



THE LAW OFFICES OF  
**HOYT & BRYAN, LLC**  
FAMILY WEALTH & LEGACY COUNSELLORS

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### **2011 Marks the Return of the Estate Tax**

As 2010 comes to an end we must say goodbye to the year of no estate tax and hello to 2011, the year it returns. Congress' failure to address the return of the estate tax in 2011, before adjourning early to campaign, and Congress' likely failure to address the issue during the lame duck session when they return leaves us in our current state. On January 1, 2011, a tax of up to 55% will be imposed on an individual's "gross estate" valued at more than \$1 million. A person's "gross estate" is the total dollar value of all property and assets in which an individual had an interest at the time of his or her death. In other words, everything a person owns, has their name on or controls.

After January 1, 2011, it is uncertain what Congress will do. As Republicans and Democrats continue to argue over the details of our tax structure, any attempt to predict where they will end up is pure speculation. The so-called "experts" may give a range of what they anticipate the future estate tax to be, but these are some of the same "experts" who said Congress would never let this happen.

The return of the estate tax and the uncertainty of how Congress will act only gives more credence to our adage that "nothing in life is certain, but change" and highlights the importance of maintaining an effective estate plan by keeping your plan current and relevant. Our firm offers the Estate Security Plan (ESP) for exactly this reason. The ESP program is an education, updating and maintenance program designed to keep your estate plan current as changes occur in your life, the law, your lawyer's experience, and your legacy. The ESP program also fosters a strong attorney-client relationship where our firm assists ESP members in creating estate plans that work. ESP benefits ensure compliance with our three step strategy: 1. Work with a counseling oriented attorney; 2. Establish and maintain a formal updating, education and maintenance program; and 3. Develop a strong relationship with a legal professional to secure assistance for your family in the event of disability or death.

For current ESP members, the return of the estate tax will be addressed at our Annual Client Meeting in February 2011. For those who are not yet ESP members and would like to learn more about the program, please feel free to contact our office for further information.

The Law Offices of Hoyt & Bryan assists families in the protection of their loved ones by focusing their practice in the areas of Estate Planning, Probate and Trust Administration, Elder Law including Medicaid and VA Planning and Special Needs Planning, Pet Planning, Business Succession Planning and Real Estate. The founders, Peggy Hoyt and Randy Bryan, are both dual board certified by the Florida Bar in Wills, Trusts and Estates as well as Elder Law. Hoyt & Bryan is the only law firm in Florida with the distinction of

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two attorneys with these certifications. We offer many complimentary educational workshops each week in our Learning Center at The Law Offices of Hoyt & Bryan and monthly workshops in the Auditorium of One Senior Place in Altamonte Springs. For more information please contact our office at 407-977-8080 or visit our website HoytBryan.com.