Advising Clients Nearing 65

20th Annual Estate Planning, Guardianship and Elder Law Conference Galveston Aug 9-10, 2019 Moody Gardens

> Pi-Yi Mayo* Bryn Poland 2114 Massey Tompkins Road Baytown, Texas 77521 281.421.5774

*Certified Elder Law Attorney by the National Elder Law Foundation

Nothing in this paper is to be construed as the rendering of legal advice. ©2018 Copyright, Mayo & Poland, All Rights Reserved



There is no specific age when most of the population is required to retire

• In the past, 65 was full retirement age for Social Security purposes and it is the age when most individuals planned to leave their primary careers even if they plan to continue to work in some form in the future

• Because of this Social Security Age marker society has deemed 65 as the specific "age of retirement" or "senior citizen status" and links many benefits from discounts on meals (early bird specials) to breaks on tickets to cultural events and discounted rates for licenses and travel

 Because 65 years of age was the traditional retirement age, there are a host of decisions that an individual may be required to make upon approaching this life milestone



MAYO&

Introduction

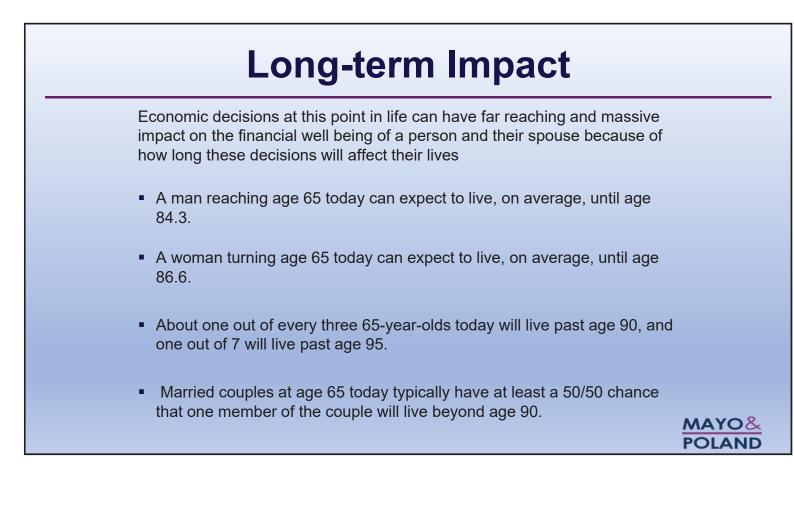
• There is very little–if any–education or training that a person might have had during her lifetime to prepare for these terribly important decisions

• Most attorneys will not feel comfortable with discussing these issues with their clients and instead refer them to financial planners or insurance agents

• This requires the client to seek advice from unfamiliar sources that are often commissioned agents

• It is incumbent upon elder law attorneys who deal with this particular population to at least have a familiarity with some of the important areas and issues that confront this specific age group **IT IS OUR JOB**

MAYO8



Long-term Impact

- That means that some of us will be stuck with the consequences of our decisions made at this point for 25 or more years
- We will have fewer opportunities to fix any mistakes—less earnings
- Surviving spouses will only have one social security check ---
- Because of fixed income controlling costs and unexpected hits are critical

Ad Valorem Tax

• Many individuals approaching age 65 if they own a home will have paid off their mortgage; lowering their monthly bills will be a big part of financial planning for this part of their life

• Over the decades that they may have owned their home the value of their home may have increased many times over as well as tax rates increasing; Fear of not being able to stay in their home because of the ad valorem tax increases is a serious concern to elderly folks in many urban areas

• Although taxes and the value of the home continue to go up every year, a family's fixed income may not increase at all.

This fear has not escaped the purview of politicians in Texas

 As a result of there have been many methodologies developed to assure that no Texan should ever be forced out of their home as a result of ever increasing ad valorem tax bills;



Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the <u>UT Law CLE eLibrary (utcle.org/elibrary)</u>

Title search: Advising Clients Nearing 65

Also available as part of the eCourse <u>Advising Clients Nearing and After 65: Retirement, Inheritance, Long-Term Care</u> <u>Planning, and more</u>

First appeared as part of the conference materials for the 20th Annual Estate Planning, Guardianship and Elder Law Conference session "Advising Clients Nearing 65"