



ELVILLE  
AND ASSOCIATES

# THE ELVILLE BENEFACTOR

*Planning for Life, Planning for Legacies*

Issue 05 Spring 2014

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## Elville & Associates' Interactive Client Education System

By Stephen R. Elville, J.D., LL.M.



On February 1, 2014, Elville & Associates launched its Interactive Client Education System (ICES). ICES is a step by step educational process

for estate planning, elder law, special needs planning, and asset protection planning representing the continuation of the firm's commitment and belief, that all clients should be educated and that education is the key to successful planning. Through this interactive process, clients are led through a comprehensive series of counseling and creative brainstorming sessions. State of the art audiovisual presentations, along with a series of proprietary color materials, are utilized for maximum client understanding and participation. The Elville Legacy System (ELS), a ten step process for estate planning



family education, is one element of ICES. Through the use of ICES, Elville & Associates remains on the leading edge of client education, continues its process of leadership in the industry, and accomplishes its mission and vision on the highest level. If you would like to experience ICES or have questions, please contact Mary Guay Kramer at 443-741-3635, or via email at [mary@elvilleassociates.com](mailto:mary@elvilleassociates.com).

## Barrett R. King Named to 2014 Maryland Rising Stars List

Barrett R. King, Esq., of Elville & Associates has been named to the 2014 Maryland Rising Stars list. This is an exclusive list, recognizing no more than 2.5 percent of the lawyers in the state.

Super Lawyers, a Thomson Reuters business, is a rating service of outstanding lawyers from more than 70 practice areas who have attained a high degree of peer recognition and professional achievement. The annual selections are made using a patented multiphase process that includes a statewide survey of lawyers, an independent research evaluation of candidates and peer reviews by practice area. The result is a credible, comprehensive and diverse listing of exceptional attorneys.

Upon receiving the recognition, Mr. King stated, "Being acknowledged with this distinction amongst so many capable attorneys is very much appreciated, and I intend to continue the best client service and representation that earned me this recognition."

Stephen R. Elville, Principal of Elville & Associates, spoke for the entire staff, saying, "All of us at Elville & Associates are extremely proud of Barrett and his recognition as a 2014 Maryland Rising Star, and we salute him for his continued dedication to ethics, civility, professionalism, continuing education and client care."



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NATIONAL ACADEMY OF ELDER LAW ATTORNEYS

## Barrett R. King Named to 2014 Maryland Rising Stars List (continued)

Mr. King regularly assists clients in preparing wills, trusts, powers of attorney, living wills/advance directives, business planning, estate administration, fiduciary representation and a host of other areas. Along with his 2014 Maryland Rising Star recognition, Mr. King was admitted to the United States Supreme Court Bar in 2011 and was recently appointed to the Board of Directors of The Women's Law Center of Maryland, Inc.

The Super Lawyers and Rising Stars lists are published nationwide in Super Lawyers Magazines and in leading city and regional magazines and newspapers across the country. Super Lawyers Magazines also feature editorial profiles of attorneys who embody excellence in their practice of law. For more information about Super Lawyers, go to SuperLawyers.com.

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## Elville and Associates Launches New Firm Charity

By Stephen R. Elville, J.D., LL.M.



The attorneys and staff of Elville & Associates are proud to announce the launch of the firm's new charitable organization - The Elville Center For The Musical Arts. The new Elville Center will be a 501(c)(iii) non-profit corporation that will partner with local and regional businesses such as

Music and Arts, schools, and other non-profit organizations to provide music instruments, music instrument rental, music lessons, and participation in music-related activities to and for children of all ages throughout Maryland and the mid-Atlantic region. The purpose of the Elville Center will be to improve the quality of life of children of all ages by providing them the opportunity to learn music theory and application, and experience cultural events related to the musical and creative arts; and to use music and the promotion of music-related activities to transcend social and economic divisions.

As most of our clients are aware, Elville and Associates is an active sponsor of the arts through its support of WBJC classical radio and performances. The firm also promotes awareness of the arts by providing clients with opportunities to attend events at The Kennedy Center, The Strathmore,



Modell Lyric Opera House, and other venues. Although Elville and Associates has traditionally supported and promoted music in the classical genre, student participants in Elville Center-sponsored educational activities will have the ability to choose their own musical path based on their individual preferences, talents, and goals.

Pending Internal Revenue Service approval of Elville Center's 501(c)(iii) status, Elville and Associates will officially begin promoting and receiving donations for the Elville Center as of June 1, 2014. In addition to individual and corporate donations, Elville and Associates will begin its own contributions to the Elville Center as soon as the initial corporation is formed. It is the hope of Principal, lead attorney, and founder of the Elville Center, Stephen Elville, that this charitable initiative will capture the imaginations and enthusiasm of our clients, business partners, and the community at large culminating in the fulfillment of many dreams and a continuation of the music.

If you are interested in the Elville Center For The Musical Arts and would like to learn more, or if you would like to make a donation or pledge, please contact Mary Guay Kramer at 443-741-3635, or via email at [mary@elvilleassociates.com](mailto:mary@elvilleassociates.com). Personal meetings with Stephen Elville for discussion of the Elville Center are available upon request.

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## What Clients Need to Know About the New "Medicare" Surtaxes

By Stephen R. Elville, J.D., LL.M.

In 2013, two new surtaxes went into effect as part of the Patient Protection and Affordable Care Act. Those surtaxes, a 0.9% surtax for individuals with compensation income exceeding certain thresholds (\$200,000 for unmarried individuals or those filing as head of household, \$250,000 for married couples filing joint returns with income

exceeding \$250,000, and \$125,000 for married persons filing separately); and a 3.8% surtax on net investment income for all taxpayers who have income exceeding certain thresholds (\$200,000 for individuals, \$250,000 for a married couple filing jointly, and \$125,000 for married persons filing separately). These thresholds are not adjusted for inflation.

## What Clients Need to Know About the New “Medicare” Surtaxes (continued)

The new surtaxes will raise the marginal income tax rates for those taxpayers affected, generally those in a 31% tax bracket or higher, but could possibly also apply to persons in lower tax brackets. Taxpayers in the highest marginal tax bracket of 39.6% will now face an increased marginal tax rate of 43.4%. Furthermore, because of the phase out of itemized deductions, some taxpayers may have a tax rate increase of almost 10%.

The basics of the new 0.9% health care surtax are relatively simple. For individuals whose compensation income exceeds the threshold amount, the employee portion of health insurance tax is increased by 0.9%. For married couples filing jointly, the 0.9% surtax is imposed on the couple's combined compensation income exceeding the threshold amount. Employers are not required to match the 0.9% amount paid by the employee. The surtax applies equally to self-employed individuals.

Here are some basics about the new 3.8% health care surtax. The tax is imposed on the lesser of (1) net investment income for the tax year, or (2) modified gross adjusted income (MAGI) above the threshold amount in that year, allocable to such income. Investment income in this context includes:

- dividends, interest, rents, capital gains, annuities, and royalties;
- passive activity income;
- income from trading financial instruments or commodities, regardless of whether the taxpayer materially participated; and
- income (capital gain) from the sale of property such as stocks or mutual funds (does not include income from the sale of property used in trade or business in which the taxpayer materially participates).

Unfortunately, the Medicare surtax also applies to estates and trusts. Remember that tax rates for estates and trusts are compressed, with the highest marginal tax rate of 39.6% being triggered at only \$12,150 of income. The tax as applicable to estates and trusts is imposed as follows: 3.8% x the lesser of (1) undistributed net investment income of the

estate or trust, or (2) the excess (if any) of (a) adjusted gross income of the estate or trust over (b) the dollar amount at which the highest tax bracket in Section 1(e) begins for such taxable year (\$12,150).

The 3.8% surtax does not apply to the following:

- income from salaries, wages, or bonuses
- distributions from IRAs or qualified plans
- income for self-employment tax purposes
- gain on sale of an active interest in a partnership or S corporation
- items otherwise excluded or exempt from income under the income tax law, such as interest from tax-exempt bonds, capital gain excluded under IRC 121, and veterans benefits.

How can clients “manage” the new 3.8% net investment income tax? By reducing adjusted gross income below the threshold amount(s), and by reducing net investment income. Net investment income can be reduced through utilization of the following:

- municipal bonds;
- tax-deferred annuities;
- life insurance;
- rental real estate;
- oil & gas investments;
- moving investments that generate interest, dividends, and capital gains into qualified retirement plans (Roth conversions, for example); and
- shifting net investment income to family members in lower income tax brackets or to charities

Any additional 0.9% Medicare tax owed by taxpayers is reported/determined using IRS Form 8959. The 3.8% surtax on net investment income is reported on IRS Form 8960. If you have any questions about the new Medicare surtaxes, please contact our office.

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## A Prenuptial Agreement Is Essential to Your Estate Plan

Barrett R. King, J.D.



A prenuptial agreement is a contract between two individuals, planning to marry, whereby certain terms are agreed to that will address matters of spousal rights to property and inheritance. Such agreements most often exist for the

purpose of addressing what would happen if the parties were to divorce. Prenuptial agreements, however, can be just as (and perhaps more) important in determining what happens when one spouse dies.

In the context of protecting against divorce, prenuptial agreements address the obvious issues of how property will be

## A Prenuptial Agreement Is Essential to Your Estate Plan (continued)

handled. This is typically done by the parties agreeing that whatever assets and property they bring into the marriage will remain the respective owner's property upon divorce. The parties can agree as to whether alimony may be awarded, and can agree to have the agreement expire if, for example, they remain married for a certain number of years or if they have children together.

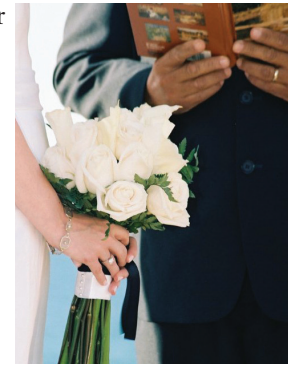
A knowledgeable estate planning attorney will ask you if you have ever executed a prenuptial or postnuptial agreement with your current spouse, if you are married. It is possible to execute a marital agreement after the marriage (hence the term 'postnuptial'), but there are some larger concerns about its enforceability and effectiveness vis-à-vis the prenuptial agreement. Why, then, is your estate planning attorney so concerned about whether you have a marital agreement when you went to see the attorney to address end-of-life issues? Your estate planning attorney, after all, is probably not a divorce attorney.

We, as estate planning attorneys, are concerned about marital agreements for a number of reasons. If yours is a second marriage, you may intend to keep your resources separate from your current spouse so that your children from the prior relationship will receive your estate at death. You may not want your current stepchildren to share in both your estate and that of their biological parents. Perhaps your current spouse or fiancé(e) has creditor problems and should not inherit any property from you in the event of your death.

A pre- or postnuptial agreement will allow you to ensure that your property remains yours to dispose of as you please, as the agreement will typically include a provision to waive the spousal elective share, which is a statutory right of a widow or widower to share in the estate of the deceased spouse. This share is generally one-third (1/3) of the estate and, even if you write a Will or Trust that does not provide for your spouse, the elective share may be taken unless it is waived in a marital agreement.

The agreement may require that each spouse waive the right to be the Trustee or Personal Representative of the decedent's estate. It may provide that, for example, if the first to die

owned the marital home in his or her own name, the survivor has the right to live in the home for a time or for life. It may also provide that, in the event of death, and in consideration of waiving the elective share, the spouses agree to buy life insurance to compensate the survivor while ensuring that other property goes to the children as intended.



Another situation where prenuptial agreements may come up in your conversation with counsel is if your child is planning to marry. As parents, some of whom have been through divorce themselves, you do not want your child to inherit only to then divorce and have to share your wealth with the soon-to-be ex-spouse. Elville & Associates' "Legacy Trust" method provides a significant level of protection, but a prenuptial agreement may provide additional protection. If your child inherits from your own ex-spouse, whose estate planning you exercise no control over, language in the marital agreement that inheritances remain non-marital property (and therefore are not subject to claim in a divorce) can provide financial security for your son or daughter.

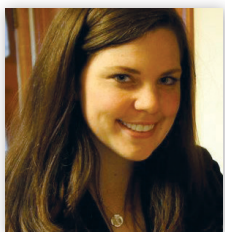
Finally, clients often wonder whether a prenuptial agreement will permanently prohibit them from leaving property to a spouse. A marital agreement is a contract and, like most any other contract, it can be revoked or amended. The marital agreement may include a provision that the waiver of any expectancy of inheritance may be trumped by subsequent estate planning. Therefore, while a marital agreement may provide that the survivor receives nothing in the event of death, a will or trust may be drafted that supersedes. Clients are cautioned to make sure that this is the intention when drafting a marital agreement or an estate plan.

Consider whether a marital agreement might be necessary in your own plan or whether it might be necessary for your children who are about to marry or have remarried. Viewing a marital agreement as a tool in carrying out estate planning objectives, rather than as a singular tool to address divorce, casts the document in an entirely new, more positive, light.

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## Serving as a Personal Representative

Bridgette E. Becker, J.D.



Many individuals are asked to serve as a personal representative and appointed to do so in estate planning documents, but most people are unfamiliar with the duties involved with assuming this important role.

Personal Representatives, also referred to as executors or

administrators, have a fiduciary obligation to settle a decedent's estate following the decedent's Last Will and Testament. If a person dies intestate, or without a will, the personal representative has the duty to distribute the decedent's estate by the state's laws of intestacy.

When settling a decedent's estate, the personal representative has great power and authority and must always make

## Serving as a Personal Representative (continued)

decisions in the best interest of the estate. If one is appointed as a personal representative in a family member's or friend's will, that individual trusted you to carry out their wishes exactly as described in their will. According to the Register of Wills, a personal representative has the authority to receive and hold assets, deposit funds and assets, satisfy charitable pledges made by the decedent, pay or negotiate claims, pay funeral expenses and other debts of the decedent or expenses of the estate, ensure taxes are paid, pay taxes, insure property, invest or sell property, continue a business, perform contracts entered into by the decedent, employ specialists to advise or assist, and make partial or final distributions during the administration of the estate. Basically, the personal representative has broad power to act so that the decedent's estate may be settled and distributions can be made to any legatees under a will or heirs at law.

The personal representative also has an obligation to timely file all documents required by the Register of Wills. A Petition for Administration must be filed to open the estate, along with a List of Interested Persons giving the name and address for any interested person in the estate, specifically those people specifically named in a will or heirs at law if the decedent did not have a will. A notice also must be published in a local paper giving notice of appointment of personal representative which serves as notice to creditors and unknown heirs. The role of personal representative carries a large amount of responsibility and liability, as they are essentially acting in the shoes of the decedent. The personal representative must also obtain a bond to protect the estate against any possible fiduciary misconduct. If the decedent's

will waived the obligation of the personal representative to obtain a surety bond, then the personal representative is only required to post a nominal bond. If the will did not waive this obligation or if the decedent died intestate, the personal representative must post a surety bond for the amount estimated to be in the estate at the decedent's date of death.

Within three months of opening an estate, the personal representative must file an inventory of all items in the estate with the Register of Wills. An information report must also be filed at this time. The information report serves as a report of all non-probate property to the Register of Wills. In regular estates, an administration account must be filed six months after the estate is opened, and every six months thereafter until the estate is closed showing all assets that have come into the estate since the decedent's date of death, all expenses paid out of the estate, and any partial distributions to heirs or legatees. A final administration account must be filed to show the final estate accounted for and distributed. Since many people are unfamiliar with the probate process in Maryland, personal representatives may choose to retain an attorney to assist with the filing of all of these documents and meeting necessary deadlines imposed by the Register of Wills.

The role of personal representative may seem daunting so it is important for individuals to understand what the role entails before agreeing to serve for a family member or friend. There are many resources both in print and online to assist a personal representative in the administration of an estate. A trusted personal representative provides tremendous reassurance to an individual that their last wishes will be carried out properly.

## On the Radio

Elville & Associates is a corporate sponsor of WBJC 91.5 FM. Please listen for our advertisements and view our web ads on [wbjc.com](http://wbjc.com).

The image shows a screenshot of the WBJC 91.5 FM website. At the top left is the logo for 91.5 FM WBJC. To its right is the text "Maryland's Classical Music Station". On the far right, there are two buttons: "BECOME A MEMBER!" and "Make a Donation". Below this is a red navigation bar with links for "ABOUT US", "OUR PROGRAMS", "OUR HOSTS", "SUPPORT WBJC", "BLOGS", and "CONTACT US". The main content area features a large image of a piano keyboard with sheet music. Overlaid on the image is the text "Toccata with Mark Malinowski" and "SUNDAY 6PM". To the right of the image is a section titled "SPONSORED BY" with the Elville & Associates logo and a list of services: Estate Planning, Elder Law, Special Needs, and Fiduciary Representation. Below this is contact information: "For more information, please visit [www.elvilleassociates.com](http://www.elvilleassociates.com) or call 443-393-7696 (p) 443-393-7697 (f)". At the bottom of the sponsorship box is the address: "9192 Red Branch Road | Ste 100 & 300 Columbia, Maryland 21045".

# Special Needs Guardianships

Lindsay V.R. Moss, J.D.



When a person turns 18, legally they are an adult in the eyes of the law. But people with special needs might not be able to comprehend or manage the rights and responsibilities that go along with becoming an adult. There are complex topics such as managing investments, making medical decisions, choosing residential options and inheritance issues where someone with special needs may need assistance to ensure that actions taken are in their best interest. Additionally, this would apply to a situation in which the person has a decline in physical and/or mental health and has become unable to make decisions for his or her self.

A guardianship is a legal proceeding in which a person is appointed by the Court to become the Guardian of another person, thus giving them the ability to make decisions on behalf of the alleged disabled individual. There are two different types of Guardianships – Guardian of the Person and Guardian of the Property. A Guardian of the Person can make decisions, including but not limited to, decisions about the person’s healthcare, housing, food, clothing and living expenses. A Guardian of the Property manages and makes decisions about a person’s income, assets, property, public benefits such as medical assistance and any other financial related matters. The Court generally appoints a Guardian of the Person only if there is no less restrictive alternative. In the case of individuals with severe cognitive disabilities, for example a person born with a diagnosis of profound mental retardation, a person who has suffered a Traumatic Brain Injury (TBI), or someone that is in the later stages of dementia, there most likely is no less restrictive alternative. This is when an adult is most vulnerable and needs someone that is looking out for their best interests and making sure that they are not being taking advantage of.

Generally speaking, the Court requires the party initiating the Guardianship proceeding to produce two Certificates of Incapacity completed by treating Medical Physicians of the alleged disabled person. These certificates indicate that the alleged disabled person is unable, within a reasonable degree of medical certainty, from making or communicating responsible decisions concerning health care, food, clothing, and shelter, that their disability prevents the alleged disabled person from making or communicating responsible decisions concerning finances and property, and that the disability prevents them from having sufficient mental capacity to understand the nature of and consent to the appointment of a guardian.



In any Guardianship proceeding, the Court will appoint an attorney to represent the alleged disabled individual. This attorney is responsible for representing the interests of the alleged disabled person and advocating on behalf of their client. The Court appointed attorney must meet with their client to assess the client’s rights and interests, including determining if their client does not want to be subject of a Guardianship. If the alleged disabled person communicates that they do not want someone appointed Guardian of their Person and/or Property, their attorney must represent their client’s wishes, not what the attorney might think is in the best interest of their client.

Elville and Associates can assist you in navigating the complex Guardianship process. We will work with the clients and the Court-appointed attorney to determine the best course of action to provide a successful outcome for all those involved.

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## Advocates Trust Services

Elville & Associates is a member of Advocates Trust Group, LLC, a Delaware Trust Company. Through this affiliation, Elville & Associates offers clients the finest leading edge Delaware tax advantaged trusts and trust services, including dynasty trusts, directed trusts, asset protection trusts, income tax savings, and the advantages of the Delaware court system. Delaware is the nation’s leading domestic asset protection jurisdiction.



# Upcoming Events And Speaking Engagements

Please visit our website, [www.elvilleassociates.com/news-events](http://www.elvilleassociates.com/news-events), for frequent updates on our events and speaking engagements.

Wednesday, March 26th, 2:00 p.m. - 4:00 p.m.

## **Riderwood Community Estate Planning Workshop**

3140 Gracefield Road, Silver Spring, MD 20904

Tuesday, April 1st, 10:00 a.m. - 12:00 p.m.

## **Keller Williams Realty/The Bob Lucido Team Estate Planning Seminar**

3290 North Ridge Road, Ellicott City, MD 21043

Wednesday, April 16th, 12:30 p.m. - 2:00 p.m.

## **Advisors Forum**

Elville & Associates • 1700 Rockville Pike, Suite 400, Rockville, MD 20852

Wednesday, April 23rd, 2:00 p.m. - 4:00 p.m.

## **Riderwood Community Estate Planning Workshop**

3140 Gracefield Road, Silver Spring, MD 20904

Thursday, April 24th, 12:30 p.m. - 2:00 p.m.

## **Advisors Forum**

Linden Hall, 4765 Dorsey Hall Drive, Ellicott City, MD 21042

Saturday, April 26th, 10:00 a.m. - 12:00 p.m.

## **Estate Planning and Planned Giving Seminar**

Metropolitan United Methodist Church • 548 Queenstown Road, Severn, MD 21144

Saturday, May 3rd, 11:00 a.m. - 1:00 p.m.

## **Estate Planning Workshop Brunch**

Bethesda North Marriott Hotel & Conference Center • 5701 Marinelli Road, Bethesda, MD 20852

*Have the opportunity to meet 95.1 WBJC's popular program director and host Jonathan Palevsky!*



Monday & Tuesday, May 19th - 20th, 9:00 a.m. - 4:30 p.m.

## **National Business Institute Probate Boot Camp** (Barrett King, Faculty Member),

Crown Plaza Baltimore • 2004 Greenspring Drive, Timonium, MD 21093;

to register, go to <http://www.nbi-sems.com/Details.aspx/R-65667ER?ctname=SPKEM>

Wednesday, May 28th, 2:00 p.m. - 4:00 p.m.

## **Riderwood Community Estate Planning Workshop**

3140 Gracefield Road, Silver Spring, MD 20904

Thursday, May 29th, 6:00 - 7:00 p.m.

## **Sunrise at Rockville Estate Planning Seminar** (open to the public)

8 Baltimore Road, Rockville, MD 20850

Monday, June 2nd, 6:00 - 7:30 p.m.

## **Columbia Town Center Estate Planning Seminar** (open to the public),

Historic Oakland Mansion • 5430 Vantage Point Road, Columbia, MD 21044

Thursday, July 10th, 1:15 p.m. - 2:15 p.m.

## **Estate Planning Seminar**

Holiday Park Senior Center • 3950 Ferrara Drive, Wheaton, MD 20906

Wednesday, July 16th, 12:30 - 2:00 p.m.

## **Advisors Forum**

Elville & Associates • 1700 Rockville Pike, Suite 400, Rockville, MD 20852

Thursday, July 24th, 12:30 - 2:00 p.m.

## **Advisors Forum**

Linden Hall • 4765 Dorsey Hall Drive, Ellicott City, MD 21042

Thursday, September 25th, 5:30 - 9:00 p.m.

## **Client Appreciation Event**

Linden Hall • 4765 Dorsey Hall Drive, Ellicott City, MD 21042

## Our Attorneys



### STEPHEN R. ELVILLE, J.D., LL.M.

**Practice Areas:** Estate Planning, Elder Law, Special Needs Planning, Asset Protection, Estate Administration, Taxation

**Education:** LL.M., University of Baltimore, cum laude; J.D., University of Baltimore School of Law, cum laude; B.A., University of Baltimore, summa cum laude

**Practice Focus:** Mr. Elville works with individuals and families to provide a unique attorney-client experience and peace of mind solutions to the challenges they face with estate, asset protection, and tax planning issues, and with disability and long-term care planning issues. Mr. Elville has extensive experience in working with clients involved in crisis situations. He also brings a unique and personalized approach to pre-crisis planning. Mr. Elville routinely handles client issues in the following areas: wills, trusts, estate tax planning, powers of attorney, living wills/advance medical directives, Medicaid asset protection trusts, Medicaid planning and qualification, estate administration, fiduciary representation, nursing home selection, guardianships, special needs planning for children and adults, Social Security Disability Income (SSDI), Supplemental Security Income (SSI), and IRS tax controversy.

**Professional Activities and Achievements:** Mr. Elville is a member of the National Association of Elder Law Attorneys (NAELA), Elder Counsel, Wealth Counsel, the National Network of Estate Planning Attorneys, Academy of Special Needs Planners, and Academy of VA Pension Planners. He is the past Chair of the Howard County Bar Association Estates & Trusts and Elder Law Sections and is the past President of the Coalition of Geriatric Services (COGS). Mr. Elville currently serves as a member of the Maryland State Bar Association Elder Law Section Council and the Charitable Gift Planning Advisory Committee for Anne Arundel Medical Center (CGPAC). Mr. Elville is a frequent guest lecturer for the National Business Institute and has formerly advised the Genworth Network. He has lectured at Villa Julie College. His articles have appeared in The Business Monthly.



### BARRETT R. KING, J.D.

**Practice Areas:** Estate Planning, Elder Law, Estate/Trust Administration, Fiduciary (Estate/Trust) Litigation, Business Law, Tax Litigation

**Education:** J.D., University of Baltimore School of Law, cum laude; B.A., Salisbury University, Dean's List, Alumni Hall of Fame

**Practice Focus:** Mr. King regularly assists clients in preparing wills, trusts, powers of attorney, living wills/advance directives, business planning, estate administration, fiduciary representation, and a host of other areas. He also represents clients in the Orphans' Court and the District and Circuit Courts of Maryland in will contests, business disputes, guardianships, and estate and trust litigation. Mr. King also defends clients in tax controversies involving Maryland and federal tax authorities.

**Professional Activities and Achievements:** Admitted to the United States Supreme Court Bar. Mr. King was recently appointed to the Board of Directors of The Women's Law Center of Maryland, Inc., the first male ever appointed to that Board.

## Our Affiliations



### CATHY LONAS, RN, BSN, MSBA

Elville & Associates is proud to announce its professional association with Cathy Lonas, RN, BSN, MSBA, Geriatric Care Manager. Since Cathy's introduction to Mr. Elville, she has become an integral part of our Planning Team. Cathy brings a wide range of talents and abilities to our clients, along with an extraordinary passion and energy for helping others. This personal and professional skill set is now a powerful part of Elville & Associates' solution-oriented approach to elder and estate planning. We are proud of the elevated level of practice and client service we are able to attain by making Cathy's information and services known and available to our clients.



## Our Associate Attorneys



### BRIDGETTE E. BECKER, J.D.

**Practice Areas:** Estate and Trust Administration, Estate Planning, Elder Law

**Education:** J.D., University of Baltimore School of Law, Baltimore, Maryland; International Law Courses, University College Dublin, School of Law, Dublin, Ireland; B.A., Political Science; Minor: History, Randolph-Macon College, Ashland, Virginia

**Bar and Court Admissions:** Maryland Court of Appeals; Maryland State Bar Association; American Bar Association, Young Lawyers Division

**Practice Focus:** Mrs. Becker assists clients in Estate and Trust Administration. She regularly assists clients in preparing wills, trusts, powers of attorney, and living will/advance directives. Mrs. Becker also represents clients in various elder law matters.

**Previous Work :** Mrs. Becker was a recruiting manager for Robert Half Legal in Baltimore, MD focusing on permanent placement staffing for attorneys, paralegals and legal assistants. Before that she was with Merrill, Cruttenden & Collinson, P.A., Annapolis, Maryland engaged in estate planning and business law, and Gartlan Furey Solicitors, Dublin, Ireland a Corporate and Commercial Law Firm with a majority of government and bank contracts as well as private and corporate clients.

**Professional Activities and Achievements:** Pi Sigma Alpha, National Political Science/International Relations Honor Society; Phi Alpha Theta, International History Honor Society; Delta Zeta Sorority, Chapter Lamp National Magazine Editor. Mrs. Becker also speaks conversational French and recently completed a four-month Arabic class.

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### LINDSAY V.R. MOSS, J.D.

**Practice Areas:** Elder Law, Estate Planning, Special Needs Planning

**Education:** J.D., University of Baltimore School of Law; Mount Royal Scholar, B.S., Towson University, Magna Cum Laude; Honor's College, Dean's List

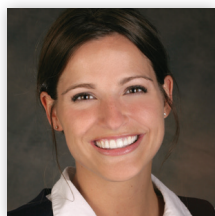
**Bar and Court Admissions:** Maryland Court of Appeals; Maryland State Bar Association; Estate and Trust Law Section; Elder Law Section; Health Law Section

**Practice Focus:** Ms. Moss assists clients in a variety of elder law and special needs matters. She routinely drafts wills, trusts, powers of attorney, and living wills/advance directives.

**Previous Work :** Ms. Moss comes from a diverse background. Upon admission to the Maryland bar, Ms. Moss worked as an associate with a Columbia-based law firm concentrating primarily in family law matters. She quickly learned that her passion was working with the elderly and disabled and in 2008 accepted a position as Director of an Adult Medical Daycare Center located in Annapolis, Maryland. In this position she gained a vast knowledge of the complexities of various Federal and State programs, as well as benefits offered through the Veteran's Administration. Ms. Moss joined Elville and Associates, P.C. in 2013 and continues to devote her efforts and her passion for helping the elderly and disabled in elderlaw.

**Professional Activities and Achievements:** Ms. Moss has an Advanced Certification in Mediation. She is also a Certified Dementia Practitioner (NCCDP) and is certified in Alzheimer's and Dementia Care (HFAM/MAADS). She is a member of the Women's Law Center of Maryland. Ms. Moss is one of the founders of the Students Supporting Women's Law Center. Ms. Moss also serves on the Board of Directors for the Maryland Association of Adult Daycare Services.

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### MEGAN P. HASKINS, J.D.

**Practice Areas:** Estate Planning, Elder Law, Estate and Trust Administration, Fiduciary Litigation

**Education:** J.D., Washington College of Law, American University; M.A., School of International Service, American University; B.A., College of Notre Dame of Maryland, summa cum laude

**Bar and Court Admissions:** Maryland Court of Appeals; Maryland State Bar Association, Section of Young Lawyers, Estate and Trust Law Section; American Bar Association, Young Lawyers Division

**Practice Focus:** Ms. Haskins assists clients in a variety of elder law and special needs matters and in drafting of wills, trusts, powers of attorney, and living wills/advance directives. She also represents clients in the Orphans' and Circuit Courts of Maryland in will contests, guardianship matters, and estate and trust litigation.

**Previous Work :** Ms. Haskins served as a pro bono human rights attorney in affiliation with the International Human Rights Law Clinic at Washington College of Law at American University.

**Professional Activities and Achievements:** Ms. Haskins currently serves as a pro bono human rights attorney. Prior to joining the law firm of Elville & Associates, P.C., Ms. Haskins worked on human rights cases involving human trafficking, asylum based on social group, and diplomatic immunity. She worked with a non-governmental organization in Dakar, Senegal in the Summer of 2012 and for the American Bar Association Rule of Law Initiative in Washington, D.C. Prior to law school, Ms. Haskins worked for four years in the real estate and title industry in Maryland, D.C., and Virginia.

## Our Firm



### MARY GUAY KRAMER

Mrs. Kramer came to Elville & Associates in June 2011 and is the executive assistant to lead attorney, Stephen R. Elville. She also serves as Elville Associates' Funding Coordinator. Mary has an extensive background as an executive assistant and certified paralegal, having worked in large, private law firms and in the corporate world with The Travelers. As Funding Coordinator, Mary's mission is to ensure that every estate and elder law plan is fully funded. Mary's well-known talents for organization and efficiency make her uniquely situated to the funding process and the client follow-up that results in plans that ultimately work as intended. Whether you have a long-standing plan or have recently implemented the planning process, it is always a good idea to review your plan funding. Please call Mary any time a funding question arises, and always keep in mind that we are committed to making sure that your estate or elder law plan is properly funded.

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### ROSE ANN SCHULER

Mrs. Schuler came to Elville & Associates in February, 2011, after spending over 20 years in the background investigation industry. She currently works as a paralegal and also supports the firm administratively. Mrs. Schuler also assists Mrs. Elville in the daily management of the firm's main office in Columbia, Maryland.

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### DEBORAH A. ELVILLE

Mrs. Elville has been a part of Elville & Associates since its inception. She currently heads the firm's billing department and also works with Rose Ann Schuler in the daily management of the firm's main office in Columbia, Maryland.

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### KATHY YARRISH

Mrs. Yarrish recently joined Elville & Associates in April 2013. She has over 15 years of professional experience in accounting, project management and customer service. Kathy has worked for various businesses including government contractors and technology solution providers. She currently assists Deborah Elville in the billing department.

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### JEFFREY STAUFFER

Mr. Stauffer recently joined Elville & Associates in November, 2013 as its Community Relations Director. Prior to joining the firm, Jeff spent 11 years in the financial services industry as an award-winning branch manager for a major national bank, delivering superior client service while building long-lasting relationships with clients. In 1998, Jeff graduated from the University of Maryland at College Park with a B.A. in Journalism and a concentration in Public Relations.

# Ten Things To Look For In An Estate Planning Attorney

by Stephen R. Elville, J.D., LL.M.

1. Provides warm, friendly approach and caring environment.
2. Attorney is a counselor and not just a technician.
3. Clients are provided with a unique estate planning experience and not just a transaction.
4. Provides an interactive estate planning process in partnership with the client and with emphasis on client goals (not a paternalistic approach).
5. Ensures financial advisor/C.P.A. friendly approach with goal of inclusive total team effort; works in good faith with Financial Advisor and/or C.P.A. to implement all appropriate solutions in best interests of the client.
6. Timely and structured process - encourages clients to complete the estate planning process and discourages procrastination.
7. Trust funding - estate planning attorney and firm's funding coordinator oversee and ensure proper funding of all estate and elder law plans (client not abandoned with unfunded plan).
8. Client education and understanding - to the extent possible, attorney ensures that client understands their estate planning documents and choices.
9. Follow-up - maintains on-going contact with clients via annual continuing education and maintenance programs to encourage clients to meet with attorney at least once every other year and facilitates client-attorney contact throughout the year, via quarterly newsletter and other notifications.
10. Value-added services - provides client access to latest in on-line document storage, CD document storage, and all available long-term care product recommendations for "complete" estate planning.

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## ELVILLE & ASSOCIATES' VISION & MISSION STATEMENTS

### VISION STATEMENT

To become the leading estate planning and administration, elder law, and fiduciary representation firm in Maryland through the relentless pursuit of and adherence to the fundamental firm values of educating and counseling clients and constant recognition that the firm exists to exceed our clients' expectations; in an environment that encourages and facilitates constant learning, improvement, and professional advancement for all employees, and where all members of the firm are respected and encouraged to utilize and develop their own unique talents and abilities.

### MISSION STATEMENT

To provide practical solutions to our clients' problems through counseling, education, and superior legal technical knowledge.

# SERVICES OFFERED BY ELVILLE & ASSOCIATES

## ESTATE PLANNING AND TAXATION

- Wills
- Trusts
- Powers of Attorney
- Advance Medical Directives
- Estate Administration (Probate)
- Trust Administration
- Fiduciary Representation
- Estate Tax Planning
- Asset Protection
- IRS Tax Controversy
- State of Maryland Tax Controversy

## ELDER LAW

- Medical Assistance
- Medicaid Asset Protection
- Long Term Care Planning
- Nursing Home Selection
- Assisted Living Issues
- Guardianship
- Veterans Benefits
- Social Security
- Senior Housing

## SPECIAL NEEDS PLANNING

- Special Needs Trusts
- Pooled Trusts
- Public Benefit Preservation
- Supplemental Security Income (SSI)
- Social Security Disability (SSDI)
- Funding of Tort Recoveries
- Financial and other Planning for Special Needs Children and Adults
- Health Care Decision Making



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