportunity to shift future appreciation out of an estate while interest rates are low. GRATs are also “grantor trusts” which provides added planning leverage (see below).

Limiting GRATs has been frequently cited as a revenue-raising tool, so the opportunity offered by forming a GRAT may be reduced or lost completely in the future.

8. **Create charitable lead trusts (CLTs).** A CLT is an irrevocable trust benefiting charitable beneficiaries for a specified term of years and at the end of the term, the trust assets (and future appreciation) are distributed to the grantor's family or other beneficiaries. A CLT may also provide a current charitable income tax deduction to the grantor, or the CLT’s own income may be offset by a charitable deduction for the charitable payments. Like GRATs, CLTs are particularly effective when interest rates are low because the value of the required payments to charity and the value of the remainder passing to family beneficiaries are determined in part by the federal interest rates. CLTs allow an individual to satisfy charitable intentions and transfer significant property and appreciation to his or her beneficiaries.

Use Grantor Trusts to Leverage Gifts

9. **Gift assets to a grantor trust.** An “Intentionally Defective” Grantor Trust (IDGT) is a trust where the grantor (individual creating the trust) is treated as the owner of the trust for income tax purposes and pays the tax on the trust income. The trust grows without depletion by income tax so more value is passed to the beneficiaries. Grantor trust planning is highly effective in reducing future estate tax and provides great planning flexibility In the future.

Recent revenue raising proposals target grantor trust planning by including all grantor trust assets in the grantor’s taxable estate at death. It is expected that any such change would only apply to grantor trusts formed after such new law was enacted, so it may be appropriate to consider grantor trust planning tools now.

10. **Sell assets to a previously funded grantor trust (IDGT sales).** Once an individual makes an initial gift to an IDGT, large amounts of appreciating assets can be transferred out of the individual’s estate by selling the assets to the IDGT in exchange for a low interest rate promissory note. There is no capital gain on the sale because the IDGT is a grantor trust for income tax purposes. The note received by the seller pays low interest and only returns the initial value of the assets sold, so the individual’s estate value is “frozen”. On the other hand, the IDGT’s assets grow without income tax. As a general rule, if the IDGT’s assets grow faster than the interest rate on the promissory note, the IDGT sale technique is successful. If the sale is of a minority interest in an asset, partnership, LLC or corporation (see discussion below), the use of a discounted value makes the IDGT sale planning even more effective because the value of the promissory note held in the seller’s estate is lower, the payments back to the seller are lower and easier to make from available cash flow, and more assets and future growth will be shifted out of the estate.

It is appropriate to leave time between the formation of the grantor trust and the future sale, so IDGT sale planning needs to begin early.

Using Legal Entities to Manage Assets and Possibly Reduce Value of Future Gifts

11. **Create family limited partnerships and LLCs (for asset management, asset protection and potential reduction of values on gifts).** Forming a family partnership or LLC to hold real property, stock or other assets is an effective tool to transfer assets to family members and retain overall management of the assets. These structures also often allow for tax efficient transfers of partnership or LLC interests to family members at reduced valuations, thereby leveraging the amount that is removed from the estate. Discounted values can usually also be obtained on the remaining partnership or LLC interests left in the estate. A side benefit of forming family partnerships or LLCs is coordinated management and an opportunity for younger family members to be invested and involved in the business.

Forming family business entities properly requires advance planning, so it is not appropriate to leave this planning tool to the last minute.

Take Advantage of Depressed Valuations

12. **Transfer assets with depressed current values.** Although stock market averages seem to be resilient to the effects of the pandemic (so far), many asset values have fallen. Gifts of assets with depressed current values may be timely, allow more significant gifts, and remove future appreciation from the later estate value. For example, a depressed stock price allows gifting of more shares within the annual gift exclusion or lifetime gift exemption.

"What if I Don't Have Enough Left?": Addressing Concerns About Loss of Access to Gifted Assets

13. **Use a spousal lifetime access trust (SLAT).** A couple of moderate wealth may be concerned about making a large transfer to take advantage of the $11.58M exemption because they would lose the benefit of the gifted assets if there was a future need. A SLAT provides some comfort: One spouse can gift assets up to the exemption amount to a SLAT which is administered for the benefit of his or her descendants, but also allows the other spouse to receive benefits if needed. This structure provides a safety net for both spouses as long as they live and stay married. SLAT assets are also typically protected from creditors of the first spouse. As the creation of the SLAT is a completed gift, the assets, including all appreciation are generally excluded from the estate of both spouses, and pass to the ultimate beneficiaries.

Taxes Are Not the Only Consideration

The pandemic and its aftermath serve as reminders to update one’s durable powers of attorney and advance health care directives. Durable powers of attorney specify who and how one's financial affairs shall be managed upon incapacity. Advance health care directives require reflection about one's wishes and values including life prolonging procedures, organ and tissue donation, and burial arrangements.

The attorneys at Hoge Fenton utilize sophisticated strategies for business owners, family offices, high net worth individuals and families. Our approach integrates complex estate planning, tax planning, and business succession planning (if appropriate). This approach helps our clients create effective estate plans that aid their loved ones and while taking advantage of often overlooked opportunities to reduce their taxes. This high-touch, holistic approach leads to effective plans that benefit our clients and their families.

Meet Our Trusted Advisors:

Heather Boshears is an experienced attorney in the firm's Estates and Trusts group. She works closely with the firm's sophisticated clients to prepare comprehensive estate plans, handle post-death administrations, and resolve disputes before reaching trial. She advises clients in tax matters including estate and gift tax and real property reassessments. Heather serves as Co-Chair of the San Mateo County Bar Association's, Estate Planning, Trust and Probate Section and has served the executive committee in roles including Chair Pro Tem 2018-2019, Treasurer 2016-2017, and Chair of New Attorneys 2013-2017. Heather is a Top Rated Estate Planning & Probate Attorney selected to Northern California Super Lawyers "Rising Stars," 2017 – 2020.

Tim Maximoff counsels his clients in estate planning and estate and trust administration, tax, business, and related matters. Tim uses his 30 years of experience to explain to help his clients reach their planning goals. Where appropriate, Tim introduces his clients to more advanced planning tools that could increase benefits to his clients and their family, help reduce the tax impacts and address his clients' concerns about asset management, preservation of assets, or beneficiaries' unique situations. Tim is a Fellow of the American College of Trust and Estate Counsel (ACTEC). He is also the past Chair of the Taxation Section of the State Bar of California and past president of the Santa Clara County Estate Planning Council. Tim has been named a "Northern California Super Lawyer" every year since 2000 and received the top "AV" rating from Martindale Hubble.

This information is provided as an educational service by Hoge Fenton for clients and friends of the firm. This communique is an overview only, and should not be construed as legal advice or advice to take any specific action. Please be sure to consult a knowledgeable professional with assistance with your particular legal issue. © 2020 Hoge Fenton

06.19.2020 | Firm Post

On June 16, 2020, the U.S. Small Business Administration (“SBA”) released:

- an updated Loan Forgiveness Application, and
- an Alternative Loan Forgiveness Application for certain borrowers to implement the PPP Flexibility Act (“PPP Flex”), and
- a revised interim final rule (the “IFR”) on June 17, 2020 implementing changes from the PPP Flex.

The updated Loan Forgiveness Application covers the following changes:

- **Alternative Payroll Covered Period** applies to the 24-week (168-day) covered period; provided the Alternative Payroll Covered Period does not extend beyond December 31, 2020. Note: if a Borrower received its PPP loan before June 5, 2020, the Borrower may elect to use an eight-week (56-day) covered period.
- **Clarifies one of the Full Time Employee** (FTEs) reduction exceptions: A position will not be included in the calculation if the Borrower made a good-faith, written offer to rehire an employee who was employee on February 15, 2020 AND the Borrower was unable to hire similarly qualified employees for unfilled positions on or before December 31, 2020.
- **Changes the documentation required for FTEs** from the average number of FTEs per month to the average number of FTEs per week.
- **Employer health insurance and retirement contributions for business owners**: employer health insurance and employer retirement contributions on behalf of a self-employed individual, general partners, or owner-employees of an S-corporation should not be included in the health insurance expenditures calculation or retirement expenditures calculation, respectively.

A copy of the updated application is **here** and the instructions are **here**.

A shortened version of the forgiveness application is available for the following borrowers:

- Self-employed, independent contractors, or sole proprietors with no employees;
- Borrowers who did not reduce salaries by more than 25% during the covered period and did not reduce the number of employees or the average paid hours of employees from January 1, 2020 to the end of the Covered Period (ignoring reductions from the safe harbor related to an inability to hire qualified employees, and reductions due to an employee refusing to accept a restoration of hours); and
- Borrowers who did not reduce salaries by more than 25% during the covered period and were unable to operate during the covered period at the same level of business activity due to COVID-19 related safety requirements promulgated by the CDC, HHS, or OSHA.

The Alternative Loan Forgiveness Application is **here** and the instructions are **here**.

The SBA also released a revised interim final rule (the "IFR") on June 17, 2020 implementing changes from the PPP Flex. The IFR provides the following:

Increases the cap on individual employees' salaries from $15,385 during the 8-week covered period to $46,154 during the 24-week covered period.

Increases the cap on owner compensation from $15,835 during the 8-week covered period, to $20,833 for a 24-week covered period.

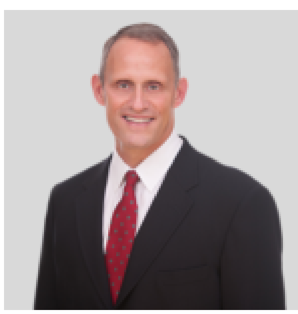
For sole proprietors: business mortgage payments, business rent payments, and business utility payments, as listed on Form 1040 Schedule C, are now included as amounts eligible for forgiveness.

Loan forgiveness amount cap: the amount of loan forgiveness is capped by the full principal amount of the loan plus accrued interest.

A copy of the IFR can be found **here**.

Our experienced team of attorneys are available to further assist you with any more questions or concerns you may having regarding PPP Forgiveness and PPP Flex.

Darlene Chiang
Of Counsel
Corporate & Bus Law
+1.925.460.3367
email here



J. Timothy Maximoff
Shareholder/Chair
Estates & Trusts
+1.408.947.2437
email here

Embert Madison, Jr.
Attorney
Corporate & Bus Law
+1.925.460.3370
email here

Sarju Naran
Shareholder, Chair
Employment Law
+1.408.947.2456
email here

Sblend Sblendorio
Shareholder
Real Estate & Commercial
+1.925.460.3365
email here

This information is provided as an educational service by Hoge Fenton for clients and friends of the firm. This communique is an overview only, and should not be construed as legal advice or advice to take any specific action. Please be sure to consult a knowledgeable professional with assistance with your particular legal issue. © 2020 Hoge Fenton

---

06.08.2020 | Firm Post

A breath of fresh air for PPP borrowers! The Senate unanimously passed the "Paycheck Protection Program Flexibility Act of 2020" (**H.R. 7010**) (the "PPP Flex") on Wednesday (6/3) evening and the President signed it into law today. The PPP Flex addresses many concerns with the PPP loan program and relaxes some of the requirements in the original PPP program. We expect the Treasury and the SBA to issue more guidance on the PPP Flex in the near future. Although the PPP Flex offers some relief and clarity, there are new considerations. Borrowers who already plan on using the PPP funds within the original 8 week covered period can choose to do so and may decide to request loan forgiveness as soon as possible. Below is a list of major changes covered in the PPP Flex bill:

Update	PPP / Initial SBA Guidance	PPP Flex
1) Extended Loan Forgiveness Covered Period	8 weeks (56 days) from receipt of loan proceeds, or from first date of payroll period after receipt of loan proceeds for those eligible to apply “Alternative Payroll Covered Period”.	Earlier of 24 weeks or December 31, 2020. Borrowers who received a PPP loan before the date of the enactment of PPP Flex may retain the 8 week covered period.
2) Lower Payroll Cost Percentage Requirement	At least 75% of loan proceeds must be spent on eligible payroll costs, otherwise the loan forgiveness amount will be proportionally reduced.	At least 60% of loan proceeds must be spent on eligible payroll costs. This now appears to be a cliff. (i.e., a Borrower who spends only 59% on eligible payroll costs will receive no forgiveness)* [* Note: Subject to SBA regulation to determine if it is a cliff, but the current statutory language suggests it is a cliff]
3) Extended Reduction in Work Force Safe Harbor Rehire Date	June 30th deadline to rehire employees separated between February 15, 2020 and April 26, 2020, to avoid a reduction in loan forgiveness.	December 31, 2020 deadline to rehire employees separated between February 15, 2020 and April 26, 2020, to avoid a reduction in loan forgiveness.
4) New Exceptions for Borrowers who do not hire/rehire workers before the Rehire Date	No reduction in loan forgiveness if the Borrower offers reemployment and workers reject the offer to return to work.	New exceptions (in addition to the prior exception) if the Borrower: ▪ Could not rehire employees who were employed as of February 15, 2020; or ▪ Could not find qualified employees to hire by December 31, 2020; or ▪ Could not restore business to pre-February 15, 2020 level of activity because of social distancing or other <u>federal</u> health guidance/requirements
5) Longer Repayment Period	2 years	5 years (for loans after the enactment of PPP Flex; existing PPP borrowers might ask lenders to extend the loan.
6) Deferral of Employer Share of Payroll Taxes	Not available for a Borrower who had the PPP loan forgiven.	Available for <u>all</u> PPP borrowers regardless of forgiveness status; allows Borrowers to defer payment of 50% of payroll taxes until 2021, with the remaining 50% due in 2022.

Our experienced team of attorneys are available to further assist you with any more questions or concerns you may having regarding the Paycheck Protection Program Flexibility Act of 2020.

Darlene Chiang
Of Counsel
Corporate & Bus Law
+1.925.460.3367
email here

J. Timothy Maximoff
Shareholder/Chair
Estates & Trusts
+1.408.947.2437
email here

Embert Madison, Jr.
Attorney
Corporate & Bus Law
+1.925.460.3370
email here

Sarju Naran
Shareholder, Chair
Employment Law
+1.408.947.2456
email here

Sblend Sblendorio
Shareholder
Real Estate & Commercial
+1.925.460.3365
email here

This information is provided as an educational service by Hoge Fenton for clients and friends of the firm. This communique is an overview only, and should not be construed as legal advice or advice to take any specific action. Please be sure to consult a knowledgeable professional with assistance with your particular legal issue. © 2020 Hoge Fenton

---

06.04.2020 | Firm Post

We are Here to Help

Hoge Fenton understands that our clients, employers, and organizations may have numerous questions and concerns about reopening their business. As you begin to face the business and legal implications of the COVID-19 crisis, our attorneys remain committed to assisting you overcome these obstacles.

To provide some guidance on some of the issues that have affected or will be affecting businesses, we have created a **Reopening California** resources page to support you in the following areas:

- **Bankruptcy Information**
- **Corporate & Business Law**
- **Employment Law**
- **Family Law Counseling & Litigation**
- **Intellectual Property**
- **Real Estate and Land Use**
- **Tax/Trusts & Estates**

This information is provided as an educational service by Hoge Fenton for clients & friends of the firm. This communique is an overview only, & should not be construed as legal advice or advice to take any specific action. Please be sure to consult a knowledgeable professional with assistance with your particular legal issue. © 2020 Hoge Fenton

06.01.2020 | Firm Post

Thank you to everyone who joined us for the Notarization Alternatives for California Estate Plans webinar.

Please click below to watch the recorded webinar.

We hope you found the discussion with Trust & Litigation Chair Denise Chambliss beneficial. Please do not hesitate to reach out to Denise if you need more guidance.

Denise Chambliss
Shareholder, Chair
Trust & Estate Litigation
+1.925.460.3364
email

This information is provided as an educational service by Hoge Fenton for clients and friends of the firm. This communique is an overview only, and should not be construed as legal advice or advice to take any specific action. Please be sure to consult a knowledgeable professional with assistance with your particular legal issue. © 2020 Hoge Fenton

05.21.2020 | Speaking Engagement & Firm Events

Please note: this webinar is by invitation only

COVID-19 is impacting the estate planning process in many ways, particularly **notarization practices** and assessing **undue influence**.

When an estate plan is executed in the future and a dispute arises, **how will the courts assess estate plan irregularities that happened during the time of COVID-19?**

As a veteran trust & estates litigator, Denise Chambliss will share her insights and perspective these issues:

- **Impact of COVID-19 notarization practices in litigation**
- **Undue influence**

Denise Chambliss
Shareholder, Chair
Trust & Estate Litigation
+1.925.460.3364
email

This information is provided as an educational service by Hoge Fenton for clients and friends of the firm. This communique is an overview only, and should not be construed as legal advice or advice to take any specific action. Please be sure to consult a knowledgeable professional with assistance with your particular legal issue. © 2020 Hoge Fenton

---

04.15.2020 | Firm Post

Wealth Planning Opportunities in Tough Times

All-time low federal interest rates and currently low asset values provide historic opportunities for high net worth individuals to transfer wealth.

Take Advantage of Low Interest Rates: The IRS uses federal rates to determine the amount of gifts. Historically low interest rates make these estate planning tools more tax efficient:

- Low interest rate loans and installment sale of assets to individuals or trusts.
- Grantor Retained Annuity Trusts ("GRATs"), Intentionally Defective Grantor Trusts ("IDGTs"), certain charitable trusts and other multi-generational irrevocable trusts.

Take Advantage of Current Low Asset Values: Temporarily depressed asset values are an opportunity to efficiently shift wealth to individuals or trusts.

Take Advantage of High Estate and Gift Tax Exemptions. The current $11.58M (inflation-adjusted) estate, gift and generation-skipping transfer tax exemption is a temporary opportunity. The exemption will fall back to prior levels in 2026, but we see risk that the exemption could be reduced earlier due to the cost of the COVID-19 relief effort and changing politics. **If you are planning to use the high transfer tax exemptions, we suggest you start the process soon.**

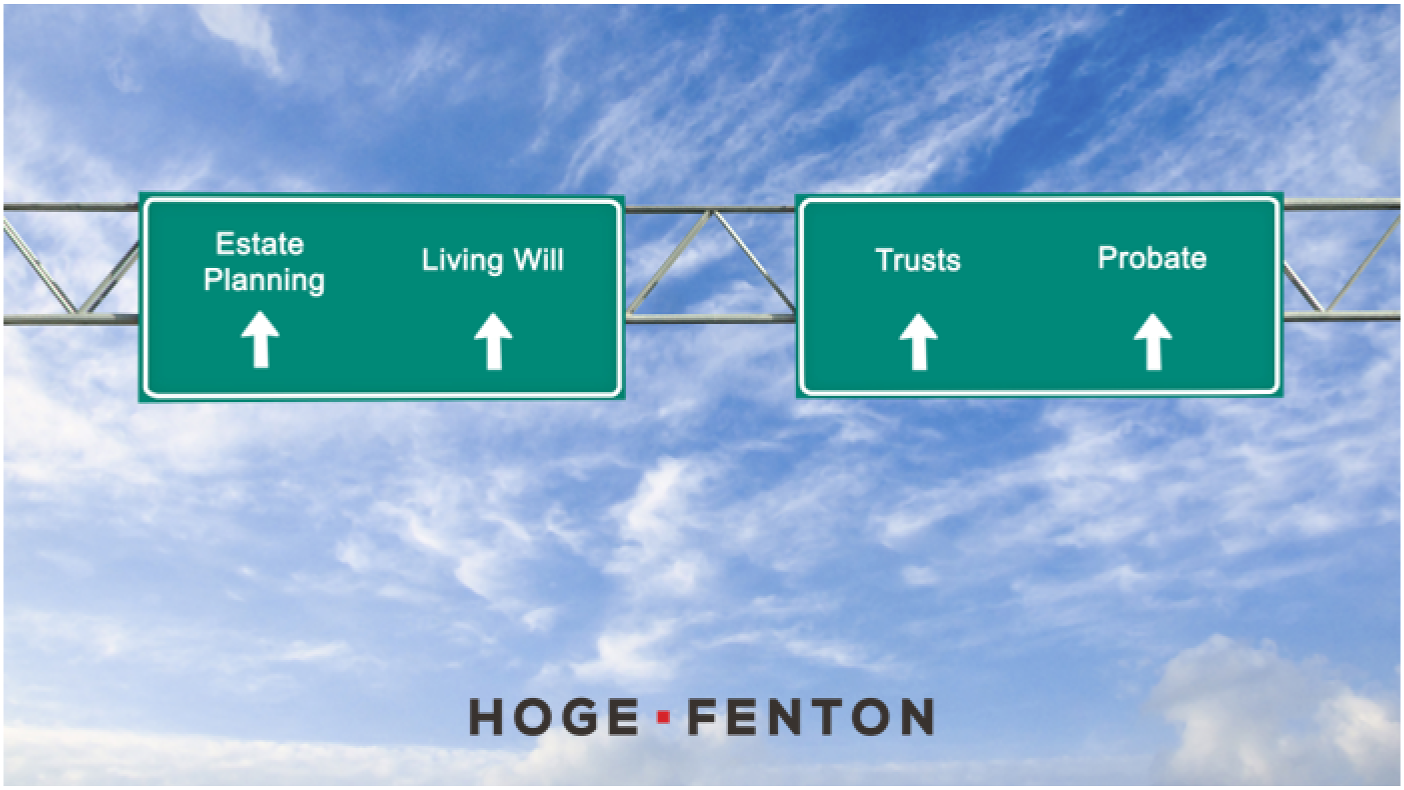
Contact our estate planning attorneys to learn more about these historic opportunities and how they fit into your planning.

J. Timothy Maximoff
Silicon Valley Chair, Estates & Trusts
D: +1.408.947.2437
tim.maximoff@hogefenton.com

Karen A. Meckstroth
Firmwide Chair, Estates & Trusts
D: +1.408.947.2409
karen.meckstroth@hogefenton.com

This information is provided as an educational service by Hoge Fenton for clients and friends of the firm. This communique is an overview only, and should not be construed as legal advice or advice to take any specific action. Please be sure to consult a knowledgeable professional with assistance with your particular legal issue. © 2020 Hoge Fenton

04.03.2020 | Firm Post



Managing the Assets of Family who Passed Due to the COVID-19 Coronavirus

For many families in California dealing with the loss of a loved one due to the COVID-19 virus, the departed family member has passed without a will, without a trust, and without estate planning. This article provides an outline of what should be done to manage the family member's property and assets.

The California Probate Code is the legal guide for the management and distribution of the decedent's assets. When a person has passed away without a will, the process of management and distribution of the assets is called an "intestate probate".

However, **if the value of the decedent's estate does not exceed $166,250**, you should be able to distribute the assets without opening a probate. This is done using a "small estate affidavit" (Probate Code section 13100).

If the decedent was married, there is a simpler probate for the surviving spouse to gain full ownership of the couple's community property. This process, known as a "spousal property petition," requires a formal probate with your local county probate court.

Probate proceedings have many rules and complex procedures. Probates are often stalled in court because the rules and procedures are not followed precisely. This results in delays, which can create financial and emotional distress for the decedent's family. A skilled probate attorney navigates the probate proceedings to avoid unnecessary delays and to settle the estate as quickly as possible.

At Hoge Fenton, our probate lawyers have extensive experience administering probate matters from simple single-house estates to complex estates with real property, businesses and investments.

Our probate team has handled inventory, valuation, and distribution of assets such as residential homes, commercial real estate, niche collectables, and business interests. In addition, we are experienced with contested probates which may include a surviving spouse and step-children from the decedent’s prior marriage.

Should you need to handle the assets of a recently deceased loved one affected by the COVID-19 pandemic, Hoge Fenton’s attorneys have the knowledge and experience to help navigate the post-death legal process with competency, care, and understanding.

Stay safe.

Denise Chambliss
Shareholder
Estates & Trusts
email here

Ariel Siner
Attorney
Estates & Trusts
email here

This information is provided as an educational service by Hoge Fenton for clients and friends of the firm. This communique is an overview only, and should not be construed as legal advice or advice to take any specific action. Please be sure to consult a knowledgeable professional with assistance with your particular legal issue. © 2020 Hoge Fenton

Primary Contact

- J. Timothy Maximoff