



August 2010

Williams Wealth Management Group
Derek R. Williams, CFP®
Beth A. Deyo, CFP®
3639 Cortez Road West
Suite 225
Bradenton, FL 34210
941-756-4500
info@williamswealth360.com
www.WilliamsWealth360.com

What You Should Know about Inherited IRAs

The rules governing inherited IRAs can be complicated. Here are the major issues.

Transferring inherited IRA assets

If you inherit an IRA from someone who isn't your spouse, your options are fairly limited. You can't roll the proceeds over to your own IRA, treat the IRA as your own, or make any additional contributions to the IRA. What you can do is transfer the assets to a different IRA provider, as long as the registration of the account continues to reflect that the IRA is an inherited IRA and not your own.

If you inherit an IRA from your spouse, you have many more options. You can roll all or part of the IRA proceeds over to your own IRA. You become the owner of the IRA assets, and the rules that apply to IRA owners, not beneficiaries, apply from that point on. If you're the sole beneficiary of the IRA, you can also generally treat the inherited IRA as your own by retitling the IRA in your name. But you aren't required to assume ownership of an inherited IRA. You can instead continue to maintain the inherited IRA as a beneficiary. You might want to do this if you inherit a traditional IRA and you'll need to use the funds before you turn 59½ (distributions from inherited IRAs aren't subject to the 10% penalty that typically applies to early distributions from IRAs you own).

Required minimum distributions (RMDs)

Nonspouse beneficiary: Federal law requires that you begin taking distributions (called required minimum distributions, or RMDs) from the inherited IRA after the IRA owner dies. If the IRA owner died after turning 70½ and didn't take a required distribution for the year of death, you'll need to make sure to take that distribution by December 31 of the year of death in order to avoid a 50% penalty.

Spouse beneficiary: If you roll the inherited IRA over to your own IRA, or treat it as your own, then the RMD rules apply to you the same way



they apply to any IRA owner--you'll generally need to begin taking RMDs from a traditional IRA after you turn 70½; no lifetime RMDs are required at all from a Roth IRA. If you don't roll the IRA assets over or treat the IRA as your own, then the same rules described above for nonspouse beneficiaries generally apply to you, except that you can defer receiving distributions until your spouse would have turned 70½.

Special rules--inherited Roth IRAs

Qualified distributions to a beneficiary from an inherited Roth IRA are free from federal income taxes. To be qualified, the distribution must be made after a five-year holding period. The five-year period begins on January 1 of the year the deceased IRA owner first established any Roth IRA, and ends after five full calendar years. If you take a distribution from an inherited Roth IRA before this five-year period ends, any earnings you receive will be subject to federal income taxes (earnings generally come out last). If you're a spouse beneficiary, and you roll the inherited Roth IRA over to your own Roth IRA or treat the inherited IRA as your own, then you'll be eligible to take tax-free distributions only after *you* reach age 59½, become disabled, or have qualifying first-time homebuyer expenses. You'll also need to satisfy the five-year holding period, but a special rule applies--the five-year period for *all of your Roth IRAs* will be deemed to have started on January 1 of the year you or your spouse first established any Roth IRA, whichever is earlier.

And speak to a financial professional if...

- You're sharing the inherited IRA with other beneficiaries. This can impact when and how you must begin receiving RMDs from the IRA.
- You don't want or need the IRA funds. You may be able to disclaim the IRA and have it pass to another beneficiary. This must be done in accordance with strict IRA rules.
- Any estate taxes were paid that are attributable to the inherited IRA. You may be entitled to an income tax deduction equal to the estate taxes paid.

In this issue:

What You Should Know about Inherited IRAs

Returning to Work After You've Retired

Avoiding Probate: Is It Worth It?

What is a rewards program?



Returning to Work After You've Retired



According to the U.S. Department of Labor, 29% of Americans age 65 to 69 are currently employed.

No matter how much you've looked forward to retirement, you might find yourself missing the social interaction and financial benefits you enjoyed when you were employed. Perhaps getting a full- or part-time job will enable you to rely less on your retirement savings, leaving more to potentially grow for the future. Or maybe you're looking forward to pursuing your dream of owning a business. Whether working during retirement is a choice--or a necessity--make sure you understand the financial implications.

Finding the right work opportunity

Many people spend 20 years or more in retirement, so it's important to do something you love. If you don't quite know what that is, or you aren't ready to commit to a permanent position, you might try working in a contract job, or signing up with a temporary employment agency that will allow you to work when, and where, you wish. Some agencies even offer health and retirement benefits. If it's been a while since you searched for work, get in touch with a local career counselor to get tips on preparing a job application or resume, and to learn more about the jobs available in your community.

To help you determine your salary requirements and how many hours you'll work, spend some time reviewing your retirement plan, focusing on your retirement income needs. Then limit your job search to businesses that offer the right combination of pay, benefits, and working environment.

Working for yourself

Once you retire, you may finally be ready to turn your ideas and talents into a business. Mature entrepreneurs often have the time and experience necessary to become successful business owners. However, make sure you have enough capital to start up and run your business--it may take longer than you think for your business to become profitable. And don't jeopardize your retirement security by relying on your credit cards, life savings, and home equity to finance your business.

Will working affect your Social Security benefits?

If you're receiving Social Security retirement benefits and you're younger than your full retirement age (65 to 67), your benefits will be reduced if you earn more than a certain amount. In 2010, \$1 in benefits will be withheld

for every \$2 you earn over the annual earnings limit of \$14,160. A higher earnings limit applies in the year you reach full retirement age. If you earn more than this limit (\$37,680 in 2010), \$1 in benefits will be withheld for every \$3 you earn over that amount, until the month you reach full retirement age--then you'll get your full benefit every month thereafter, no matter how much you earn. (But note that even if your benefits are withheld, that reduction isn't permanent. Your benefit will be increased at full retirement age to account for the amount withheld because of your earlier earnings.)

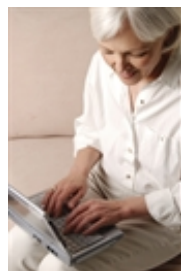
Not all income reduces your Social Security benefit. In general, Social Security only takes into account wages you've earned as an employee, net earnings from self-employment, and other types of work-related income, such as bonuses, commissions, and fees. Pensions, annuities, IRA payments, and investment income won't reduce your benefit.

Also, keep in mind that working may enable you to put off receiving your Social Security benefit until a later date. In general, the later you begin receiving benefit payments, the greater your benefit will be. Whether delaying the start of Social Security benefits is the right decision for you depends on your personal circumstances.

What about income taxes? In general, your Social Security benefit won't be subject to income tax if that's the only income you receive during the year. But if you work during retirement (or you receive any other taxable income, or tax-exempt interest), a portion of your benefit may become taxable. IRS Publication 915 has a worksheet that can help you determine if any part of your Social Security benefit is subject to income tax.

Will working affect your pension?

Unless you plan to return to work with your former employer, your pension benefit won't be affected--you can work, receive a salary from your new employer, and also receive your pension benefit from your former employer. However, if you are considering taking another job--even part-time--with your former employer, check with your plan administrator. Some plans require that your pension benefit be suspended if you retire and then return to work for the same employer.



Avoiding Probate: Is It Worth It?

When you die, your estate goes through a process that manages, settles, and distributes your property according to the terms of your will. This process is governed by state law and is called probate. Probate proceedings fall under the jurisdiction of the probate court (also called the Surrogate's, Orphans', or Chancery court) of the state in which you are domiciled at the time of your death. This court oversees probate of your personal property and any real estate that is located in that state. If you own property located in a state other than the state in which you are domiciled at the time of your death, a separate "ancillary" probate proceeding may need to be initiated in the other state.

Note: "Domicile" is a legal term meaning the state where you intend to make your permanent home. It does not refer to a summer home or a temporary residence.

Items that are subject to probate are known as probate assets. Probate assets generally consist of any property that you own individually at the time of your death that passes to your beneficiaries according to the terms of your will. Nonprobate assets include all property that passes outside of your will. Examples of nonprobate assets include property that is owned jointly with right of survivorship (e.g., a jointly held bank account) and property that is owned as tenants-by-the-entirety (i.e., real property owned jointly by a husband and wife). Another example is property that passes to designated beneficiaries by operation of law, such as proceeds of life insurance and retirement benefits.

Why avoid probate?

Most wills have to be probated. The rules vary from state to state, but in some states, smaller estates are exempt from probate, or they may qualify for an expedited process.

Probate can be slow. Depending on where your executor probates your estate and the size of your probate estate, the probate process can take as little as three months or as long as three years. Three years can be a long time to wait for needed income. It can take even longer if the estate is a complicated one or if any of the heirs are contesting the will.

Probate can be costly. Probate costs usually include court costs (filing fees, etc.), publication costs for legal notices, attorney's fees, executor's fees, bond premiums, and appraisal fees. Court costs and attorney's fees can vary

from state to state. Typically, the larger the estate, the greater the probate costs. However, if a smaller estate has complex issues associated with its administration or with distribution of its assets (e.g., if the decedent owned property in several states), probate can be quite costly.

Probate is a public process. Wills and any other documents submitted for probate become part of the public record, something to consider if you or your family members have privacy concerns.

Why choose to go through probate?

For most estates, there's usually little reason to avoid probate. The actual time and costs involved are often modest, and it just doesn't make sense to plan around it. And, there are actually a couple of benefits from probate. Because the court supervises the process, you have some assurance that your wishes will be abided by, and, if a family squabble should arise, the court can help settle the matter. Further, probate offers some protection against creditors. As part of the probate process, creditors are notified to make their claims against the estate in a timely manner. If they do not, it becomes much more difficult for them to make their claims later on.

In addition, some states require that your will be probated before the beneficiaries under your will can exercise certain rights. Among the rights that may otherwise be limited are the right of your surviving spouse to waive his or her share under the will and elect a statutory share instead, the right of your surviving spouse to use your residence during his or her remaining life, the right of your surviving spouse to set aside certain property, and the right of your surviving spouse to a family allowance.

How to avoid probate

An estate plan can be designed to limit the assets that pass through probate or to avoid probate altogether. The major ways property is passed outside of probate are by owning property jointly with rights of survivorship; by ensuring that beneficiary designation forms are completed for those types of assets that allow them, such as IRAs, retirement plans, and life insurance; by putting property in a trust; and by making lifetime gifts.

See your financial professional or attorney for more information.

Why avoid probate?

- *It can be slow; getting needed assets into the hands of your heirs may be delayed*
- *It can be costly, especially if an estate is large or complex, or ancillary probate is needed*
- *It is public; documents that you wish to remain private can be accessed by the public*



How to avoid probate

- *Own assets jointly with rights of survivorship*
- *Own assets that pass by beneficiary designation, such as life insurance and retirement plans*
- *Use a trust*
- *Gift assets during your lifetime*



Williams Wealth Management Group

Derek R. Williams, CFP®
Beth A. Deyo, CFP®
3639 Cortez Road West
Suite 225
Bradenton, FL 34210
941-756-4500
info@williamswealth360.com
www.WilliamsWealth360.com

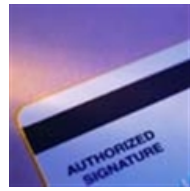
Securities offered through LaSalle St. Securities, LLC, a Registered Broker Dealer 940 N Industrial Drive, Elmhurst, IL 60126-1131 Member FINRA/SIPC

Advisory Services offered through Williams Wealth Management Group, Inc., a Registered Investment Advisor. Williams Wealth Management Group, Inc., is not affiliated with LaSalle St. Securities, LLC

Prepared by Forefield Inc,
Copyright 2010



Ask the Experts



What is a rewards program?

Offered by merchants of all types, rewards programs are marketing tools that encourage brand-loyalty purchasing through price discounts, bonus points

and/or coupons toward future purchases, donations to your favorite charity, and even cash rebates. If you're part of the program, you access it by using a membership card that looks like (and often is) a credit card. The card compiles information about your purchases and the rewards you've earned; it also stores information about you that's useful to the merchant when tailoring advertising that's pitched to your spending preferences.

While many rewards programs offer credit with (and rewards from) a particular merchant, other programs, offered by credit card issuers, may allow you to earn rewards, such as gift certificates, that may be used with a wide variety of merchants. And in most cases, these cards offer the option of earning cash back each time you use the card. A cash back reward can be used anytime, anywhere.

The rules, restrictions, and limitations on what you may earn through a rewards program can be complex. Most programs offer a larger percentage reward for purchasing select products or categories of products than they do for all products. You may have to spend a minimum amount per month, quarter, or year to get any rewards, and there are often limits both on the amount of rewards you can earn and on the time allowed for cashing them in. What's more, the originator of the rewards program may change the rules or cancel the program altogether with little notice or recourse.

The prohibition against certain dubious but profitable practices by the Credit Card Accountability, Responsibility, and Disclosure Act of 2009, coupled with the overall tightening of credit, have made the reward card market less lucrative, and credit card issuers with rewards programs may begin to take steps to preserve their profit ratios. Such steps could include higher interest rates and annual fees, restructurings of reward policies that water down the rewards, inactivity fees, and/or reinstatement fees to restore points lost because of late payments.



How can I reap the most from a rewards card?

As you sow, so may you reap. To reap the most from a credit card rewards program, here are some things to consider.

- **Don't do it just to have it.** Because opening or closing credit cards may impact your credit score, don't open a new account just to accumulate airline miles, merchant discounts, or any other rewards. Open a rewards card only if you need credit. And watch your spending. It's often too easy to overspend just to get more rewards.
- **Compare, compare, compare.** Comparison shop to get information on a card's rates, fee structure, and the details of its rewards program, including any limits or restrictions. Consider what you buy most often and where you shop, and get a card that will work for you in those areas.
- **Cash back may be best.** You may never rack up enough points to fly to Tahiti or get that bracelet from Tiffany's, but everybody can always use cash, anywhere, anytime, for anything.
- **Don't carry a balance.** Because rewards cards often carry high interest rates, carrying an unpaid balance will create finance charges that may cancel out the value of your rewards. What's more, if you are late making a monthly payment, you may lose your reward points, only to get them back upon paying a reinstatement fee.
- **Check your statements.** You should check your statements monthly to make sure your purchases--and your rewards--have posted properly.
- **Learn the rules.** Qualifying for rewards often involves a complex formula, and certain limitations may have to be met in order to redeem them. Read the fine print to keep track of these rules, and review them periodically to determine if the creditor has changed them.
- **Charity begins at home.** Programs that donate your rewards to your favorite charity actually contribute only pennies for every dollar you spend, and you can't deduct the donation on your income taxes. You (and the charity) may be better off if you get a cash back reward instead and then send a check to the charity.