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A Note From Our Firm

Dear Valued Clients,

We are extremely excited to share our 2023 Winter Newsletter with you. After several challenging years we are happy to share some wonderful updates about our firm, our people, and our work with you. In what is our most comprehensive newsletter yet, you will get to meet our newest team member, Toni DeGasperin, learn about our newest firm acquisitions, read about a few of our excellent professional partners, gain insight into new laws and topics you need to be aware of, and we will share exciting news that we have in store for you. The past several years have provided us many opportunities to learn and be thankful for one another.

Through it all, we have an even greater vision for our purpose, and gratitude for our clients and our team than ever before. We are excited to see you all again in person, to share with you the law changes that did and did not happen, and to serve you and your families across the State of California for generations to come. We appreciate you and the opportunity to be your first resource for all your professional and legal needs.

Warmest Regards,
Your Copenbarger Law Family

3 Different Ways To Register

Option 1:

Simply scan your phone over the QR code to visit us online at:
www.Copenbarger.com/events

Option 2:

Call our registration line at:
888-846-9095

Option 3:

Email us at info@copenbarger.com and provide your name and phone number



How To Use:

Hold your mobile device's camera over the QR code then tap on the link!

We highly recommend that you invite your successors and anyone who may benefit from one of our free educational events.

If you are unable to attend our live events, we have recorded webinars on demand. Visit our video library at <https://www.copenbarger.com/video-library/>

You and your guests are invited and encouraged to attend our upcoming educational seminar!

We have missed you! We are excited to see you again live for a very important seminar series this year, with updates on several law changes. All trustees, beneficiaries, and other guests are encouraged to attend. Topics will include:

- **Estate Planning Must Haves:** The ultimate overview of estate planning with what documents you need and why you need them.
- **Law Changes & Life Changes:** Your estate plan has a lifecycle. How do legal changes and life changes impact the plan you created?
- **Legal Documents change too!** Changes in the law, unique situations, and our experience influence how we update our document protections. Find out how our documents have evolved to better protect you and your family.
- **Prop 19 - Where is it now?** You still have options to protect your residence from reassessment!
- **Minimizing Taxes and Building a Better World:** Whether you're buying or selling real estate, giving money to charity, or gifting to children, we can help guide you in maximizing tax benefits.
- **Have You Thought About What Happens To Your Loved Ones When You Pass Away?** Understand what your loved ones will have to know and do after you are gone, and how you can help them ahead of time.
- **How Do You Want To Be Remembered?** Become an Access Member today, and help build your legacy!

Please, also feel free to give this information to anyone who may benefit. These seminars and workshops are not just for our clients but also for any of your family and friends who want to learn more about getting their affairs in order. After attending an event, you will have the opportunity to meet with one of our qualified attorneys **free of charge**, to discuss your estate plan. We can also speak at your workplace, small group, or church. Contact us to schedule an event today!

Seminars, workshops, webinars, and professional webinar series

Save the Date and Register for our Upcoming Seminars!

Pasadena

18

February



Bakersfield

11

March



San Jose

1

April



Santa Ana

20

May



2022 brought many changes to Estate Planning, but with it our Estate Planning and Trust Administration departments have been able to educate our clients and ensure your plan and protection remain at the highest level. Over the last few years, we have been addressing the threat of law changes as well as navigating Covid and how to make sure our clients are protected, and feeling the loss of our long term colleague and friend, Mr. Jim Humphries. However, through all of the changes, uncertainty, and loss, we have remained committed to reaching our clients. We have been doing virtual education events but are very excited to let you know that we are adding in person events back!

We are excited to meet face to face with those of you who are comfortable doing so, and thankful that we can still meet with those who are not through virtual means. We hope to see many of you at our client seminars this year, whether in person or virtually. Thank you for your loyalty to us during these difficult last few years; we are so thankful for you and all of the people you entrust us with. As always, as we move through our lives, it is important to remember that your estate plan needs to be kept up to date. If you have not been to see us in the last 3-5 years, now is the time to get your plan reviewed! **Access Members are entitled to a free estate plan review with one of our attorneys.**

We are also excited to announce that our team is growing and includes two new Trust Administration attorneys, two new Trust Administration paralegals, one new trust administration legal assistants, several new accounting support staff, and a wonderful new receptionist. Watch for our next newsletter where you will get to know them even more. We also have several employees who have been promoted and are doing continuing education so that Copenbarger can continue helping families for generations to come.

- **Kimberlee Parkins, Patrick Maher, Brayton Newton, Tatiana Hadirca, Monica Hendy**

Documents to Have in Place Before Spring Travel!

So many of us are hoping to travel over the Winter and Spring seasons, but there are still lurking concerns about COVID wreaking havoc on air travel, resort, and cruise plans. Two questions we are often asked at the firm are, “what happens if I get stuck out of town?” or “what if I need medical care away from home?”

These are legitimate questions, and there are a few simple documents that can make your life a whole lot easier if you experience either of these situations:



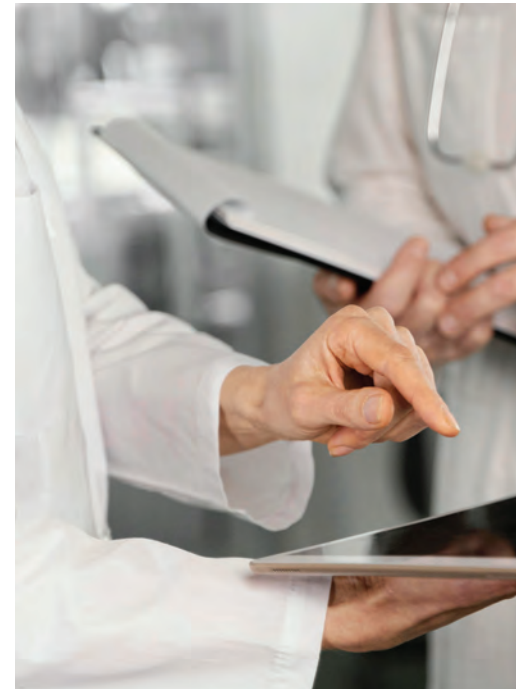
Financial Power of Attorney:

This document will allow someone else to pay your bills, call your financial providers, access your bank accounts, etc. if you get stuck out of town and need short-term assistance, or if you are in a hospital and physically can't do these tasks yourself. Even spouses need power of attorney documents for one another, as financial institutions can refuse to speak with a spouse who is not on an account. Per FINRA these need to be updated every 3-5 years.



Healthcare Directive:

Accidents and illness happen. Whether you experience an emergency related to COVID or you have some other medical crisis while away from home, a Healthcare Directive will inform doctors of your wishes and grant them authority to communicate with your designated agent until you are well enough to manage your own affairs.



HIPAA Authorization:

Having a pre-signed HIPAA form will help cut through legal red-tape and provide your loved ones the authorization they need to access your medical records in an emergency.

Traveling with these documents will give you legal protection and peace of mind should you experience *any type* of emergency while on vacation. As soon as you finalize your plans, reach out and we'll help you get these basic estate planning documents in place or updated.

• • • • Serving with Integrity • • • •

No one is more thrilled than we are when we find professionals that share our philosophy and serve clients selflessly. When we meet those professionals, we like to shout it from the rooftops, so here we are, shouting.

Kelly Dippel and Christopher Drzyzga are two of those professionals.



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Kelly Dippel

Exceeding Your Expectations is My Success

I am a Senior Real Estate Specialist with Kelly Dippel Real Estate. It is my honor to introduce myself to the wonderful clients of the Copenbarger & Copenbarger Firm that don't yet know me. In my work, I focus on providing high quality service to each of my clients, with focus on assisting the senior population as they go through transitions, often from their family home. I look forward to meeting you and helping you navigate the exciting but often overwhelming journey that is buying or selling your home, and moving.

My team and I are always available to discuss your real estate needs in person, over video or by telephone. We look forward to serving families with Copenbarger & Copenbarger for years to come.



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Christopher Drzyzga

Optimizing Your Custom Portfolio

As a commercial real estate advisor, I help my clients, business-owners and investors, lease, buy or sell land, industrial and office properties. For business-owners, real estate plays an integral part of their daily operations and is either leased, owned, or a combination thereof. For Investors, I help them implement strategies to maximize value and accomplish their stated goals. Partnering with the Copenbarger team allows us to optimize a client's portfolio in a tax advantaged manner and in accordance with their family plans. There is no such thing as an "easy" deal and each has its own unique circumstances and challenges. If you're a business owner wondering whether to renew your office lease versus looking for new space or an investor trying to optimize your portfolio—contact me, Chris Drzyzga.



In 2022, we made a firm-wide goal to give back to our local communities in a BIG way, post-COVID. We know that many groups and organizations needed new sponsors and participants, and we wanted to be there to fill those gaps for our neighbors. In one of our newsletters, we asked our readers to share with us the groups, churches, and organizations they belonged to that needed support. So many of you took the time to respond and we worked hard to attend as many events as possible this year! For that, we are thankful. We are also going to set our sights even higher for 2023.



Community Seminar



World Senior Games
Softball Championship



Pacific Justice Institute



Sovereign Order of St.
Joseph Commandery

Finally, we would also like to acknowledge our attorneys James Kosareff and Victoria E. Hovatich who were recognized as **“Top Attorneys in North America,”** in the 2022 edition of the Who’s Who Directories, and our Founding Attorney, Lloyd Copenbarger, who was honored by the same publication as a **“Lifetime Achiever”** for his outstanding career in the legal profession.

Contact Us:

Email us at info@copenbarger.com and let us know how we can support your group, non-profit, or organization!



Welcome, Toni DeGasperin!

We are excited to announce the joining of another attorney and her practice to our firm! Toni DeGasperin has been practicing law and caring for clients as a solo practitioner in the Laguna Hills area for over twenty-eight (28) years!

In October 2022, Toni joined our practice to begin her path to retirement. She will remain "Of Counsel" for the next few months through this transition. We are honored by Toni's decision to partner with us and to continue care for her valued clients.

To the wonderful clients of Toni DeGasperin, we want to welcome you to our firm! We are excited to provide you with the same level of passion, dedication, and care that Toni provided to you for so many years.

We have many offices all over the state of California and are continuing to grow. We will continue serving clients in Toni's previous office, located at 23232 Peralta Dr., Laguna Hills, CA 92653. We are available to assist you, your loved ones, and anyone you would like to refer to us in that area. We look forward to serving you and your families for many years to come!



**Oliver
Kuo**
Accounting
Assistant

Oliver has been with Copenbarger & Copenbarger LLP for over three years but has worked in the accounting field for over fifteen years. Oliver grew up in Huntington Beach and currently works on the accounting team in our South Coast Metro office. He loves to play chess and loves to find new trails to go mountain biking with his nephew. His favorite part of working at Copenbarger & Copenbarger is working in a family atmosphere, where positive thoughts and ideas are shared freely.



**Jordan
Tonner**
Senior Estate
Administration
Paralegal

Jordan has been with Copenbarger & Copenbarger LLP for 9 years and working as a paralegal since 2010. Jordan grew up in Lakewood, CA before moving to Ann Arbor, MI where he lived until returning home to CA in 2008. He is a first-time father and adores his baby girl, Sofia, (who is about to turn two) more than anything else! Jordan's favorite pastime is traveling the world, eating local cuisines, and visiting historical and culturally significant sites. His favorite part of working at Copenbarger & Copenbarger LLP is his coworkers!

Caregivers: It's Time to Have “The Talk” With Your Sick or Disabled Loved Ones

No one ever anticipates becoming ill or disabled to the point that they would be unable to care for themselves. That means, in most cases, the person you are caring for right now never intended to have you in this role—leaving both you and them unprepared and ill-equipped for the future.

You probably stepped in because you saw a need—and an immediate one at that. There likely wasn't a lot of time to “talk through” the situation and perfectly plan out your caregiving role.

That's why at your earliest chance possible, you must begin to have hard conversations with your loved one to ensure everyone is on the same page and that there's enough time to put a solid plan in place for their finances and physical care. Remember, even choosing a great nursing home or assisted living facility can seem almost impossible if you run up against waitlists or financial hurdles. The time to plan is now!

To get the conversations rolling, here are a few key issues to begin discussing with your loved one(s). Be gentle with them and keep in mind their continued independence as you ask:



- What are your wishes for emergency or end-of-life medical care (i.e. life support, feeding tubes, blood transfusions, organ donation)?
- Are there any lifesaving procedures you would NEVER want?
- Who do you trust to make medical decisions and communicate with your doctors if you are unable to speak for yourself?
- What are your thoughts on long-term care? If it seems you were becoming too sick to live at home, what are your thoughts on assisted living or nursing home?
- If at all possible, would you prefer in-home assistance?
- If you need nursing home or in-home care, how would you want us to pay for it? What if Medicare or Medi-Cal is not an option?
- Do you have a Will, Trust, or other estate planning documents in place? Where can we find them and are they up to date?
- Who have you named in your “legal helper” roles (i.e. Power of Attorney, Healthcare Proxy)? Where can we find the documentation we need to handle your affairs in an emergency?

While these are just a handful of basic questions to start with, as your conversation progresses, you will learn so much more about your loved one and where maybe you thought they felt one way, but they had hoped for a completely different outcome than what you were prepared to facilitate or provide. In all, you will find that knowing your loved one's wishes in these different situations will make your job as a caregiver much easier, as you will be prepared to make great decisions under pressure and have the ability to plan ahead to secure the right resources so you are not paying out of pocket for their desired care.

In 1978 Proposition 13 was passed providing Californians with some certainty about the future of their property tax liability by limiting the “taxable value” of property to an increase capped at two percent per year.

The property would be reassessed to market value only when ownership changed hands. Furthermore, to prevent families from incurring large property tax increases, on November 4, 1986, voters in California adopted Proposition 58 to provide that “purchase” and “change of ownership” did not include a purchase or transfer of

- (1) The principal residence between parent and children and
- (2) The first \$1 million of the full cash value of all other real property (other than the principal residence) between parents and children. Section 63.1 was added to the Revenue and Taxation Code to implement the parent-child exclusion provisions of Proposition 58.

Later, on March 26, 1996, the California voters adopted Proposition 193, which further excluded from the definition of change of ownership certain transfers from grandparents to their grandchildren.

Proposition 19 changed some of the tax assessment rules on property transfers. The focus of this discussion is to highlight the change that would eliminate the exemption that exists, as noted above, on purchase or transfers of the property when there is a transfer to a child or grandchild.



Proposition 19 significantly altered the parent-child exclusion such that to qualify for the principal residence exclusion, it would require the receiving child to use the residence as the child’s principal residence, and the exclusion amount would not be unlimited. Instead, the exclusion amount would only exclude the first \$1 million of assessed value; and the non-principal residence exclusion would be eliminated.

Proposition 19 passed, and the parent-child exclusion changes are effective as of February 16, 2021.

Proposition 19 severely limits the principal residence exclusion and eliminated the non-principal residence exclusion, families may wish to consider having their estate plans reviewed to see what options are still available. All situations are different, and each matter is unique in what options are best. Call Copenbarger today and plan ahead to avoid increasing property taxes.



When Access to Long Term Care Saves Your Life

As we age, we may be susceptible to a debilitating illness and may need the help of the federal and state insurance program called Medi-Cal to help pay for the draconian monthly medical bills.

But many people who have experienced these negative health outcomes do not apply for help as they have preconceived notions that all Medi-Cal applicants have to be impoverished to qualify for assistance, which leaves them without necessary or life saving treatments.

The Medi-Cal laws are complex and ever-changing. As an example, before July 1, 2022, the asset limit for a person applying for Medi-Cal was only \$2,000, but as of July 1, 2022, California increased the asset limit for long-term care applicants for programs that provide care for seniors, people with disabilities, and individuals who are in nursing facilities, as well as some other specialty groups.

The increased asset limits allow a larger number of applicants to become eligible for Medi-Cal benefits and allow qualified beneficiaries to retain a larger amount of non-exempt assets and still be eligible for Medi-Cal. Other Medi-Cal rules regarding the treatment of assets still apply, such as exemptions for the home and vehicle and other items. The new limits are as follows: For a household of one person, it is \$130,000 and for a household of two people, like a married couple, it is \$195,000. If you are interested in learning more about the options available to avoid spending your hard-earned assets, call Copenbarger today for an appointment!

•••• *Having access to Medi-Cal gives the family peace of mind.* ••••

The planning opportunities for families with larger estates are still available and for some people having the ability to have care, even when the cost of care is extremely high, can be a lifesaver.



The Employee Retention Tax Credit, also called ERTC or ERC, is a refundable payroll tax credit. This means your business may qualify for a refund for up to six quarters from April of 2020 through September of 2021.

Refund

If a business qualifies for the ERC, it can get a refund of up to \$26,000 per employee of social security and medicare taxes paid for April, 2020 through September, 2021. To get this maximum refund, the employees' average annual salary would be over \$91,000. But there's still a very lucrative credit available for an employer with lower salaried employees.



Qualifying Employer

A qualifying employer is one that actively carried on a trade or business in 2020 or 2021, including tax-exempt organizations, and meets either of the two following tests:

1. The employer had a reduction in gross receipts of at least 50% (2020) or 20% (2021) compared to 2019, **OR**
2. The employer experienced a more than nominal impact from governmental COVID orders. This prong can be proven by showing that the applicable governmental orders directly or indirectly impacted the employers' business operations. Some of the factors in satisfying this prong include needing to pivot the business due to COVID restrictions – which means you had to make significant changes in the way you do business; supply chain disruptions; restrictions on employees; restrictions on customers traveling to the business or on your employees traveling to customers and a variety of disruptions to the employer's workforce. This prong is not discussed in many posted internet discussions but is well documented in IRS notices.



We would be delighted to discuss whether your business can obtain a refund. We schedule zoom calls or meetings for business owners who provide the needed information to us in advance.

Note: ERC targets smaller employers: those with no more than 100 full-time employees for 2020, and no more than 500 for 2021.

Time is of the essence to claim the refund!

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www.Copenbarger.com

Expert Referrals For All Your Professional Needs.

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