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Welcome!

By Jeffrey J. McWeeney, Esquire

As the population of Ocean County changes in the upcoming years, we wanted to remind you of the importance of having an updated Estate plan.

The cornerstone of that plan is a properly drawn Last Will and Testament. The document should include who will be the person in charge of your Estate who is named the Executor or Executrix. Depending on your age and family situation, you may also have named Guardian(s) (for minor children) and Trust(s) for the management of funds. That person managing those trust funds is normally named a Trustee.

In addition to the Last Will and Testament, another lifetime document that is important is a properly drawn Durable Power of Attorney. What is it and what does it do? The document designates an Agent and Attorney in Fact, to act or manage and handle finances in the event you

What is a POLST?

By Jeffrey J. McWeeney, Esquire

Something relatively new in New Jersey is a document called a POLST. What does the acronym mean? POLST stands for Practitioner Orders for Life Sustaining treatment. Governor Christie signed New Jersey's POLST law in December 2011 and it has now been introduced statewide for most medical facilities to use. New Jersey has a standardized form in use.

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A Letter of Last Instructions

By Jeffrey J. McWeeney

So a friend asks, "What are you going to do with all of your items when you pass?" A fair question. Most Last Will and Testaments in New Jersey authorize you to create a document that provides direction outside your Will that identifies the distribution of some, part of all of your personalty (jewelry, heirlooms, collectibles, furniture, furs, etc.) The Will Article is called incorporation by reference. The letter is incorporated into your Will by referencing it. The beauty of it is that you can change it without having to change the Will. You can change it many times, as many as you want without having to execute a Codicil to your Will.



Finalization on the Federal Exemption Amount

By Jeffrey J. McWeeney, Esquire

Congress and President Obama have recently finalized some tax issues. One of them was the new Federal Exemption amount. That number represents the amount of money that can be transferred during your lifetime or at the time of your passing that will not be taxed. Effective 2013, the exemption amount is \$5,000,000.00 indexed annually for inflation. That means the actual amount of 2013, is \$ 5,250,000.00. With that number permanently set, it is expected that 99% of Americans will likely escape the tax. That amount is for each person so a married couple has

Did you know? William Shakespeare executed his Last will and Testament on March 25, 1616. He left his wife his "second best bed". He died on April 23, 1616. So much for the beauty of his words.

I proudly pay taxes in the United States. The only thing is -- I could be just as proud for half the money.

What is a Guardianship?

By Jeffrey J. McWeeney, Esquire

A Guardianship is an application filed in the New Jersey Superior Court to have a person declared incapacitated. Incapacitated in New Jersey means that an individual is unable to manage and handle their affairs. The determination, while made by a Judge, is preliminarily based on two (2) medical reports signed by two (2) doctors that establish a person is incapacitated. Those reports are based on different tests, but the most common test is the Folstein Mini Mental Examination. Based on a series of thirty (30) questions, it is designed to determine capacity based on short and long term memory questions. As an example, starting with 100, count backward in series of sevens. How did you do?



The person appointed is a Guardian who is in charge of all decisions for the ward such as living arrangements, medical issues and determinations, financial issues such as paying bills, reviewing

What is Probate?

By Jeffrey J. McWeeney, Esquire

Probate is the process whereby a Will is proved to be valid by a County Surrogate, who has the authority to determine the authenticity of such a document. It also involves appointing an individual for an Estate when someone dies without a Will.

Probate is done when someone dies with assets in their name alone. The individual named in the Will as the Executor or Executrix (hereinafter referred to as the personal representative) would come to the office of the Surrogate with the original Will and a certified copy of the death certificate.

Application is made to the Surrogate of the County where the decedent resided at the time of death. If the Will is self-proving (language added to the Will that allows the document to prove itself), no

Other Services...

The firm of King, Kitrick, Jackson & McWeeney, LLC, offers a full range of legal services to our business and individual clients. KKJ&M takes great pride in the professional approach we have to all our activities and makes an unusual effort to identify and recruit the very best people to serve our clients. Integrity and honesty are at the heart of our business and we recognize that it is basic to our continued pursuit of success on behalf of our clients.

King, Kitrick, Jackson & McWeeney, LLC's practice includes:

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Commercial and residential real estate
Land use
Probate
Trusts and estates
Estate planning, wills, living wills
Medicaid Planning
Worker's Compensation
Municipal and criminal law
Collection law
General Litigation

Following an application for probate,

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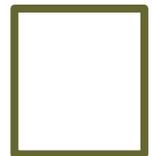
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Important Dates to Remember...2013

April 15, 2013 - Tax Day
April 24, 2013 - Admin. Prof. Day
May 12, 2013 - Mother's Day
May 27, 2013 - Memorial Day
June 15, 2013 - Quarterly Tax Payment Due
June 16, 2013 - Father's Day
July 4, 2013 - Independence Day
September 2, 2013 - Labor Day
September 8, 2013 - Grandparents' Day
September 15, 2013 - Quarterly Tax Payment Due
October 14, 2013 - Columbus Day
November 3, 2013 - Daylight Savings Time
November 11, 2013 - Veterans' Day
November 28, 2013 - Thanksgiving/Hannukah
December 25, 2013 - Christmas
December 31, 2013 - New Year's Eve

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