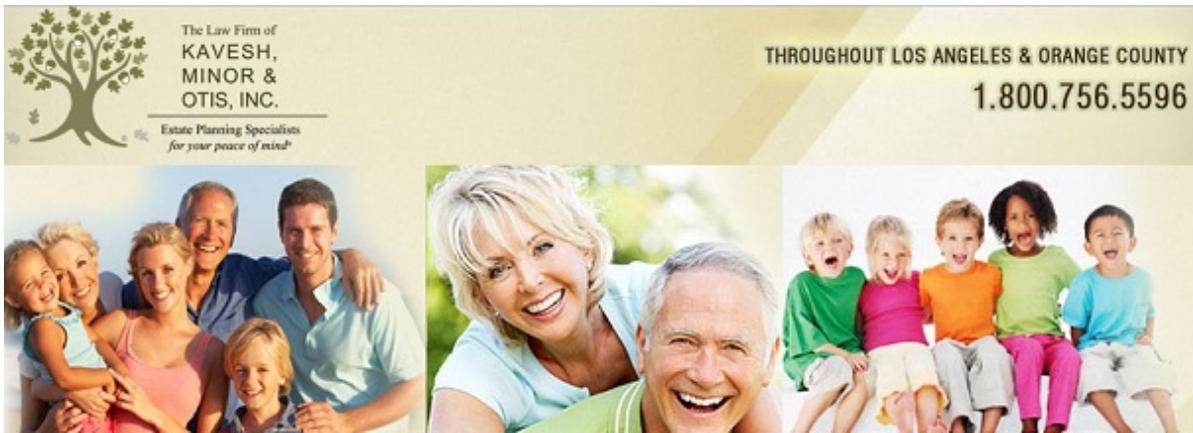


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**August 2017  
Edition**

# Have You Named The Wrong Successor Trustee?

By

**Attorney, Philip Kavesh**

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Most estate plans properly focus on distributing your hard earned assets to the right people and at the right time, while minimizing court interference and taxes. However, not enough estate plans thoroughly consider the choice of successor Trustee, who will act someday when you can't. You may have made a quick, snap decision and, looking back on it...

## Living Trust Seminar

**For the public and also  
for our existing clients  
who want to bring  
family or friends!**

**Tuesday,  
August 8**

Torrance Double Tree Hotel  
9:30 - 11:30 am  
21333 Hawthorne Blvd.

**REGISTER**

**Thursday,  
August 10**

Torrance Double Tree Hotel  
9:30 - 11:30 am  
21333 Hawthorne Blvd.

**REGISTER**

**Saturday,  
August 12**

Torrance Marriott Hotel  
9:00 - 11:30 am  
3635 Fashion Way

**REGISTER**

**Wednesday,  
August 16**

Torrance Double Tree Hotel  
6:30 - 8:30 pm  
21333 Hawthorne Blvd.

## This Could Result in the Worst Legacy of All: Family Disharmony

Most people automatically name their spouse, child or another family member as Trustee. Unfortunately, after administering over 4,000 trusts upon the disability or death of our clients, our law firm has repeatedly found the appointment of a family member to be a terrible decision - - often resulting in family fights, animosity and disharmony that may live on for many years, even generations, after you're gone.

## Consider a Professional Trustee

If you have any of the following situations, the use of a Professional Trustee (such as a bank or trust company),

**REGISTER** 

**Tuesday,  
August 22**  
Torrance Main Office  
9:30 - 11:30 am  
990 West 190th Street  
Suite 500

**REGISTER** 

## Office Locations

**For your convenience,  
we have multiple office  
locations throughout  
Southern California.**

### **Main Office:**

#### **Torrance Office**

990 W. 190th St.  
Suite 500  
Torrance, CA 90502

### **Other Local Offices:**

#### **Pasadena Office**

790 E. Colorado Blvd.  
9th Floor  
Pasadena, CA 91101

#### **Woodland Hills Office**

5850 Canoga Ave.  
4th Floor  
Woodland Hills, CA 91367

#### **Orange Office**

333 City Drive West  
17th Floor  
Orange, CA 92868

#### **Newport Beach Office**

5000 Birch St.  
Suite 8000  
Newport Beach, CA 92660

## Contact Us

**You may contact us to  
make an appointment  
for your initial  
consultation, to  
schedule a review of  
your current estate  
plan, or to make a  
referral.**



**1-800-756-5596**  
**[www.kaveshlaw.com](http://www.kaveshlaw.com)**  
**[info@kaveshlaw.com](mailto:info@kaveshlaw.com)**

## OUR WEBSITE



**Learn more about**

may be a better fit for you:

- You are concerned that the person you appointed as Trustee may not be able to handle the duties and responsibilities
- You have several children or other family members who are named to serve together as Co-Trustees and will all have to agree when actions are to be taken
- You know, deep down, that one or more of your beneficiaries (or their spouses) won't get along with your appointed Trustees
- One child (who will receive his or her inheritance right away) will act as Trustee and "lord over" another child whose share is to be held in trust
- Beneficiaries may immediately withdraw their share of IRAs and company retirement plans, but you would prefer they "stretch-out" these taxable distributions, so they'll have more to support them later in life
- You have children of a prior marriage, and name your surviving spouse to act alone as Trustee, or as Co-Trustee with one or more of your children, or worse yet, name children of both spouses to act together.

In all these situations, and many more, it's a smarter decision to name a Professional Trustee, either as sole successor to you or as a Co-Trustee with your spouse, child or other family member (to act as a "check and balance" on them).

Unlike a family member Trustee, a Professional Trustee:

- Doesn't have personal or emotional issues with your other Co-Trustees or beneficiaries
- Isn't unduly influenced by a spouse, another family member or a beneficiary
- Doesn't take it upon themselves to "rewrite" your plan because "they know better"!
- Has the requisite experience, staff and time to handle your important financial matters quickly and efficiently
- May actually cost less than a family member Trustee, because many professional services are included in the Professional Trustee's fee rather than paid for separately
- As an independent Trustee, a professional can help preserve your family harmony!

important estate planning issues by visiting our website.

[kaveshlaw.com](http://kaveshlaw.com)

Also, visit our blog to keep up on the latest developments in estate planning.

[blog.kaveshlaw.com](http://blog.kaveshlaw.com)

## Who Should You Choose as Your Professional Successor Trustee?

In the past, we have recommended a number of banks and trust companies. Today, our preference is The Private Trust Company ("PTC").

Most banks or trust companies tout their years of experience and strong financial backing - - of course, so does PTC.

But here's what we feel makes PTC stand out:

- PTC is willing to serve as a Co-Trustee with a family member (most other banks and trust companies won't)
- PTC will work with your existing financial adviser when making investment decisions (most other professional Trustees will take over the management of your money themselves)
- PTC will hold and manage your real estate if it meets certain reasonable criteria (most other professional Trustees will seek to immediately sell your real estate)
- PTC is licensed in all 50 states and has local offices in Southern California
- PTC's fees are substantially lower than those charged by most other Professional Trustees

### Check Them Out

Don't just take our word for it. Go ahead and shop and compare Professional Trustees. If you have not been in for an estate plan review during the past 3 years and would like to meet with us, or you would just like to arrange a free consultation with a PTC Trust Officer, give us a call.

Prior to appointing PTC as your successor Trustee or engaging their services, you should obtain and read the Kavesh, Minor & Otis Consumer Rights Disclosure.

## Second Article

# Have You Experienced Age Discrimination?

As baby boomers continue to work past retirement age, age discrimination has become more common. Two out of three

workers between ages 45 and 74 say they have seen or experienced age discrimination, [according to AARP](#). However, experiencing it and proving it are two different things.

The federal Age Discrimination in Employment Act (ADEA) forbids employers with 20 or more employees to discriminate against people who are age 40 or older. The law prohibits an employer from discriminating in hiring, firing, wages, job assignments, promotions, or any other aspect of employment. It is also illegal to harass employees based on their age. (California has its own laws regarding age discrimination as well.)

If you believe you have been the victim of discrimination, you may file a complaint with the [Equal Employment Opportunity Commission \(EEOC\)](#). The EEOC will investigate the claim and determine if the evidence shows that discrimination has occurred. If the case isn't settled, the EEOC can sue the employer who discriminated or it can give the employee or job applicant the right to sue the employer. (There may also be a state action you may wish to pursue.)

Providing evidence of discrimination is the difficult part. Direct evidence of discrimination--for example your boss telling you he is firing you because you are too old-is very rare. Instead, the signs are usually more subtle. Evidence of discrimination could include the following:

- Your employer makes frequent comments about your age
- Your performance reviews start going down as you get older
- You are disciplined for behavior that younger employees are not disciplined for
- Younger employees are getting hired and promoted more frequently than older employees
- You are reassigned to unwanted or unpleasant tasks while younger employees get better assignments

The fact that your employer replaced you with a younger worker, or an employer hired a younger applicant, isn't enough to prove discrimination. You need to show a pattern

of behavior. The U.S. Supreme Court didn't help matters by [ruling in 2009](#) that plaintiffs must meet a higher standard of proof for age discrimination than for other types of discrimination.

Suing for discrimination can take a lot of time, effort, and money. You need to decide if it is worth it. Rather than going straight to a lawsuit, it may be possible to use evidence of discrimination to negotiate a better deal with your employer.

If you feel you may be the victim of age discrimination, it is a good idea to keep a log of any comments or actions that appear discriminatory. You should also contact an attorney who specializes in employment law. This has been general information only. If you would like our assistance in selecting an employment law attorney, give us a call.

Article from [ElderLawAnswers.com](http://ElderLawAnswers.com)

## Recipe of the Month

### Peach Cobbler

*Prep Time: 30m - Cook Time: 1h - Ready In: 1h 30m  
18 Servings - 263 Calories per serving*



#### Ingredients

- 1 (29 ounce) can sliced peaches
- 2 tablespoons butter, melted
- 1 pinch ground cinnamon
- 1 pinch ground nutmeg
- 1 tablespoon cornstarch
- 1/2 cup water
- 1 cup milk
- 1 cup white sugar
- 1 cup all-purpose flour
- 2 teaspoons baking powder
- 1 pinch salt
- 1/2 cup butter
- 1 teaspoon ground cinnamon
- 1/4 teaspoon ground nutmeg

#### Directions

1. Preheat oven to 350 degrees F (175 degrees C). In a large

bowl, combine sliced peaches with juice, 2 tablespoons melted butter, a pinch of cinnamon and a pinch of nutmeg. Dissolve cornstarch in water, then stir into peach mixture; set aside.

2. In another bowl, combine milk, sugar, flour, baking powder and salt. Beat until smooth - mixture will be thin.
3. Melt 1/2 cup butter in a 9x13 inch pan. Pour batter over melted butter. Spoon peaches over batter. Sprinkle top with additional cinnamon and nutmeg.
4. Bake in preheated oven for 1 hour, or until knife inserted comes out clean.

Allow cobbler to cool and serve with a scoop of Vanilla Ice Cream.

A recipe from [Allrecipes.com](http://Allrecipes.com)

## Thank You



Here is a very special to all of our clients who have referred family and friends, or forwarded our newsletter to them! If you are part of a group or club and you would be interested in having us speak to the members on important estate planning topics of interest, please contact us at [info@kaveshlaw.com](mailto:info@kaveshlaw.com).

## Quote of the Month

“ *Your work is to discover your world and then with all your heart give yourself to it.* ”

**Buddha**

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Law Firm of Kavesh, Minor & Otis, 990 W. 190th Street, Suite 500, Torrance, CA 90502

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