

March 2009

# CHUBB REPORT

## WHAT'S GOIN' ON BY WAYNE CHUBB

As I write this, I'm fresh off a night with Carson's cub scout troop on the USS Hornet, the aircraft carrier that picked up the Apollo 11 and 12 astronauts (remember the helicopter and Airstream quarantine trailer? They're on board still) and is moored in Alameda. What a fascinating – and humbling – experience to walk the living history that is this WWII-era carrier. It's open to the public, and I can't recommend the **USS Hornet Museum** and its wonderful docents highly enough. It's also alleged to be one of the most haunted places in the country, although no one that took night watch enjoyed any supernatural experiences (although, skeptic that I am, I still chickened out on sneaking down to the sick bay – rumored to be one of the most haunted spots - at 2 AM).

Another highlight of the month is the **Nevada City Psychic Fair**, with special guest Kaku Aka Ionai Pule, March 21-22 in Nevada City. Okay, to be honest, I have no idea who this person is, nor do I buy the whole psychic thing. Their web site says they are "hoping" to have a dance troupe and a one man band named Aryeh Frankfurter among the entertainers. I mean, this is a psychic fair – shouldn't they *know* whether or not these people will be there??

Continuing with the earlier museum theme, one of our favorite museums, the **Lawrence Hall of Science** at UC Berkeley, hosts **Waterworks**, a hands-on display of our state's most contentious resource, through April 19. More locally, the **Aerospace Museum of California** (on the old McClellan Air Base) will host **Space: A Journey to Our Future** through September 1. **The Art of Dr. Suess** will be on display at the Blue Line Gallery in Roseville until May 2<sup>nd</sup>.

Another March theme is things that are either outdoors based, wine based, or some combination of the two. **The Sacramento Home and Garden Show**, the really big one at Cal Expo, gets under way March 6-8. A more low-key but equally informative show on March 7 is the **Bloomin' Crazy Plant Fair**, bringing gardening experts, garden clubs and tours of the incredible gardens to the Sacramento Zoo. **Snowfest**, a month of ski, snowboarding and special events, wraps up at most Sierra ski resorts on the 8<sup>th</sup> also. The following weekend brings the **Sacramento Boat Show and Off-Road Extravaganza** to Cal Expo or, for those who want to be a little more active outdoor participants, **SMUD's Spring Trout Derby** at Rancho Seco Lake. The weekend of the 21<sup>st</sup> of March combines wine and gar-

dening at Kautz Ironstone Winery in Murphy's for the **Mother Lode Daffodil Show** (wine, flowers and info), and **Daffodil Hill** near Plymouth (more great wine) should be open as well. The final weekend of the month brings the **Spring Wine Fair** to the Lodi Grape Fair Grounds with 50 wine and food pairings from the Lodi area, as well as **Passport Weekend**, the biggest (and most expensive) food and wine event held annually at the all the Amador County wineries. This is a lot of fun, but has gotten a little too crowded for our taste.

And finally, what March update would be complete without a celebration of my Irish heritage and a little wearin' o' the green? I recommend **Dublin** as the best place, of course – if not Ireland, then CA, where they hold their St. Patrick's Day Festival this year on March 14-15. The parade in **Old Sacramento** is held, as it should be, on the 17<sup>th</sup>. The weekend of the 21<sup>st</sup> brings all things Eire to the town of Murphys and **Murphys Irish Days**. The big one, though, is March 13-15 at the **Sonora Celtic Festival**. Food, drink, 15 Irish bands, metalworkers, jousting knights (sounds like limey scum to this son of Eire), entertainers, and Irish warriors keep things fast paced. Of course, true Irish warriors terrified their enemies by dying themselves blue and fighting in the buff. Since that isn't socially acceptable in this age, we terrify our foes with the next best thing – Riverdance.

### FREE EVENTS Sponsored by The Chubb Law Firm

**March 25 - 6:00pm and April 2 - 6:00pm**, Starlight Starbright Boutique, 2766 E. Bidwell St., Folsom, CA. Join Heather Chubb for an informational and fun workshop and discover 9 easy steps to being worry-free and the secrets smart parents know about protecting their children and their wealth. Register online at [www.chubblawfirm.com](http://www.chubblawfirm.com) or by calling 916.635.6800. Space is limited!

**March 26 - 12:00pm: Free Teleseminar for MOM'S ONLY.** Go to <http://fwpi.infusionsoft.com/go/mfc/chubb/> right away to get registered for this FREE Mom's Only Teleseminar that will show you how to get your financial house in order, take control of your finances and secure your children's future. Limited phone lines available so get registered today!

If you already have an estate plan in place and you are going through a divorce, you need to take some steps because no matter how you cut it, divorce has a major impact on your estate plan. I know that's not something you want to think about in the middle of your divorce, yet, it's critically important *unless you want your ex to end up with control over all of your assets if anything happens to you.*

That's what could happen if you don't address your estate planning as part of your divorce. Your ex could end up with everything or at the very least in control of everything. For most people going through a divorce, this is the last thing they want.

To make sure this doesn't happen, you need to re-vamp your estate plan and create a new Will, Trust, Powers of Attorney and Health Care Directives during your divorce and not wait until afterwards.



### **Revamp Your Estate Plan During Your Divorce Or Your Ex Could Get Everything (including control of your medical decisions!)**

Here's the truth: if you are in an accident before your divorce is final, it's your soon to be ex who will be making your health care decisions, who will be in control of your money, and will inherit everything if you die unless you have new documents drafted.

*Your Personal Family Lawyer (yours truly!) should be one of the first calls you make when you file for divorce.*

While your divorce is pending, your estate planning lawyer can prepare a **divorce Will** that ensures your soon to be ex won't inherit from you if you die, create a new Trust to receive the assets that you will receive after the divorce is final and update your health care directives and powers of attorney. **Caution:** Do not move any of your assets into your new Trust until after your divorce is final or until your divorce lawyer gives you the go-ahead.

Once the divorce is final and you know which assets you are receiving, you should then revisit your estate planning lawyer and get a new plan in place that will be established to cover what you have been given as part of the divorce and help you plan for your financial future.

**Change Your Beneficiary Designations.** Make sure to review (and change!) all of your beneficiary designations after your divorce. This is absolutely critical

and often overlooked, and you need to do it even if your divorce agreement says your ex won't receive any benefits. If you don't change your beneficiary designations, your agreement may be superseded!

There's actually a case pending in the United States Supreme Court (*Kennedy v. Plan Adm. for Dupont Savings*) right now about this very thing. Husband and wife divorced and husband never changed his beneficiary designation on his pension account. Then, Husband died. The pension administrator paid the benefits to his ex-wife, as indicated by the beneficiary designation. Husband's daughter from a prior marriage sued for the benefits claiming that the ex-wife had given up her rights to the pension in the divorce.

You don't want to put your family through this. So update your beneficiary designations.

**Review Your Life Insurance Provisions.** If you have any kind of a requirement in your marital settlement agreement that life insurance should be maintained on the life of either spouse for the benefit of the children, you should have this provision reviewed by your estate planning lawyer.

We've seen so many provisions like this that are just not well thought out. For example, a provision that says "Husband shall maintain life insurance having an aggregate death benefit of \$250,000 for the benefit of the minor children" sounds great, right? But, this is just the kind of provision that provides no protection for the minor children at all. Why? Think about this:

How long does the insurance have to be maintained? What type of insurance has to be used? Can Husband just get a cheap 1 year term policy that needs to be renewed each year? What if he gets ill and becomes uninsurable? Who should be the beneficiary of the policy?

An effective provision should provide the type of insurance and the minimum length of time it must be in force, specific ratings requirements for the insurance company and whether the policy should be in trust or payable to a trust. Your estate planning lawyer can help to identify these issues where even a very good divorce lawyer may overlook them.

**Bottom line . . .** your divorce has real, meaningful implications for your estate plan, and if you don't, think about them you and your family could end up very, very sorry you didn't.

*Written by Gerald Kane a Personal Family Lawyer in Encino, California.  
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Are you being overrun with junk mail? How about telemarketing calls at the most inopportune times? What about your email? Not sure how to make it stop?



This is a big problem in my house and as part of my ongoing 2009 Get Organized campaign, I finally decided to do something about it, and now you can too. Here are the secrets to just saying “no”.

**Pre-Approved Credit Card and Insurance Offers—**

The credit bureaus offer a free service that enables you to “opt-out” of having pre-approved credit and insurance offers sent to you for five years. Visit [www.optoutprescreen.com](http://www.optoutprescreen.com) and follow the easy instructions.

You’ll be asked for personal information, including your name, address, date of birth and Social Security number. Date of birth and social security are not required, but will ensure your request can be successfully processed. The information you provide is confidential.

You can also opt out permanently, but this requires that you print and mail the permanent opt out form to the three major credit bureaus. The form is available at [www.optoutprescreen.com](http://www.optoutprescreen.com), just follow the links.

**Telemarketing—** The National Do Not Call Registry, created by the Federal government is a free, easy way to reduce the telemarketing calls you get at home and on your cell phone. To register your phone number or to get information about the registry, visit [www.donotcall.gov](http://www.donotcall.gov), or call 1-888-3821-222 from the phone number you want to register. In order to register online you need a valid email address. You will receive an immediate reply email and will need to click a link to make the registration effective.

You will get fewer telemarketing calls within 31 days of registering your number. This is a permanent registration. Telephone numbers on the registry will only be removed when they are discon-

nected and reassigned, or when you choose to remove a number from the registry.

Good to Know: Unfortunately, not all calls are covered by the Do Not Call Registry. Calls from or on behalf of political organizations, charities, and telephone surveyors would still be permitted, as would calls from companies with which you have an existing business relationship (remember those credit cards?), or those to whom you’ve provided express agreement in writing to receive their calls.

**Mail—** The Direct Marketing Association’s (DMA) Mail Preference Service lets you opt out of receiving unsolicited commercial mail from many national companies for five years. This service is NOT free; there is a \$1 fee per address. When you register with this service, your name will be put on a “delete” file and made available to direct-mail marketers. To register with DMA’s Mail Preference Service, go to [www.dmachoice.org](http://www.dmachoice.org).

Good to Know: Your registration will not stop mailings from organizations that do not use the DMA’s Mail Preference Service.

**Email—** The DMA also has an Email Preference Service (eMPS) to help you reduce unsolicited commercial emails. To opt out of receiving unsolicited commercial email from DMA members, visit [www.dmachoice.org](http://www.dmachoice.org) and follow the link. Your online request will be effective for five years.

Good to Know: eMPS allows you to remove your email from national lists. However, you will continue to receive email from groups or advertisers who do not use eMPS to clean their lists. Although registration with eMPS will help reduce the number of emails you receive, it will not stop all commercial emails. You may continue to receive emails from groups or advertisers who do not use eMPS to clean their lists. Email of a business-to-business nature received at your place of employment is also not affected through registration with eMPS.

*Written by Heather R. Chubb, Personal Family Lawyer, speaker, and MOM. Heather makes it easy for your family to talk about and plan for tough subjects like money, death and taxes, and other life transitions. Visit her online at [www.chubblawfirm.com](http://www.chubblawfirm.com).*

We invest 100% of our time and energy to delivery first-class service to our clients. As a result our valued clients, partners and friends refer their friends, family and associates to us. We build strong lifelong relationships one person at a time.  
A BIG thank YOU goes out to the following for recognizing our efforts by sending your friends and family.  
Christine and Bert Terbijhe



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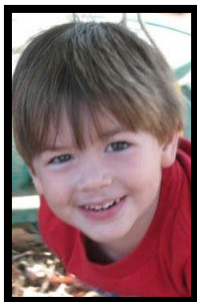
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I have a confession . . . I was the mom of a pacifier addict. I have been trying unsuccessfully to get Owen to give up the “bish” as he calls it for 2 years. As Owen approached his 4th birthday on March 2 I was determined to put an end to this love affair and formulated a plan. Since Carson and Wayne were gone all weekend (*see page 1 and the USS Hornet*) this was an ideal time. I had the whole weekend of one-on-one time with Owen and used it to my advantage.

I began by telling Owen that he was turning 4 on Monday and that being 4 meant he was getting to be a really big boy and big boys don't have bishes. We made an agreement that once he was 4 the bish would be gone, never to return. As we read books and played with Legos (I am a master builder in Owen's eyes) throughout the weekend I periodically remind Owen about our deal.



When Monday morning came Owen was greeted with a chorus of “Happy Birthdays” as he arrived in the kitchen. I asked him how it felt to be a big 4-year old—he said “good”, his answer to most such questions. Then I asked him what else it meant to be 4 and he said, “No more bishes.” Ah, sweet words, but did they really mean what they said? The real test was at nap time and then bed-time. Yes, he really meant it! Success! And no more bishes. This is a big step for all of us.

Wayne and I thought this was going to be a big power struggle, like we had experienced with prior attempts to de-bishify. So we were surprised with the ease of the transition. I'm pretty sure the effort was rewarded this time due to a combination of things, not the least of which was the planning and reinforcement of the plan. As with most of life's transitions, good planning (and implementation) makes things easier and can make all the difference.

All my best,