



DeLoach+Hofstra, PA NAVIGATOR

When you need help, showing you and your family the way.

Injury Law + Litigation + Elder Law + Life Care Planning + Wills & Trusts + Probate + Real Estate

Upcoming EVENTS

Wills v. Trusts: Which Is Best for You?

TUESDAY, FEBRUARY 16, 5:30 PM

- ▶ Revocable Living Trusts
- ▶ How Bad is Probate?
- ▶ Asset Protection

Pet Trusts: Estate Planning For Your Other Family

TUESDAY, MARCH 1, 5:30 PM

- ▶ Protecting Your Pet
- ▶ Funding Your Pet Trust
- ▶ Frequently Asked Questions

Protecting Assets While Qualifying for Medicaid

TUESDAY, MARCH 15, 5:30 PM

- ▶ Income/Asset Rules
- ▶ Crisis Management
- ▶ Common Myths
- ▶ Caregivers Assistance

All seminars and receptions are in the DeLoach & Hofstra, P.A. Law Library unless otherwise noted; seating is limited so please RSVP to Karen Clayton at 727-397-5571 or kclayton@dhstc.com.

What in the World Is Probate?

DENNIS R. DELOACH JR. *Probate, Real Estate and Trust Attorney*



Every day we receive phone calls from people who want to create estate plans that avoid probate—even though many are not sure what probate is, the process involved, or how probate can impact their estates.

Probate is the legal process which distributes probate assets to a decedent's heirs. Florida probate law is designed to orderly settle one's affairs. Probate generally:

1. Ensures the decedent's *proper* debts and taxes are paid;
2. Ensures the decedent's assets are distributed to the correct heirs; and
3. Offers heirs (and "wannabe" heirs) the opportunity to contest the will.



Probate only includes assets titled in the decedent's individual name. Probate does not apply to life insurance, IRAs or annuities (unless these are payable to one's estate), property owned with another person, or payable on death financial accounts. The size of the asset being probated does not matter. Even if the decedent's bank has a mere \$5,000 balance, the account will need to be probated.

In a *formal probate* administration, the court appoints a Personal Representative (the "executor") to manage the estate.

Once appointed, a "notice to creditors" is placed in a local newspaper. The creditors then have 90 days to file a claim with the court or their claims are denied. After 90 days (with no complications), the Personal Representative will generally be able to distribute the remaining assets to the heirs. Most probate cases take around six to nine months. For simple estates with less than \$75,000 in probate assets, a *summary probate* administration can settle an estate in about a month.

Avoiding probate means avoiding probate attorney's fees. In probate, an attorney is generally entitled to a fee of 3% of the probate assets. The more the probate assets are worth, the higher the attorney's fee.

Aside from its potential financial impact, the probate process typically happens at a stressful time, shortly after the death of a loved one. The emotionally-drained family is suddenly stressed with having to deal with attorneys, the legal process, and the unknown in order to settle the decedent's estate. Most people think that avoiding probate is a good idea. Yes, good estate planning tries to avoid probate. However, not every estate plan needs to avoid probate. There are good and bad ways to avoid probate.

If you are faced with the challenge of probate, please call us. DeLoach & Hofstra, P.A. will make the process as easy as possible at this difficult time.

If you want to avoid probate, please call to set up an appointment with me so we can build a solid plan to protect your assets and your family's future.

Meet Our ATTORNEYS



PAUL R. CAVONIS
Injury Law and Trial Attorney

Firm partner Paul CAVONIS represents injured clients and the families of individuals killed through the fault of another. He earned his bachelor's degree in Business Administration from the University of South Florida and began practicing law after earning a Juris Doctorate, with honors, from Stetson University College of Law in 1994.

A native of Deer Park, New York, Paul knows

a lot about dependability and tenacity. He started riding motorcycles when he was ten years old and hasn't stopped. Logging over 200,000 miles, he's ridden to Alaska, Key West, and everywhere in between. He worked throughout high school as a trim carpenter and continues to be a skilled craftsman. He married his high school sweetheart and has a beautiful family with a menagerie of pets—dog, cat, chickens, rabbit, turtle and fish!

Helping people is what Paul enjoys most about being a lawyer. Sadly, he suffered a

very personal loss as the result of a negligent driver. His brother was killed by a driver making an improper left turn, a major hazard to all motorcyclists. So for Paul, representing those who have been injured is more than a job. He understands the emotional stress his clients are experiencing.

His most important values? Courage, integrity, honesty and family—all of which are evident in his multifaceted role of loving father and husband, respected colleague, and dedicated attorney.

LEGAL 411



PETER T. HOFSTRA
Real Estate Attorney

FAQs About Selling Your Home

Should I engage the services of a licensed real estate salesperson or broker?

You know what you originally paid, you know your improvement costs, but only a real estate professional will know the market value of your home. You certainly don't want to underprice your home! Conversely, an unrealistically high asking price may leave your home unsold for months. A real estate professional will know both your home's value and current market trends.

Do I need to provide my purchaser with a termite or home inspection report or survey?

No. If these are desired, your buyer is responsible for procuring and paying for them.

Do I have to sell my home in "perfect condition"?

No. Before listing your home, I recommend that you make the repairs and/or improvements your real estate professional suggests. Then, only sign an "as is" purchase and sale agreement.

Should I hire a real estate lawyer to represent me?

Selling (or buying!) a home is one of the biggest financial transactions you will make. Hiring an attorney to draft and interpret contractual content can protect you both legally and financially throughout the process and give you peace of mind.

If you have questions or concerns, please call me or visit deloachandhofstra.com.

STAFF Spotlight

Emiline Mosher

She is the smiling face who greets you when you visit us and the charming voice on the other end of the line when you call. Founding partner Dennis R. DeLoach remarked that "She answers the phone with a smile and is a blessing to our office." He went on to say that he has a friend from Georgia who calls when he wishes to have someone brighten his day! Please meet Emiline Mosher:

What is your hometown?

Uniontown, Pennsylvania (Mountain girl).

Where is your favorite destination in the world?

Exactly where I am!

What is your favorite book?

The King James NIV Study Bible.

What is your favorite movie?

Dr. Zhivago.

What do you do to relax?

Gardening, playing piano, and cooking. I also enjoy sewing and crafts.

What skill or talent would you like to have that you don't have?

I am very content and grateful for the talents and skills I have.

What is something people would be surprised to learn about you?

I am an "open book," so to speak.

Do you have any pets?

Chickens.

What values are important to you?

Truth!

Emiline is pictured with her congratulatory bouquet on her recent 20th Anniversary celebration luncheon this past October. Congratulations on this landmark anniversary and thank you, Emiline, for your steadfast commitment, kindness, and generous nature. We are lucky to have you and look forward to the next 20 years!



In the COMMUNITY

Legacy of Leadership

Congratulations to injury law attorney Joseph M. Murphy for joining the Greater Seminole Chamber of Commerce Board of Directors. On January 14, Fire Chief Heather Burford did the honors of installing the new Board for 2016 at a lovely luncheon hosted by the Chamber. We are very proud of Joe and his commitment to civic engagement on behalf of our firm. Joe has accepted the offer to serve as Secretary for the Executive Board. DeLoach & Hofstra, P.A. has a long legacy of leadership with the Chamber: Dennis R. DeLoach Jr., Director; Paul CAVONIS, Past-President; and Rep DeLoach, Director. Dennis first joined the Seminole Chamber over fifty years ago in 1965.



Pictured left to right: Gary Malanowski, chair; Joe Murphy, secretary; Jessica Price, treasurer; Rick Griesheimer, chair-elect; and Sandy Hartmann, immediate past chair.



Indian Rocks Christian School: Projects and People

DeLoach & Hofstra, P.A. is a proud sponsor of Indian Rocks Christian School (IRCS), a preschool through 12th grade, private Christian school located in Largo. Sponsorships such as ours help enhance the school ministry by providing for *projects* and *people*. The *projects* component is geared towards enhancing programs by providing equipment and materials or to make technology advancements and physical plant improvements. The *people* element helps achieve their purpose in the community of making a Christian Education accessible for families who desire a quality environment for their child. Proud IRCS parents Paul and Julie CAVONIS are pictured with Katherine (8th grade) and Emily (11th grade). Their talented son Michael (not pictured) is a 2014 graduate and still holds three unbroken track records in the 400m, 4x100m relay and 4x100m.

Proven RESULTS



D. "REP" DELOACH III
Estate Planning and Board Certified Elder Law Attorney

Read What Our Clients Say

*In my darkest hour of despair
I found a team who showed they care.
They gave me guidance, peace, and hope
And showed me ways to deal and cope.
I've gained a new spring in my step
Thanks to Tammy, Joy, and Rep.
No doubt, they're guided from above—
My heart enfolds you all with love.*

Carol S.
Life Care Planning Client



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SAVE the DATE

**for the 23rd Annual
 Seminole Stampede**

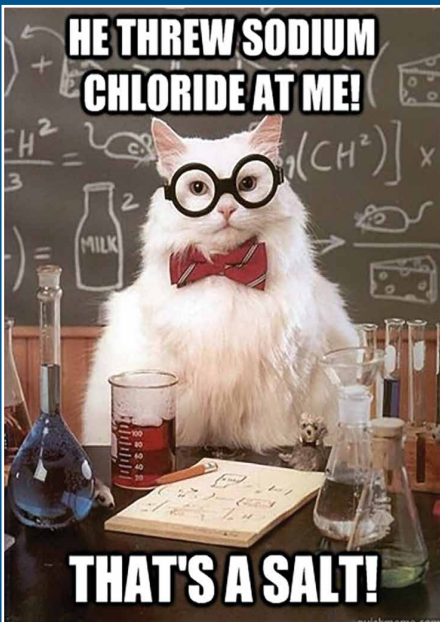
presented by
 Seminole Chamber of Commerce;
 DeLoach & Hofstra, P.A.; and
 Seminole Title Company

SATURDAY, MARCH 19, 2016
 Walsingham Park, Largo

For event details and to register,
 visit **active.com**. If you are
 interested in walking with our
 D&H and STC team, contact
 Simone DeLoach at
727-397-5771 or
simone@dhstc.com.

To update your address preferences or to be removed from our mailing list,
 please call Simone DeLoach at **727-397-5571** or email her at **simone@dhstc.com**.

PAWS for the LAWS



2015 “Where the D&H Koozies Roam” Photo Contest Winner



Congratulations to Estate Planning and Elder Law Paralegal Karen Clayton and her newborn grandson, Jaxson, for winning the 2015 “Where the D&H Koozies Roam” photo contest! It was a close competition, but this little charmer from New Jersey stole the hearts of many and garnered the most “Likes” on Facebook. Honorable mention for travel goes to Larry and Marilyn Schmitz, who traveled over 9,800 miles

with their koozie—to the island country of the Maldives! Sincere thanks to everyone who participated this year. All of the photos were creative and inspiring. Please visit our Facebook “Koozie Contest” photo album to see all the pics. Join in the fun when the contest kicks off again in May 2016 and “Like” us on Facebook to learn more.



When you need help.
**DeLoach+
 Hofstra, PA**
 deloachandhofstra.com

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