

H H E P C

Hoosier Hills Estate Planning Council



Vol. IX, No. 1

Fall 2009

Board of Directors

Officers:

President
David Maschino

Vice President
James Bohrer

Secretary
Jessica Merkel

Treasurer
Paul Bullock

Past President
Lance Like

Committees:

*Communications and
Public Relations*
Malcolm Webb

Membership
Wendy Hodina

Continuing Education
Paul Bullock

Newsletter
Shari Woodbury

Special Projects
James Bohrer

Program Facilities
Anthony Stonger

Program Speakers
Dawn Morley

Members at Large

Stephanie Cobb

Nancy Murphy

Natalie Schabler

Brian Yeley

President's Message by David Maschino

It is my pleasure to welcome the members of the Hoosier Hills Estate Planning Council to another year of fellowship as we assist our clients during these uncommon and extant market and planning conditions. As I assume the responsibility as your Council President, I am happy to report that the state of the Council is strong. Under the leadership of our past President, Lance Like, the Council concluded a successful year of programs culminating with the Estate Planning Day. The response to the quality of the instruction was very positive and was executed within budget. We added fifteen new members as a result. Please join me in thanking Lance for all his efforts. He has raised the bar, and I will do my best to follow his example.

We come into the current year with a strong balance sheet and an expertly qualified Board of Directors who are contributing significant time and talent to bring us another year of quality speakers and opportunities to broaden our referral and resource networks. In addition to our first program of the year to be held October 21st at the Indigo Hotel in Columbus, Indiana, the Board is working on the programs to be presented tentatively on:

- Week of January 11, 2010 - Bloomington
- Week of April 26, 2010 ó Salt Creek
- Week of July 12, 2010 ó Social at Oliver Winery

President's message continued on the back

Table of Contents

President's Messagepage 1
 October 21st Seminar Outlinepage 2
 Speaker Biographypage 2
 How to Help Clientsí (article).....page 3
 Deciding to Give:
 A guide for personalizing your philanthropyinsert

Estate Planning Seminar Program

October 21, 2009

Indigo Hotel, Columbus, Indiana

rsvp: kmconahay@yahoo.com by October 16, 2009

Deferred Compensation Plans and ESOPs

Alexander I. Mounts

Krieg • DeVault Attorneys at Law

Indianapolis, Indiana

Nonqualified Deferred Compensation

1. Background and Overview
2. Types of Nonqualified Plans
3. Use of Nonqualified Plans
4. Operational Rules/Ongoing Compliance

ESOPs

1. What is an ESOP?
2. How does an ESOP work?
3. What are the advantages/disadvantages of an ESOP?
4. ESOP "Myths"

Speaker Biography

Alexander Mounts concentrates his practice in Employee Benefits and Executive Compensation law including work with a wide range of qualified plan and other employee benefit plan matters; including employee stock ownership plans (ESOPs). His practice is also devoted to executive and non-qualified deferred compensation matters including designing and implementing equity and non-equity-based incentive compensation programs for public, private and not-for-profit companies; assisting public companies and their compensation committees on SEC disclosure matters surrounding executive compensation; and compliance with Internal Revenue Code Sections 409A and 457(f).

Published Works

- *Indiana's ESOP Initiative*, Insights, Spring 2009
- *Deferred Compensation Rules Changing; Policy Review Needed*, Biz Voice, July/August 2006: 65
- *A Snake in the Grass, Don't Get Bitten By Code Section 409A*, Martindale-Hubbell Counsel to Counsel Employee Benefits Email Alert, February 2006

Professional Associations

- National Center for Employee Ownership (Member)
- The ESOP Association (Associate Member of Administrative Committee)
- National Association for Stock Plan Professionals (Member)
- Ohio Center for Employee Ownership (Member)
- Indiana Benefits Conference (Member)

Honors and Awards

- Indiana Rising Stars- 2009

Title: Associate

Office: Indianapolis

Bar Admissions:
Indiana (2004)

U.S. District Court Northern
District of Indiana (2004)

U.S. District Court Southern
District of Indiana (2004)

Education:

Indiana University School of
Law - Indianapolis
J.D., 2004
Indiana Law Review, Notes
Development Editor

Taylor University
B.A., *cum laude*, 2001

How to Help Clients with Charitable Giving

By Shari Woodbury

Community Foundation of Bloomington and Monroe County

Research on affluent households has documented that such clients wish to receive effective guidance on philanthropy, but that many advisors are not prepared to fulfill that wish. For example, a survey by Luxury Institute and PhilanthropyNow found that while the vast majority of wealthy clients (almost 90%) planned to donate to non-profits, only 21% were satisfied with the advice they received on charitable giving. In Indiana, where almost 60% of the population makes charitable donations annually, people in many income brackets share the desire to give back and could benefit by having help from their trusted advisors to maximize their giving.

Helping clients with charitable giving not only strengthens your relationship with interested clients and connecting you with clients at a deeper level and addressing more of their goals it can also help you establish a relationship, sooner, with younger generations that clients want to involve in their giving. Plus, you can help clients leverage their donations for a greater impact and take satisfaction in using your professional skills to better your community.

So, how can you incorporate philanthropy into your client service? An easy way to begin is to ask: Would you be interested in exploring charitable giving as a part of your planning, including how it might help meet your personal, financial, and philanthropic goals? For clients who say yes, try these strategies:

➤ **Tune into triggering events.** If your client is selling a business, planning for retirement, or receiving an inheritance, the time is ripe to identify strategies that can reduce taxes while building his charitable legacy.

➤ **Ask open-ended questions.** This can draw out the client's charitable intent in her own words. For example, What vision do you have for the various uses of your wealth? What charitable gifts have been most meaningful to

you and why? What values do you want to share with your family and pass on?

➤ **Use a written tool.** You can use a worksheet such as the one provided as an insert in this newsletter (which you may reproduce freely). Using such a tool routinely with new clients, when updating estate plans, or at a financial transition can help you incorporate charitable giving as a regular part of your client service and increase your comfort level in conducting the conversation.

➤ **Draw on other professionals.** Just as you might in other matters, connect with colleagues in various disciplines. Fellow members of the HHEPC can help to meet your client's needs and whether it means consulting with a life insurance agent familiar with the intricacies of Wealth Replacement Trusts, or an attorney versed in intellectual property. Don't forget to include experts from the charitable sector where appropriate and for example, a major gifts officer who can run illustrations on a lead trust, or a community foundation leader who can share information on community needs and organizations, and explore what gift plan might best fulfill the client's charitable goals.

A word to the wise: while clients value the opportunity to save on taxes, charitable intent is the driver for a majority of donors. Scott Keffer, president of the National Association of Family Wealth Counselors and co-author of *Giving: Philanthropy for Everyone*, has observed that high net worth clients want advice that goes beyond tax strategies and covers personal issues like their values and charitable goals. You might be surprised by the pleasure clients take in discussing their values and the impact they would like to have on others. You can set the stage for this to occur by opening up the philanthropic conversation. Happy helping!

Do not hesitate to speak with your Board members. It's your Council and I know they are dedicated to meeting your expectations. I am pleased to present to you your Board of Directors for the 2009-2010 Council year:

James Bohrer, Vice President, Chair: Special Projects
Jessica Merkel, Secretary
Paul Bullock, Treasurer, Chair: Continuing Education
Lance Like, Past President, Member at Large
Malcolm Webb, Chair: Communications and Public Relations
Wendy Hodina, Chair: Membership
Shari Woodbury, Chair: Newsletter
Anthony Stronger, Chair: Program Facilities
Dawn Morley, Chair: Program Speakers
Stephanie Cobb, Member at Large
Nancy Murphy, Member at Large
Natalie Schabler, Member at Large
Brian Yeley, Member at Large

Our intent is to increase public awareness of what the HHEPC is, the services offered by its members, and facilitate greater public access to its members. Malcolm is exploring media, ad and website alternatives. We will report more as these efforts evolve. Now, more than ever our collective services are needed. Help us make your membership in the HHEPC a rewarding experience. I look forward to hearing from you.

Best regards,
David A. Maschino, President



Hoosier Hills Estate Planning Council
c/o Paul Bullock
3925 Hagan St., Suite 300
Bloomington, Indiana 47401

Estate Planning Seminar

Alexander Mounts

October 21, 2009

**Indigo Hotel
Columbus, Indiana**

**Take advantage of our website
www.hhepc.org**