



## Elder Financial Abuse: A Crime of the 21st Century



*Victims of elder financial abuse rarely obtain full recovery. In addition to monetary losses, many are left to struggle with increased anxiety, physical symptoms, dependence and reliance on public benefits.*

*For more information on how and where to report elder financial abuse contact H.E.L.P. at (310) 533-1996.*

**F**inancial abuse of seniors—the improper or illegal use of an elder person’s resources—seems to be growing at an alarming rate. Due to a lack of awareness, fear of retaliation and loss of personal independence, many elder abuse victims do not report what occurred. Should the truth finally get out, they often fear retaliation from the abuser, and less trust and respect from their closest family members and friends.

Some people assume that those who abuse seniors are usually strangers scheming to access another victim’s finances. The truth is that elder financial abusers often include immediate family members such as spouses, children or their kin; unethical business professionals such as attorneys, physicians or financial advisors; unscrupulous service providers such as contractors, caregivers, or storekeepers, as well as unknown predatory scammers or con-artists.

Common warning signs that caring family, friends and service providers should be aware of include:

- The unauthorized use of ATM or credit cards
- Newly authorized signers on financial accounts

- Abrupt changes in wills, trusts or powers of attorney
- Unexpected changes in named beneficiaries
- Bank or credit card statements sent to a different address
- Dwindling funds with repeated unpaid bills
- Missing property, such as jewelry and art

By working with trusted family members or friends, most seniors can structure protections from certain types of financial abuse. Utility, insurance and some mortgage companies allow seniors to name other see *Financial Abuse* on page 6

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# The Perfect Time

by Helen Dennis

The role of H.E.L.P. is more important than ever. The challenges of health care, life planning and consumer issues are glaring. Older adults, their families and friends may face challenges that are “firsts” in their lives.

As average life expectancies increase, we are more aware of conditions such as Alzheimer’s and Parkinson’s diseases. At the same time we are becoming aware of Medicare’s limitations on covered treatments, available providers and skilled nursing-home care. And then there are the economics of growing older; fears of outliving one’s retirement funds, being vulnerable to consumer frauds and sharp declines in nest egg investments are real.

Yet, most of us have lived through at least one or more hard times. Survival has been ensured by individual strengths, creativity, hard work, resilience and ability to make good decisions. H.E.L.P. is dedicated to supplement these individual strengths with information, education and counseling. We are proactive in providing objective information through our classes, printed materials and websites that assist older adults and their families in meeting current and future challenges.

What may appear as the perfect storm of adversity for many older adults may also be the perfect time for opportunity and solution. We believe a life of dignity, comfort and confidence is within the reach of all. That belief is our commitment.

On behalf of H.E.L.P., we extend our best wishes to each of you and your families for a new year of health, happiness and security.

*Helen Dennis is Chair of the H.E.L.P. Board of Directors*

H.E.L.P. (Healthcare and Elder Law Programs Corporation) is dedicated to empower older adults and their families by providing impartial information, education and counseling on elder care, law, finances and consumer protection so they may lead lives of security and dignity.

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*H.E.L.P. Is Here* gives general information, not specific advice on individual matters. This issue is based on law in effect in California on November 1, 2008.

Published four times a year by

**H.E.L.P.**

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 Torrance, CA 90501-2701  
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*We thank Alcoa Fastening Systems  
 for funding costs of this issue.*

H.E.L.P. provides referrals to help older adults obtain care, social and other services. H.E.L.P. does not refer any person to any private attorney or private law office; all legal service referrals are to legal aid and similar free legal service organizations, or to attorney referral services operated by bar associations or similar organizations. H.E.L.P. does not request or accept referral or similar fees or compensation from any person or organization.

To request a copy of H.E.L.P. Is Here, change your mailing address or be removed from the mailing list, call us at (310) 533-1996 or e-mail us at [magazine@help4srs.org](mailto:magazine@help4srs.org).

## Annuities: Look Before You Leap

**Question:** *I plan to retire soon, and want my savings to take the place of my monthly income. What are annuities, and are they right for me?*

**Answer:** An annuity is a type of insurance that provides periodic payments. Depending on the contract, payments either last a certain number of years or terminate when the insured person passes away. The reason most people benefit from purchasing annuities is that, instead of having to pay taxes when investments accrue, taxes can be delayed until scheduled payments commence. For soon-to-retire seniors, purchasing annuities is not usually recommended as the best financial option.

The two basic categories for annuities are immediate and deferred:

- **Immediate annuity:** The insured person starts receiving monthly payments shortly after investing a required amount, referred to as the “premium.” The chief benefit of an immediate annuity is that it locks in a monthly income stream.
- **Deferred annuity:** Once the premium has been paid, the insured person starts receiving benefits after a specified time period has passed. This period – referred to as accumulation – reflects the minimum time set for investments to earn interest. The

see *Annuities* on page 6

*All insurers, brokers, agents, and others engaged in the transaction of insurance owe a prospective insured who is 65 years of age or older, a duty of honesty, good faith, and fair dealing.*

— California Insurance Code Section 785

## Not Always Best to Do It Yourself

**Question:** *Grandma wants me to handle her financial affairs. Do I need an attorney, or can I do it myself?*

**Answer:** The legal tool which people may choose to name someone who will speak for them should they become incapacitated and unable to speak for themselves is the **durable power of attorney for financial matters (DPAFM)**. The person who signs the DPAFM is the “principal,” while the person chosen to act on the principal’s behalf is the “agent.”

A DPAFM must be very specific in defining the powers it is authorizing. For example, the agent may be given the legal right to manage, dispose of, sell and convey the principal’s real property or use it as security to borrow money. The agent may also be given the right to make decisions about where the principal will live,

meals and transportation, household employees, and suitable recreation and entertainment.

In California, there are three ways to prepare a DPAFM: pre-printed and software forms, self-drafted forms that include the templates set forth in the Probate Code, and attorney-drafted forms. Many pre-printed and software forms are too general to properly identify the principal’s property or define the agent’s powers. On the other hand, template forms include a list of provisions that the principal either checks or crosses out. Although such forms do provide a space for the principal to add special instructions, it is the principal’s responsibility to

see *Not Always Best* on page 8



*H.E.L.P. provides information and referrals on valuable community services addressing elder care, law, finances and consumer protection. Listed below are some of those agencies you might find useful. Of course, we are always available to help if you have a problem or need information. You can call H.E.L.P. at (310) 533-1996 or e-mail us through our website: [help4srs.org](http://help4srs.org).*

<b>Elder Care</b>	<b>Phone Numbers</b>	<b>Web Addresses</b>
Adult Protective Services (Elder abuse reporting hotline)	(888) 202-4248	<a href="http://css.lacounty.gov/aps">css.lacounty.gov/aps</a>
After Hours Elder Abuse Reporting Hotline	(877) 477-3646	<a href="http://css.lacounty.gov/aps">css.lacounty.gov/aps</a>
Alzheimer's Association, Southland Chapter	(800) 272-3900	<a href="http://alz.org/californiasouthland">alz.org/californiasouthland</a>
Area Agency on Aging (Information and assistance)	(800) 510-2020	<a href="http://aging.ca.gov">aging.ca.gov</a>
Center for Health Care Rights/HICAP (Medicare and Insurance Counseling)	(800) 824-0780	<a href="http://cahealthadvocates.org/hicap">cahealthadvocates.org/hicap</a>
Home Ownership Preservation Foundation (Foreclosure assistance)	(888) 995-4673	<a href="http://995hope.org">995hope.org</a>
Long Term Care Ombudsman (Mediation for those living in licensed facilities in L.A. County)	(800) 334-9473	<a href="http://wiseandhealthyaging.org">wiseandhealthyaging.org</a>
Social Security	(800) 772-1213	<a href="http://ssa.gov">ssa.gov</a>
California Association of Adult Day Services (Adult day care answers)	(916) 552-7400	<a href="http://caads.org">caads.org</a>
California Advocates for Nursing Home Reform (Advocacy and lawyer referral)	(800) 474-1116	<a href="http://canhr.org">canhr.org</a>
Los Angeles Caregiver Resource Center (For caregivers of adults with brain impairment)	(800) 540-4442	<a href="http://lacrc.usc.edu">lacrc.usc.edu</a>
National Hospice Organization (Empowering people to make end-of-life choices)	(800) 658-8898	<a href="http://nhpco.org">nhpco.org</a>
<b>Legal</b>		
Bet Tzedek Legal Services (Provides free legal services for seniors in LA County)	(323) 939-0506	<a href="http://bettzedek.org">bettzedek.org</a>
Dispute Resolution Service-L.A. County Bar (Accessible conflict resolution services)	(213) 896-6533	<a href="http://lacba.org">lacba.org</a>
Senior Legal Hotline (Provides free legal advice & services to Californians aged 60+)	(800) 222-1753	<a href="http://seniorlegalhotline.org">seniorlegalhotline.org</a>
<b>South Bay Resources</b>		
Beach Cities Health District (Provides support services)	(310) 374-3426 x149	<a href="http://bchd.org">bchd.org</a>
Focal Point of Aging (Information and referral service)	(310) 320-1300	<a href="http://ci.torrance.ca.us/2168">ci.torrance.ca.us/2168</a>
Redondo Beach Senior and Family Services (Programs to promote health)	(310) 318-0650	<a href="http://redondo.org">redondo.org</a>
South Bay Senior Services (Health-related and case management services)	(310) 325-2141	<a href="http://bhs-inc.org/ss">bhs-inc.org/ss</a>



## Safe Driving For Seniors

The California Department of Motor Vehicles (DMV) estimates that by the year 2030, one out of every five licensed automobile drivers will be 65 or older. Although the DMV may not discriminate against adult drivers because of age, it has the responsibility to make sure that all licensed drivers have the physical and mental abilities that enable them to drive safely.

Because of the normal aging process, older adults may lose some of the driving abilities that were present in their younger years. Warning signs include:

- Feeling uncomfortable, nervous or fearful while driving
- Driving too slowly or too fast
- Having a hard time concentrating while driving

- Getting lost in familiar places.

Even if one or more of these warning signs arise, the DMV may still issue licenses to those drivers who are able to drive safely. For example, for seniors whose ability to see has deteriorated, the DMV may choose not to revoke their licenses, but to restrict them from driving without glasses or corrective contact lenses.

Other common DMV restrictions for seniors with physical or mental impairments include:

- No freeway driving
- Driving only between sunrise and sunset, but not at night

*see Safe Driving on page 8*

To locate the driver safety classes close to you, call Wise & Healthy Aging at (310) 394-9871, ext. 455 or go to the AARP website at [aarp.org/families/driver\\_safety](http://aarp.org/families/driver_safety).

## Your Right to Choose Life-Sustaining Treatments

Health care planning is a process that helps people think about the kind of care they would wish to receive should they become seriously ill or incapacitated. In California, a **Power of Attorney for Health Care (PAHC)**, is the legal document that allows patients to choose who will speak for them should they be unable to speak for themselves.

Unfortunately, a healthcare provider who confronts an emergency situation may lack the time and opportunity to communicate with a terminally ill patient's chosen spokesperson. For this reason, a new California law permits treating physicians to confer with their patients to define acceptable types of life-sustaining treatment should a

medical decision involving issues of life support arise.

The **Physician Orders for Life-Sustaining Treatment (POLST)** converts the patient's wishes regarding life-sustaining treatment into a formal medical order. To ensure that the order has full force and effect, the POLST must be:

- Completed by a health care provider based on the patient's preferences and medical indications
- Signed by the treating physician and either the patient or the patient's legally recognized health care decision-maker

*see Physician Orders on page 8*



## Financial Abuse

*Continued from page 1*

people who may be alerted should missed or insufficient payments occur. Additionally, when noting unusual cash withdrawals or other financial activities, bank personnel may be directed to flag accounts and contact the seniors' authorized representatives.

Certain professionals, including bank employees, custodial and health care providers, clergy, and law enforcement officers, are categorized as "mandated reporters." This means that they are legally required to report

allegations of abuse to proper authorities in a timely manner.

With the assistance of caring family and friends, seniors can protect themselves by:

- Using direct deposits for the receipt of social security, pension plans and other monthly incomes
- Refusing to sign blank checks
- Carefully reviewing credit card and bank statements
- Refusing to sign papers they do not fully understand

- Checking out whether a charity is a state-recognized nonprofit organization before donating
- Placing outgoing mail inside, and not outside, a covered mailbox while awaiting pickup

Elder financial abuse is an increasing problem that can only be avoided or stopped by recognizing each elder's concerns, intervening when abuse is suspected, and educating seniors, families and friends about how to recognize and report abuse. ❖

## Annuities

*Continued from page 3*

chief benefit of a deferred annuity is that its profits will not be taxed until they are withdrawn.

Once withdrawn, the interest earned from annuities will be taxed as earned income. The capital gains protections afforded stocks, bonds and other assets do not apply to annuities.

Insurance companies typically impose penalties for early withdrawals from deferred annuities. Although policies differ, time limitations for withdrawing have been shown to range from one to twenty years. Seniors who cannot gain access to their investment funds often suffer severe financial hardships.

Deferred annuities are either fixed, variable or have portions of both. In a fixed annuity, the

insurer locks in a low, fixed rate of return. This means that the insured person always receives the same payments every month. Unfortunately, inflation can eat away at the value of locked-in fixed payments.

With variable annuities, earnings rates and monthly payments can rise or fall depending on how the investments perform. Should investment returns not do well, both the insured senior's monthly income and the original investment will be at risk.

Current California law contains safeguards for people 65 and older who are thinking of investing in annuities. Any insurance agent who appears at a senior's home must provide at least 24-hours written notice of the senior's

legal rights to contact the **California's Consumer Hotline** for information and/or to file a complaint at (800) 927-4357.

When a scheduled appointment takes place, the insurance agents must provide their business cards or other written identifications. They must provide senior clients with formal written notice that purchasing an annuity sometimes results in tax consequences, early withdrawal penalties or other identified costs.

Under California law, every senior who purchases an annuity must be given at least 30 days to review the particular policy. Within that time, should the senior decide to withdraw, the insurance company must void the contract and, within the next 30 days, refund all sums paid. ❖

# H.E.L.P. Classes: Create Better Endings: 2009 Series

When a person confronts the end of life, families and loved ones are often able to create a better ending by providing remarkable care, and sharing their feelings of suffering and grief.

Join us for insight, information, real-life experiences and inspiration as we examine issues of declining health, death and dying. For more information, see H.E.L.P.'s special website at [better-endings.org](http://better-endings.org).



Find out about our other upcoming classes – or arrange one for your group of 25 or more – by calling: (310) 533-1996 or checking [help4srs.org/class](http://help4srs.org/class).

## Torrance Memorial Medical Center

Thursdays, 6:30 to 8:30 p.m.

Auditorium, West Tower

3330 Lomita Boulevard, Torrance, California 90501

Donations will be requested for Caring House

(\$10 per person per session)

- Jan. 8 Good Talking with You
  - Jan. 15 Grief and Healing
  - Jan. 22 Care for the Caregiver
  - Jan. 29 Talking With Children About Death and Dying
  - Feb. 5 Getting Smart About Pain
  - Feb. 12 Creating the Optimal Last Six Months
- Call (310) 533-1996 for reservations

# Nuts and Bolts Guide: The Taxes on Giving: Federal Estate and Gift Taxes

**HEL.P.<sup>®</sup>**  
Nuts and Bolts Guide

**The Taxes on Giving: Federal Estate and Gift Taxes**

**Introduction**

Yes, indeed, there are taxes on giving assets away. The tax on gifts made upon death is the estate tax. The tax on gifts made while the giver is alive is called the gift tax. In 2008, the estate tax rate is 45%, and the gift tax rate ranges from 1% to 45%.

**The Boomerang Tax Act**

In 2001, President George W. Bush signed into law the Economic Growth and Tax Relief Reconciliation Act of 2001. The Act added to the complexity of the estate and gift tax laws. For reasons discussed below, we call it the Boomerang Tax Act or BTA.

**Exemption Amounts**

Even under the old law (pre-BTA), 5% or lower of estates ended up paying any estate tax. Under the BTA, the percentage is even smaller. Only 1.5% of the estates of adults who died in 2008 were liable for any estate tax, according to statistics of the Tax Policy Center. Why such small percentages? The principal reason is the exemption amount rules.

Under those rules, each of us could have given away \$275,000 in 2001 without paying any estate tax.

**Gift Tax**

The gift tax is the tax on gifts made while the giver is alive. Most lifetime gifts, however, end up not being taxed. Generally, the following are not taxable gifts (and no gift tax return needs to be filed):

- Gifts covered by the \$12,000 Rule
- Tuition or medical expenses paid directly by the giver to a medical or educational institution for the benefit of another person.
- Gifts to the giver's spouse.
- Gifts to a political organization for its use.
- Gifts to qualifying charities.

Even if a lifetime gift would be taxable, substantial protection is available from the exemption amount.

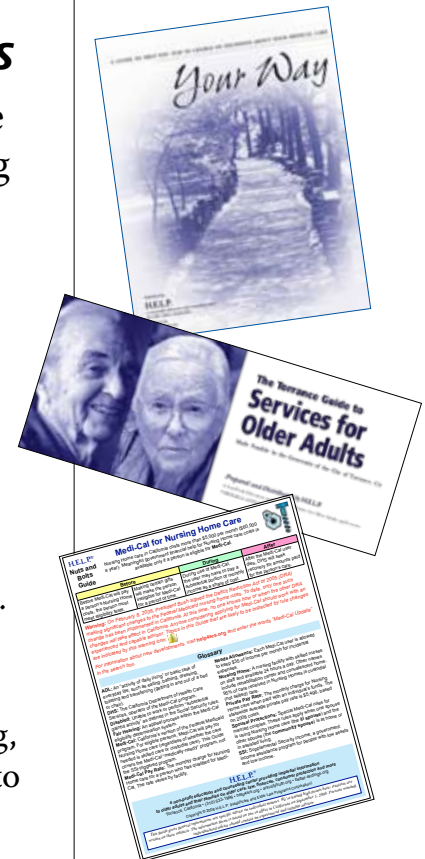
**Example:** George had never before made any meaningful gifts. In 2008, however, George gives \$100,000 to his son (S). The tax consequences? By April 15, 2009, George must file a gift tax return to report the gift to S. But no tax will be due. In the gift tax return, George will use up a portion of the \$1 million gift tax exemption amount and reduce the available amount of the gift to zero. If George makes more taxable lifetime gifts, there will be no gift tax until the value of the remaining gift tax exemption amount is used up.

**The \$12,000 Rule**

Even a \$50 birthday gift could be subject to tax under the basic gift tax rules. But people do not need

Learn all about federal taxes on giving. The gift tax refers to taxes on gifts made during one's lifetime, while the estate tax refers to taxes on gifts received after the giver has passed away.

You can buy H.E.L.P.'s guide for \$10. Supplies are limited. See our other guides at [help4srs.org/store](http://help4srs.org/store).



You can find our complete free and low-cost publication list at [help4srs.org/catalog](http://help4srs.org/catalog), or call us at (310) 533-1996 for a publication catalog.

Order by phone (310) 533-1996, online [help4srs.org/store](http://help4srs.org/store) or use the envelope enclosed at the centerfold by filling in the item description, quantity and total price. Except where noted, our pricing includes shipping, handling and sales tax (if any), within the United States. Pricing is subject to change without prior notice.

## Not Always Best

*Continued from page 3*

make sure that requested power limitations or authorizations are clear.

Regardless of whether the DPAFM is preprinted, self-drafted, or prepared by an attorney, issues may arise if someone questions its validity. Relatives, friends, or even government agents have the right to file court petitions that question whether the principal was clearheaded enough to understand the DPAFM when it was signed. They may also file petitions that question whether the agent improperly transferred

property. If such allegations are true, the agent may be criminally charged with fraud and embezzlement, prosecuted for elder abuse, and sued in civil court.

It is for these reasons that attorney-drafted DPAFMs provide the principal and agent with unique protections. Such forms must include confirmation that the principal obtained the attorney's advice before deciding to sign the DPAFM. Therefore, should problems arise, the court's primary focus on who is liable will be on the attorney. Even if the

agent's transfer of property was improper, if it can be shown that he or she relied on that attorney-drafted form, the attorney will be legally responsible, and not the agent.

In other words, compared to a do-it-yourself form, the legal security and clarity that are required by an attorney-drafted DPAFM may well be worth its higher cost. ❖

## Safe Driving

*Continued from page 5*

- Driving only to essential places, such as the doctor's office, church or temple, or grocery store.

One of the ways for drivers age 55 or older to make sure that their driving abilities remain secure is for them to take a DMV approved "Mature Driver Improvement Course." In focusing on issues of senior driving, the course provides students with information which addresses:

- How impairment of visual and audio perception affects driving performance and ways to compensate
- The effects of fatigue, medications and alcohol on driving performance, and precautionary measures that may prevent or offset ill effects
- Safe and efficient driving techniques under various road and traffic conditions

- How to plan travel time and select safe and efficient routes.

The "Mature Driver Improvement Course" lasts at least six hours and 40 minutes, and may be scheduled in one or two sessions. Those drivers who successfully complete the course will receive a certificate of completion. With that certificate, most automobile insurance companies will reduce the costs of premiums for periods up to three years. ❖

## Physician Orders

*Continued from page 5*

- Prepared on a brightly colored pink form that is immediately recognizable by emergency care providers
- Filed on the first page of the patient's medical file, and

transferred with that file to all future health care providers

Doctors are required by law to honor the preferences of those patients who have chosen to use this legal document as a template

that defines appropriate future care. However, the POLST may be changed or revoked by the physician, patient or patient's health care decision-maker at any time. ❖



# H.E.L.P. Welcomes Talented New Board Members

H.E.L.P. has added the following four new community leaders to lend their skills to our board of directors:

- **Judith M. Gonser** is Director of Compensation and Benefits at The Aerospace Corporation where she oversees administration of the program's retirement plans, health and welfare plans and work/life programs. She has many credentials and vast experience in the areas of human resources management and pre-retirement planning and coaching.
- **Sibylle Grebe** is a partner in the law firm of Conover & Grebe, LLP, where she practices in areas including probate, conservatorships, estate planning, trust administration and elder law. She has served as Chair of the Los Angeles County Bar Association Elder Law Committee and President of the Southern California Council of Elder Law Attorneys.
- **George Nakano** formerly represented the 53rd District,

the southern coastal region of Los Angeles County, in the California State Assembly. Prior to that, he served as a Torrance City Councilman for 14 years. He founded the Torrance Chapter of the Japanese American Citizens League and was President of Torrance's AARP Chapter.

- **Charles M. Shumaker** has a private practice in real estate with the law firm of Shumaker Morin, LLP. He was a founder of the Palos Verdes Library Foundation and a planning commissioner for Rolling Hills Estates. He serves on the executive committee of the Los Angeles Central City Association and the board of the San Bernardino Symphony Orchestra.

"We're delighted and fortunate to have these exemplary new board members," said H.E.L.P. Board Chair, Helen Dennis. "Their talent, experience, commitment and vision for H.E.L.P. will allow us to achieve our fullest potential." ❖



*From left to right: George Nakano, Charles Shumaker, Judith Gonser and Sibylle Grebe.*

**Webbed feat.** Our website is on track to receive more than 500,000 visits this year, a huge increase over previous years. To pay us a visit, find us at [help4srs.org](http://help4srs.org).

**Retiring type.** H.E.L.P. Board Chair Helen Dennis and co-author Bernice Bratter's book, *Project Renewment: The First Retirement Model for Career Women*, was recognized on the Los Angeles Times' bestsellers list.

## Get a Second Opinion First!

H.E.L.P. offers **legal consultations** to assist individuals, their caregivers and families examine their options for **long-term care planning** (e.g., care planning, probate avoidance and property transfers), and **estate administration** (e.g., distribution of property after a person has passed away).

The consultations are offered by H.E.L.P.'s Director of Legal Programs, Esther Epstein, Esq., EMPH.

To schedule a consultation, call H.E.L.P. at **(310) 533-1996**. You will be directed to speak with one of H.E.L.P.'s community services staff.

Although the charge for each consultation is \$200, H.E.L.P. invites tax-deductible donations that allow us to waive the fees for those low-income people who are unable to pay. ❖



*Esther Epstein, Director of Legal Programs*

H.E.L.P. thanks our generous donors and volunteers for their wonderful support. All 2008 donors and volunteers will be listed at [help4srs.org](http://help4srs.org) and also in our printed annual report. Due to space constraints we are only able to list our recent volunteers and major donors in this issue.

### Support Levels

Up to \$99 – Big H.E.L.P.er

\$100 to \$499 – Extra H.E.L.P.er

\$500 to \$999 – Super H.E.L.P.er

\$1,000 to \$4,999 – Major H.E.L.P.er

\$5,000 to \$9,999 – Mega H.E.L.P.er

\$10,000 to \$24,999 – Colossal H.E.L.P.er

\$25,000 to \$49,999 – Super Colossal H.E.L.P.er

\$50,000 or more – Mega Super Colossal H.E.L.P.er

### Foundations, Government and Groups

#### Mega Super Colossal H.E.L.P.er

S. Mark Taper Foundation

#### Colossal H.E.L.P.er

Employees Community Fund of Boeing California; J.B. & Emily Van Nuys Charities; Los Angeles County Supervisor Don Knabe

#### Mega H.E.L.P.er

Abe & Catherine Kaplan Philanthropic Fund; AJAX Foundation; Henry L. Guenther Foundation; The Skylark Foundation

#### Major H.E.L.P.er

The Board of Christian Action; City of Torrance; The Corwin D. Denney Foundation; Kiwanis Club of Rolling Hills Estates; Las Vecinas; Little Company of Mary Health Foundation; Los Angeles County Bar Foundation; Marcil Family Foundation; Negri and Rancho Gardens Foundation; Sandpipers Philanthropy Trust Fund; Torrance Memorial Medical Center

### Businesses

#### Super Colossal H.E.L.P.er

Toyota Motor Sales, U.S.A., Inc.

#### Mega H.E.L.P.er

Alcoa Fastening Systems; Chevron Products Company; Mackenroth Land Company, Inc.; Piano City

#### Major H.E.L.P.er

Bank of America; Bezaire, Ledwitz & Associates Torrance; The Boeing Company; Burkley & Brandlin LLP; Carico Toomy and Associates, LLP; Citigroup

Foundation; Continental Development Corporation; Emily Stuhlberg & Associates, Inc.; Enright Premier Wealth Advisors, Inc.; ExxonMobil Corporation; Fulbright & Jaworski LLP; The Gas Company; Jayne Products, Inc.; L.A. Cares Health Plan; Lincoln Iron & Metals Inc.; Palos Verdes Engineering; Peninsula People; Rolling Hills Country Club; Sunrise Assisted Living of Hermosa Beach; U.S. Trust, Bank of America Private Wealth Management; Welch & Co. Accountancy Corp.

### Individuals, Couples and Families

#### Mega Super Colossal H.E.L.P.er

Jimi K. Andersen

#### Super Colossal H.E.L.P.er

Ralph & Loraine Scriba

#### Colossal H.E.L.P.er

Marylyn Ginsburg

#### Mega H.E.L.P.er

Roger & Carolyn Ayers; John Lescroart; Mataalii Family; Frank & Marilyn Schaffer; Elaine Seegar

#### Major H.E.L.P.er

Robert & Rosalie Abelson; Jean Adelsman; Anonymous(3); Michael & Honeya Barth;

Kristin Andersen / Ghassan Bejjani; Rod Burkley & Lauren Phan; Ilene & Lee Clow; Steve & Adrienne Cole; Kate Crane; Jennifer Denis; Helen Dennis; Carolyn & Julian Elliott; Marylyn Ginsburg & Chuck Klaus; Jacky Glass; Tom & Cathy Grove; Jim & Cathy Hendrickson; Hoon Ho; Stella Horton; Irène Hougasian & Gregory Dulgarian; Ed & Marcia Kuplis; Dennis & Gail Leburg; Roberta Mann; Mildred & Howard Marx; Carmen & Otto Neely; Peter & Janet Pettler; Donna Phelan; Carol Lee Rhyne; Nan Salley; John & Kathy Schuricht; Carolyn & Dick Seaberg; Tom & Ruth Shigekuni; Ardis Shubin; Ellen Tarlow; Gary & Sherrie Tossell; Jerry & Anne Wittels; Grace Yeh

## Make a Difference Even After You're Gone

**W**ould you like to leave behind a legacy of assisting older adults and those who care about them?

You can, by leaving a legacy gift to H.E.L.P. through your will, trust, IRA, other retirement plan, life insurance or real estate ownership rights. A legacy gift lets you continue making a difference in the lives of older adults and families – even after you're gone.

Our **Heritage Circle** honors and provides special recognition to those who support H.E.L.P. through their estate plans. The dollar amount of your commitment is not a factor, and your gift may be kept anonymous if you wish. Just let us know when you decide to make your legacy gift. Or, let us know if you already qualify and would like to become a member of the Heritage Circle.

Remember, good intentions do not ensure that your assets will be distributed according to your wishes after your death. Be sure to work with an experienced attorney to create the proper legal paperwork. Consider the following language for a will or trust: *"I give [describe gift] to the Healthcare and Elder Law Programs Corporation (also known as H.E.L.P.), a California nonprofit public benefit corporation, to be used in such manner as its Board of Directors shall determine."* If you wish to designate your gift for a particular purpose, we would be happy to discuss options with you.

To join or obtain further information regarding the Heritage Circle, please contact Joe Cislowski, H.E.L.P.'s President and Chief Executive Officer, at **(310) 533-1996**. ❖

*Some people think that leaving a legacy gift is only for the Andrew Carnegies of the world. Extremely wealthy people do leave legacy gifts. But, the average bequest to a charity is roughly \$35,000, which means a lot of regular people leave legacy gifts to charities they care about.*

## IRA Charitable Rollover Extended

If you are 70½ or older, you can have up to \$100,000 from your IRA or Roth IRA sent directly to public charities of your choice, like H.E.L.P., without having to count the donations as taxable income. New legislation extends this IRA charitable rollover through 2009.

The IRA Charitable Rollover is intended to benefit donors of all incomes, even those who do not itemize their tax deductions and would not

otherwise receive any tax benefit for their charitable contributions.

**Cautions:** Never give away money you may need. Although the new rule applies to H.E.L.P., it doesn't apply to all charities. The gift must be made directly from your IRA trustee to the charity. Check with your tax advisor.

For more information, contact Joe Cislowski, H.E.L.P.'s President and Chief Executive Officer, at **(310) 533-1996**. ❖



### In Honor Of

Mr. and Mrs. Joseph Hubbard  
(Emily and Jerry Stuhlbarg)

### In Memory Of

Gertrude Barab  
(Mildred Marx, Anne and Jerry Wittels)

David Barrad  
(Emily and Jerry Stuhlbarg)

Owen Burris  
(Doris Burris)

Mary Bateman  
(Barbara Sepeda)

Jerri Smith  
(Emily and Jerry Stuhlbarg)

***Do you have someone you wish to honor or remember, or something you want to celebrate? Please include the information with your donation to be listed in H.E.L.P. Is Here.***



**79-year-old Thelma was startled when her bank called to say her loan had defaulted.** She knew she didn't have any loans with that bank, but it insisted that the loan was in her name. The address on the account was in another state. Her identity had been stolen. **Who can help Thelma?**

**Brother and sister Sal and Karen are very worried about their mother's safety.** Sarah, aged 89, has a long list of medical conditions and is at high risk of falling. Sal and Karen want their mother to live at home as long as it is safe and affordable. **Where can Sal and Karen turn?**

**John needs nursing home care, but Phyllis isn't sure how they can afford it.** John's Parkinson's disease has been getting worse, and devoted wife Phyllis can't continue to care for him at home. They know nursing home care is expensive and don't know if Medi-Cal can help pay for it. **Who should John and Phyllis call?**

**We are proud that H.E.L.P. is here to assist them all.** You can learn how we can help Thelma, Sal, Karen, Sarah, John, Phyllis, and thousands of other families in need, in our upcoming annual appeal mailing.

**We depend on donors like you.** More than 90 percent of our funding comes from private donors. Please support our annual appeal, or if you would like to respond today, please use the enclosed envelope.

**Thank you.**

Names and photos changed to respect confidentiality

You can find more information about H.E.L.P. and many more articles about elder care, law, finances and consumer protection on our website at: [help4srs.org](http://help4srs.org)



**H.E.L.P.®**

Healthcare and Elder Law Programs Corporation  
1404 Cravens Avenue  
Torrance, California 90501  
(310) 533-1996  
[help4srs.org](http://help4srs.org)

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