

NJ LAWS EMAIL NEWSLETTER E482 Kenneth Vercammen, Attorney at Law

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1. Happy Thanksgiving!

Thanksgiving Day is a time to reflect and express gratitude for all the good things that we have in our lives and give thanks. I would like to thank you for giving us the opportunity to help you and your family meet your goals so you can concentrate your efforts on the important people and causes in your life. I recently published my 3rd book for the American Bar Association. This is our book acknowledgement:

My most important thanks is to my wife Cynthia who helps me with everything. She handles the layout for the New Jersey Wills and Estate Planning News and NJ Municipal Court Law Review as well as our law office brochures. Cynthia let me work on the book and revising forms during the Fall and weekends while she took care of the house, the children, and the finances. It is great to have a loving wife. She supports almost everything I do. She agreed to travel to ABA meetings and even attended my early seminars. We have been together more than 25 years.

I am grateful for my children, Brendan and Shannon. Both are exceptional students on

scholarship at college. I enjoyed watching as they excelled in sports and academics. Working as a criminal lawyer, I am often saddened to see good parents who have a child who is always in trouble. I am blessed by having great kids.

My parents, Al and Carol, taught me right from wrong and continue to be available to help, whether it's been helping out with the kids or bringing food at Christmas. Our new family dog, Lexi is excited every morning to go for a run in the park to chase squirrels and other animals. The dog makes definitely makes life more enjoyable.

Thank you to my long-time staff office manager, Mike McDonald who runs the office smoothly so I can work on the book.

I thank Jay Foonberg who invented marketing as an ABA Topic. He is the Babe Ruth of client development. Jay Foonberg agreed to serve as a speaker for my first Annual Meeting seminar in 1994 and has given me guidance every year. I recommend every attorney buy and read his books, "How to Start and Build a Law Practice" and "Getting and Keeping Good Clients". His books were the basis for my success. Read his book once a year to remind you who pays the bills.

I would like to thank Martin Spigner Esq. of Cranbury, NJ who provides tax advice to me and

handles the referrals of estate tax issues. We have used his Irrevocable Trust form in this book. I appreciate the guidance of Tom Begley Jr. who served as a speaker with me for over a decade for the NJ Bar. Charles Sabatino, Chair of the ABA Commission on Aging has been available to help me.

I am grateful for our clients. Finally I thank the thousands of attorney who have attended programs I have served as a speaker and who have found the program material were provided to be useful.

2. Estate Planning referenced in the Bible Isaiah 38:1.

New American Standard 1977:

In those days Hezekiah became mortally ill. And Isaiah the prophet the son of Amoz came to him and said to him, “Thus says the LORD, ‘Set your house in order, for you shall die and not live.’”

Jubilee Bible 2000:

In those days was Hezekiah sick unto death. And Isaiah the prophet, the son of Amoz came unto him and said unto him, Thus saith the LORD, Set thine house in order, for thou shalt die and not live.

King James 2000 Bible:

In those days was Hezekiah sick unto death. And Isaiah the prophet the son of Amoz came unto him, and said unto him, Thus says the LORD, Set your house in order: for you shall die, and not live.

3. Do Your Estate Planning Before the End of the Year

Original source Martin M. Shenkman, PC

Summary: This is the year of the estate plan. Here's some tips to make it really happen for you and your heirs:

If you snooze you lose: Lots of folks have waited waaaay toooo long to address estate planning. Many are finding out the hard way that most good advisers are too booked to help 'em. But lots of folks that think they are well along the estate planning path are still asleep at the switch and haven't followed up on many critical and time sensitive components of what they (not their advisers) have to follow up on to get their deals done. The hand holding your CPA, attorney, wealth manager may have given you for planning in a prior year just ain't happening this round. Everyone that is any good is really overwhelmed. Every pro will drop balls because there are so many flying. To get

your planning completed, and to get it completed right, you have to follow up.

It's Crunch Time! OK Cap'n Crunch if you have gift planning still in the hopper, and you hope to complete it before year-end, time is of the essence. The estate planning “machine” of local attorneys (e.g., who are needed for trusts in other states like Delaware), appraisers (real estate, business, discount, etc.), CPAs (e.g., cash flow projections which are essential for any note sale transaction or transfer of business interest), corporate counsel (essential to obtain lender, lease and other approvals and to draft the entity documentation essential to consummate a gift of an entity interest), trust companies (to review and approve trusts, serve in fiduciary capacities, open accounts), are all incredibly backlogged. Most appraisers and attorneys will no longer take any new matters for the rest of the year. The closer we get to Auld Lang Syne the more this backlog will grow. It will become harder, if not impossible, to finish many yearly transactions.

Deadline May be Before Year End: The election results, and President Obama's reiteration of this intent to have the wealthy bear more tax, has an

ominous tone for anyone in the process of completing estate planning. No one knows what will happen in Washington. Many of the steps to do so are in your hands and are your responsibility. Speedy Gonzales gotta be your role model until New Years!

4. Recent case can't expunge multiple crimes. In the Matter of the Expungement Petition of J. S. 223 NJ 54 (2015)

The plain language of N.J.S.A. 2C:52-2(a) precludes expungement of convictions when the petitioner has been convicted of multiple crimes, even when those crimes occurred within a short span of time.

5. No good faith exception to improper arrest. State v. Shannon 222 NJ 576 (2015)

The judgment of the Appellate Division is affirmed by an equally divided Court. The arresting officer's good faith belief that a valid warrant for defendant's arrest was outstanding cannot render an arrest made in the absence of a valid warrant or probable cause constitutionally compliant.

6. Next Charity Races

11/29 Navesink Challenge 15k & 5k 10am Post
race at Red Bank Elks

12/5 Big Chill 5k Rutgers New Bruns 9:05
<http://recreation.rutgers.edu/big-chill/>

12/6 Jingle Bell Run for Arthritis 5k run/walk, 9:45
Metuchen NJ

12/13 Toys for Tots 5K 10am Freehold NJ Tighe
Park FARC

12/16 Raritan Valley Road Runners Christmas
Caroling & Pub crawl New Brunswick, NJ

<https://www.facebook.com/groups/RVRoadRunners/>

Saturday Dec. 19 at 10:00am The Super Santa
5K in Morris

If you are attending any of these charity races,
please call or email Ken V. Kenv@njaws.com
Often we car pool or meet at these events. I update
this list at <http://vercammensport.blogspot.com/>

**7. ABA's new book "Wills and Estate
Administration" By Kenneth Vercammen, Esq.**

Straightforward and to-the-point, *Wills and Estate Administration* provides step-by-step guidance that firms can use to handle all aspects of an estates practice, from initial client intake to closing the file. Topics are defined in six parts for ease of use:

- Preparation for Wills/Estate Planning Interviews
- Interviewing Clients
- Additional Estate Planning Issues
- Estate Administration
- Guardianship of Disabled or Incompetent Parents
- Marketing Your Wills and Estate Administration Practice

Making this an essential resource for solo and small firm practitioners, the author includes numerous forms for each topic, and they are also available for download online. The book is basic and written to help new and transitional attorneys. In addition, tips on practice management will help seasoned attorneys.

Author: Kenneth A. Vercammen/Edison, NJ

Sponsor: Solo, Small Firm and General Practice Division

Publisher: ABA Book Publishing

List Price: \$79.95

ABA Price: \$69.95

ISBN: 978-1-63425-380-2

Product Code: 5150484

2015, 290 pages, 7 x 10, Paperback

<http://shop.americanbar.org/eBus/Store/ProductDetails.aspx?productId=224827061>

ABA Service Hotline 800-285-2221 312-988-5000

Sample chapter available at:

<http://shop.americanbar.org>

"Have just finished Ken Vercammen's excellent book on Wills, Estate Administration, and Guardianship. It is a very practical book that examines the business of an estate and trust practice. This step-by-step analysis is complete with forms and helps even the seasoned practitioner streamline his practice."

-Thomas D. Begley, Jr., Esq.

Begley Law Office, NJ

8. Latest YouTube Videos

Removing an Executor of an Estate:

<https://www.youtube.com/watch?v=OXVSiS5ca8I>

Wills and Estate Planning in NJ:

<https://www.youtube.com/watch?v=rSk-hjZ-Ykk>

If you are happy with our services, please be sure to:

Like us and post your testimonial on Facebook:

<https://www.facebook.com/Kenneth-Vercammen-Associates-Law-Office-Edison-NJ-08817-149816077985/>

Endorse us on LinkedIn:

<https://www.linkedin.com/in/kennethvercammen>

Editorial Assistance Provided by Juhi Duggirala. Ms. Duggirala is currently participating in Ken Vercammen's Fall Internship Program. She currently attends Kean University.

Editor's Note and Disclaimer:

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