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JUNE 2022 NEWSLETTER

My Dad – The Funniest Guy I Know

by Attorney, John M. Goralka



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With Father's Day approaching, I am reminded fondly of my beloved father.

My dad was not the life of the party. His humor was quieter, more subtle with an ever-present twinkle in his eye. My dad's jokes and clever stories remain my favorite memories. My father was born on March 18, 1924. He died on April 11, 1998.

My father worked at least 5 ½ days a week or more as a radiologist for virtually his entire work life. He worked every Saturday morning for as long as I can remember. My father for many years, while we were growing up, was the only radiologist in the Livermore Valley. As a result, we were not able to travel much, but my dad loved to load all of us in the car for day trips. We went to Hayward for White Castle hamburgers. To Mount Diablo to visit the wild caves. Most anywhere on the road with nine (9) kids in a single car, my parents were very brave. Those trips were a lot of fun. I have 5 brothers and 3 sisters. Our cars were always large enough to hold us all, but we may have been liberal in our interpretation of the seat belt rules. We referred to one GMC Travelall with four (4) rows of seats as the "Yellow Tuna Boat", I really don't know where that name came from. I think of my parents often and I remember the past very fondly.

My father was a medical doctor, but also was a working rancher. We lived on a 300-acre ranch. My favorite memories were stringing fence (barb wire for cattle and sheep wire) together in the middle of nowhere on the ranch. The fog may roll so thick you could not see your hand in front of your face. The peacocks (we had a few peacocks on the ranch) might scream. The peacock scream is best described as a woman screaming at the top of her lungs in sheer terror. This scene was right out of The Hound of the Baskervilles.

Working on the ranch meant driving in some challenging and tight areas. I was selected to drive when long periods of driving in reverse were

COVID-19 UPDATE



We are continuing to provide our legal services over the telephone and by Video Conferencing. We have limited in-person meetings at our office, by appointment only.

THOUGHTS OF THE DAY

"Life is too short to wake up in the morning with regrets. So, love the people who treat you right, forgive the ones who don't, and believe that everything happens for a reason. If you get a chance, take it. If it changes your life, let it. Nobody said it'd be easy, they just promised it would be worth it."

— Dr. Seuss

"Grudges are a waste of perfect happiness. Laugh when you can, apologize when you should, and let go of what you

required. It is much easier for a kid to back up than an adult to be in that uncomfortable position for an extended period of time. I was driving on the ranch as soon as my feet could reach the pedals. I (and all my siblings) drove trucks, dump trucks, tractors, bulldozers, and operated a backhoe at a very young age. I taught my kids to drive at an early age as well. Those are wonderful memories for me.

My dad was an excellent woodworker completing many very large projects on his own. He made beds and other furniture for the kids, including a 3-tier bunk bed. The top bunk was very close to the ceiling. Dad built by himself a very large, tall car port that could hold six (6) cars and later a garage when we moved to the ranch.

Dad would drive us all to school in the morning, this trip was often a group of 5 to elementary school (grades 1-8). He would like to stop at the bakery and treat us to donuts or bear claws. Once, after such a stop, we thought we might be late, and needed notes for each of our teachers. His note read as follows for each of the five (5) kids: "We would have been on time, but we took the time to write this note for each of the 5 kids which caused John, Joe, Mary Jean, Terri, and Joanne to be late for school..."

I heard over the years that you do not truly appreciate your parents until... [READ ON](#)



can't change."

— Unknown

**Happy
Birthday,
Jill!**



We celebrated our Legal Assistant, Jill's, birthday last month. Jill joined The Goralka Law Firm in March and assists on Trust/Estate Administration and Probate matters.





**Upstream Basis
Planning: How to Use
Your Estate Plan to
Save Tax**
by Attorney, John M. Goralka



First, this article is not about fishing! This article is about using your estate plan to reduce capital gains or income tax.

A very few definitions:

Basis: The amount that you reduce the price of an asset to determine the taxable gain. Often, this amount will be your historical cost (that may be adjusted for depreciation or other items for the accountants that may be reading).

Step-up (in basis): If I sold you my home for \$400,000 (a fixer upper) and I paid \$100,000 for that home, then my taxable gain would be \$300,000. However, if the home I sold you was my father's home which was being sold to distribute his estate to myself and my eight (8) siblings, then the basis (cost) would be... [READ MORE](#)

Estate Planning Must-Do's BEFORE You Go on Vacation

As we head into summer and the kids (or grandkids) are now out of school for summer break, you may have already been thinking about or even booked a

vacation. Whether you're going out of town, out of state, or out of the country, there are always a lot of things to do before you leave.



From figuring out where you're going to stay, what activities you guys are going to do, what to pack and if there's anything else that

you might need before then. Do this for one person, but then multiply it by the number of people in your family; it can be stressful and exhausting trying to manage all of this. The thought about estate planning probably has no consideration on this vacation To Do list. However, many travelers purchase travel insurance to protect their vacation investment in case of bad weather, medical emergencies, travel delays, or other unpredictable circumstances. Just like travel insurance, estate planning is also the "insurance" for the unpredictable "what ifs" in life.

Here is a list of Estate Planning "Must-Do's" before going on vacation:

Get an Estate Plan in Place.

First and foremost, if you have not done any estate planning at all, it is important for you to get something in place. This could be a Living Trust—which is the most appropriate estate planning vehicle for most people, but it may also be a Will (along with a Power of Attorney). Through this process, you determine who will be in charge if something happens to you (either illness, disability or death). It will also determine how your estate will be distributed in the event of your passing.

Review Your Estate Plan.

If you already have an estate plan, before going on vacation, it would be good to get your plan reviewed by an attorney and make sure that it is up-to-date. An out-of-date estate plan is just as bad (sometimes worse!) than none at all. During a review process, the attorney can determine if there's been any changes in laws or planning strategies that make sense for you. Also, he or she can review whom you've chosen to be in charge of your financial affairs and medical decisions and who will get what and when. Relationships change over the years and what may have made sense when you originally got your estate plan in place may no longer make sense. You also may have just put a Will in place and perhaps a Living Trust now makes more sense. There are lots of advantages of having your plan reviewed on a regular basis. We typically recommend it every 3 years.

HIPAA Authorization.

Included in our estate plan is a HIPAA Authorization, which gives access to a person of your choosing to your medical records and to even have discussions with medical professionals about your care should something happen to you. While you may be travelling with the individual you've named to have access to your medical information, you may not. There may be a benefit to having a HIPAA Authorization put in place that would allow your traveling companion(s) to be able to receive and have access to medical information should anything happen to you during your trip.

Guardian Designation.

If you have children under the age of 18, you will also want to plan for your children should something happen to you. Again, during a review of your overall estate plan, this is something that will already be addressed. You may also wish to have someone physically in charge of your kids and another individual (or institution) responsible for managing financial matters for your children and overseeing your children's inheritance until they become of adult age (or even beyond). Additionally, if you are the caretaker of an adult family member who is disabled and unable to take care of him or herself, a guardian designation by that family member of his/her legal representation would help ensure of this individual's care should something happen to you.

Proof of Parental Rights.

If you are going out of the country with your minor children, it would be advisable to have some proof of your parental rights (a copy of either their birth or adoption certificate). Officials are vigilant about preventing child abduction and you may be asked to show proof of your parental rights. This is particularly advisable for same-sex couples and adoptive parents who may be targeted by officials to show proof.

Check Your Beneficiary Designations.

Regardless of how you might set up your estate planning documents for how you wish your estate to be divided among your family and loved ones, there are certain things that you must do to ensure that your assets are properly distributed. For example, your IRA and retirement accounts typically have a Beneficiary Designation Form. Similarly, insurance policies also work off of beneficiary designations. You may wish to check and verify what the beneficiaries are for your accounts and ensure that you have the right beneficiaries in place, consistent with your Living Trust or Will.

Proper Titling of Assets.

A Living Trust is a stand-by legal instrument that goes into effect should you become disabled or pass away. A major part of how a Living Trust works involves a process that we call “funding” of the Trust, which involves retitling of assets into the name of your Living Trust. Failure to do this can result in a court process known as Conservatorship (while you’re disabled) or a Probate (when you pass away). To avoid these lengthy and expensive processes, it is important to make sure that all of your assets are properly titled into the name of your Living Trust. (NOTE: Even if you once did this before, it is a good idea to still verify the title of your assets. For instance, refinancing a mortgage can often involve retitling your property to your name and escrow or loan companies may fail to retitle it back into the name of the Living Trust. This is an area we have seen often results in an unintended Probate of an estate!)

In conclusion, it may feel overwhelming to add estate planning to the ever-growing vacation “to do” list, but by taking the necessary steps to ensure that your estate planning matters are in order, you can also enjoy your vacation with the peace of mind knowing that should something happen to you (which we certainly don’t anticipate), all is taken care of for you and your loved ones. Also, when you return from your vacation, you can also continue on living your life knowing that things are up-to-date and handled without worrying about it for a few years until it is time to review your estate plan again. As we say in all of our Living Trust seminars, procrastination is the “silent killer” of estates, creating unnecessary chaos, headaches and expense. Take care of your estate plan now and enjoy your trip!

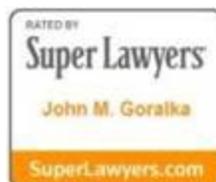
CLIENT TESTIMONIAL: **Helping a Family for Over 20 Years**

This couple has over 20 years' experience and multi-generational experience working with the Goralka Law firm for their estate planning needs. The couple explains what it was like to act as the Power of Attorney for his parent's estate plan, then serve as the trustee and the successor trustee. Finally, he explains what it was like to set up his own trust. Both generations used John Goralka of the Goralka Law Firm.



Also, thanks to all of our clients for their business and referrals over the years. Reviews like these are a reminder about why we do what we do and reaffirms that we are not simply just preparing legal documents, but we're cultivating relationships and really helping families and their loved ones with transformational changes for generations to come.

If you are a client with The Goralka Law Firm, we encourage you to take the time to leave us some feedback and a review online at one (or more) of the following:



**RECIPE OF THE MONTH:
Juiciest Burger Patties**

Just one ingredient will make your burgers infinitely juicier this summer, and it's already in your kitchen: butter!



INGREDIENTS

- 2 sticks (8 ounces) cold unsalted butter
- 3 pounds ground beef, preferably sirloin
- 1 tablespoon kosher salt
- 8 slices cheese, such as American, cheddar, or Swiss (optional)
- *For serving:* split hamburger buns, lettuce, sliced tomato, thinly sliced red onion

DIRECTIONS

1. **Grate the butter.** Using the large holes of a box grater, grate the cold butter into large, thin pieces. (Use the wrapper from the butter to catch the butter shards and make moving them easier.)
2. **Form the patties.** Place the ground beef in a large bowl and sprinkle the butter on top. Using your hands, quickly and gently fold the butter into the beef. Shape the burgers into 8 (6-ounce) patties about 4 inches in diameter and 3/4-inch thick.
3. **Season the patties.** Place the patties on a rimmed baking sheet and season both sides with salt. Be generous, but you might not use all the salt called for. Set aside while you prepare the grill.
4. **Prepare the grill for medium-high heat.** Heat an outdoor grill to direct, medium-high heat. Scrape the grill grates clean if needed.
5. **Grill for 4 minutes each side.** Place the patties on the grill in a single layer. Grill the burgers for 4 minutes — expect a few flare-ups as the butter melts. Using a thin metal spatula, flip the burgers and grill until the burgers are browned and crisp on the outside, about 4 minutes more.
6. **Serve the burgers.** If using cheese, place a slice on each patty during the last minute of grilling. Serve immediately.

Enjoy! 😊

SOURCE: www.thekitchn.com

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NOTE: The client testimonials featured in this newsletter and on our website are from actual clients of The Goralka Law Firm, PC. Their last names have been redacted to protect their privacy. These client testimonials do not guarantee your particular results.