



**The Catholic Foundation  
of Central Florida**  
Inspire Giving. Fund God's Work.

### Wills & Estate Planning

*"Do you know the 3 documents  
every Catholic American needs  
to have?"*

Presented by:

- Wendy Mara, JD, MBA, CAP®  
*Attorney at Law, Mara Law,  
P.A.*
- Charlie Van Patten, JD  
*Director of Philanthropy, CFOCF*



## Legacy Planning Seminar Series



Hosted by



## Legacy Planning Seminar Series



**The Catholic Foundation  
of Central Florida**

# Welcome

*Thank you to our partner*





# The Catholic Foundation of Central Florida

*“The Catholic Foundation of Central Florida is our **best steward of investment and management of the generosity of the many people who participate in the life of this local Church. My hope is that all parishes, missions and schools utilize the breadth of resources and knowledge through **The Catholic Foundation of Central Florida** for any development effort of the Diocese of Orlando. Since my appointment as Bishop of Orlando, I am impressed with its capabilities and rejoice that through the ministry of The Catholic Foundation of Central Florida we are able to fulfill our financial needs.”***

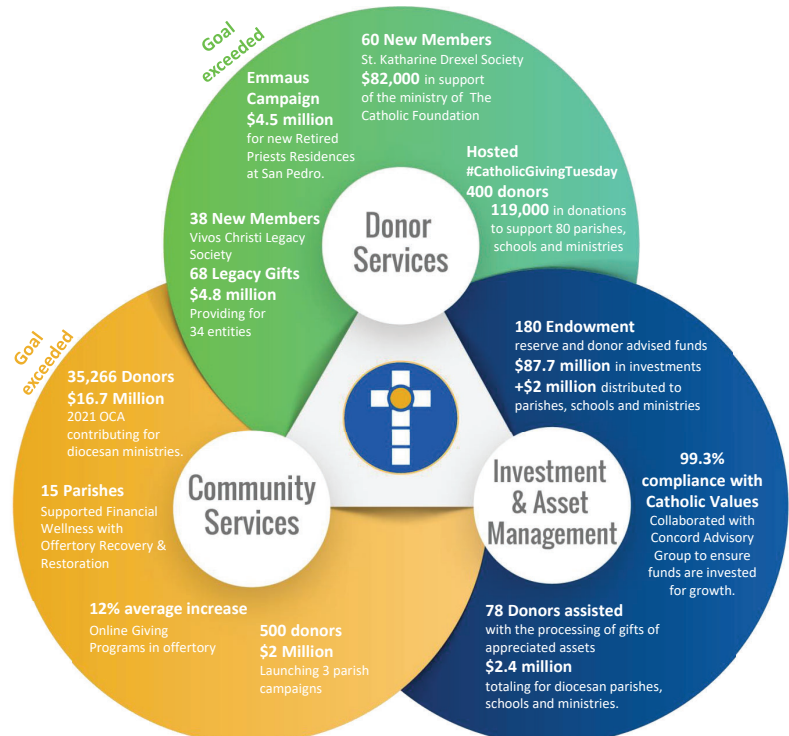
**Most Reverend John Noonan**  
Bishop of Orlando



## How We Serve

The Catholic Foundation of Central Florida’s Mission is to inspire and increase giving, to prudently invest the resources entrusted to us, and to capably steward those charitable gifts to support the spiritual and corporal needs of the community of the Diocese of Orlando.

In 2021 our core services inspired and increased giving providing a great impact on ministries throughout Central Florida.



As a proven trustworthy philanthropic organization to give to and give through, The Catholic Foundation of Central Florida has received the GuideStar Platinum Seal of Transparency.

**Data Management + Communications + Advancement Services + Administration**



# Wendy A. Mara

- Graduated Magna Cum Laude with BA in English from Stetson University in 1993, earned MBA from UCF in 2006, and graduated with honors from Florida Coastal School of Law in 2009
- Taught Language Arts for 3 years in Volusia County Public High Schools and 10 years at Father Lopez Catholic High School
- Admitted to the Florida Bar in 2009 and Middle District of Florida in 2010
- Practices in Volusia and Flagler Counties



## Honors

- AV Rating with Martindale Hubbell
- Super Lawyers Rising Star in Probate and Family Law
- Community Legal Services of Mid-Florida - for pro bono services
- Volusia Flagler Association for Women Lawyers - Woman of the Year
- Ormond Beach Chamber of Commerce Leadership Award



# Wendy A. Mara

## Professional Associations

- Volusia County Bar Association, President 2016-2017, 2010 to Present
- Dunn-Blount American Inn of Court, 2010-Present
- Florida Bar Family Law Section and Real Property, Probate and Trust Section
- Volusia Flagler Association for Women Lawyers, President 2015-2016, 2010 to Present
- American Bar Association, 2009 to Present
- Florida Bar, 2009 - Present
- National Association of Elder Law Attorneys and Florida Chapter, 2019 to Present
- Collaborative Family Law Group of Central Florida, 2016 to Present
- Elder Counsel, 2019 to Present
- Estate Planning Council of the Fun Coast, 2018-Present CFOCF
- Planned Giving Advisory Council, Eastern & Southern Deaneries Chair



**Wendy A. Mara, J.D., M.B.A**  
**Mara Law: Elder and Family Law Center**  
**Telephone: 386-672-8081**  
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**555 West Granada Blvd. Ste D-10**  
**Ormond Beach, Florida 32174-9490**



# What is estate planning?

Planning and arranging, during your lifetime, to protect you and your loved ones in the event of your incapacity or death.



# Estate Planning Legal Documents

- Durable Power of Attorney
- Health Care Surrogate
- Living Will
- Last Will and Testament
- Revocable and/or Irrevocable Trust
- Preneed Guardian
- Lady Bird Deed



# Planning for Incapacity

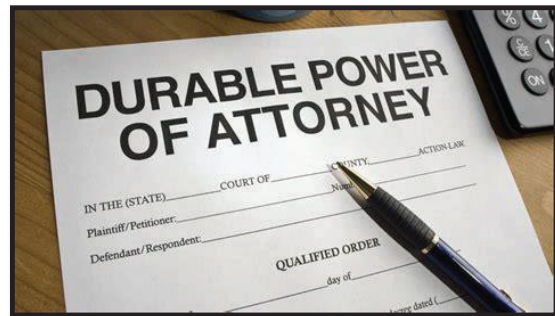
## Health Care Decisions

- Designation of Health Care Surrogate
- Living Will
- Preneed Guardian of the Person



## Financial Decisions

- Durable Power of Attorney
- Preneed Guardian of the Property



# Health Care Surrogate



- Designated person to make healthcare decisions for you when you cannot
- Allows doctors to discuss your health with the people you choose





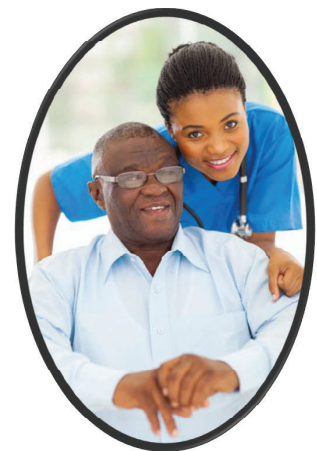
# Living Will

- Expresses your wishes regarding the providing, withholding, or withdrawal of life-prolonging medical procedures if you are unable to make your own decisions and you have an end stage condition, terminal illness, or are in a persistent vegetative state.
- Keeps your loved ones from having to make difficult decisions for you
- Catholic Living Will



# Preneed Guardian of the Person

- Legal document that allows you to choose while you have capacity whom you would like to serve as guardian of your person should you ever need one
- Guardian of the person must report to the Court and file an Annual Plan regarding your care
- Document can be filed with the court now or upon your incapacity



# Durable Power of Attorney



- Document that gives a person the ability to make legal and financial decisions for you
- Very powerful – should only be given to a person you trust
- Effective upon signing
- Cannot be used when you die



# Preneed Guardian of the Property

- Legal document that allows you to choose while you have capacity whom you would like to serve as guardian of your property should you ever need one
- Guardian of the property must report to the Court and file an Annual Accounting regarding your finances
- Document can be filed with the court now or upon your incapacity



# Lady Bird Deed

- Legal Term is Enhanced Life Estate Deed
- Called Lady Bird Deed when Lyndon B. Johnson used an Enhanced Life Estate Deed to transfer property to his wife Lady Bird Johnson
- Allows you to leave a beneficiary or beneficiaries of your property upon your death. Beneficiaries are called remaindermen
- Avoids probate of real property
- Allows you to maintain control of your property during your lifetime



# Planning for Death – You need a plan!

- How are your accounts titled?
- Do you have a Last Will and Testament or a Revocable/Irrevocable Trust?
- Do you have assets titled in the name of your Trust?
- If you don't have a Trust, do you have a Lady Bird Deed?
- Do you have beneficiary designations on your accounts?





# Beneficiary Designations



Can be used for:

- Bank Accounts
- Retirement Accounts
- Insurance Policies

Are your beneficiary designations up to date?



# Joint Ownership of Accounts and Assets

Beware of pitfalls:

- Could be tax consequences to making someone a joint owner
- What if the joint owner...
  - Is sued?
  - Gets a divorce?
  - Files bankruptcy?
  - Absconds with the asset?



# Other Legal Documents

- Last Will & Testament
- Revocable Living Trust
- Irrevocable Trust
- Special Needs Trust



# Last Will & Testament

- Directs the distribution of your assets upon your death
- Appoints a Personal Representative – the person who administers your probate estate.



\*A Will does not avoid probate



# Revocable Living Trust

- Allows for the management of your assets during your lifetime
- Directs the distribution of your assets upon your death
- Can avoid probate - the trustee has immediate authority to manage the trust assets at your death; appointment by the court is not necessary



# Other Types of Trusts

- Irrevocable Trust: Various types such as an Irrevocable Life Insurance Trust, VA Asset Protection Trust, or Medicaid Asset Protection Trust. These types of trusts take control of the assets from the settlor/grantor usually for tax, VA Benefits, or Medicaid planning purposes.
- Special Needs Trust: Set up for the benefit of someone with a disability in order to protect that person's government benefits such as Social Security Income



# Probate

Probate is a court supervised process to:

1. Appoint a Personal Representative for the estate
2. Notify and identify creditors
3. Distribute assets to beneficiaries



# What is better for me...a will or a trust?

## Will

1. Disposition of assets
2. Effective at death
3. Probate required



## Revocable Living Trust

1. Disposition of assets
2. Effective during lifetime and at death
3. Minimizes or avoids probate
4. Saves your family time and money
5. Should really consider if you have property in multiple states

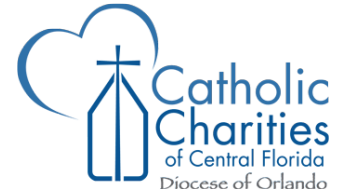


# Charitable Planning

- Lifetime gifts
- Reduce taxes, gifts through stocks, Charitable Annuities or Trusts
- Gifts through Will or Trust at death
- Beneficiary designation
- 401k or IRA
- Life insurance policy



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# Leaving a Legacy - Language for your will

“I hereby give, devise and bequeath to John Noonan, Bishop of the Catholic Diocese of Orlando Florida, a corporation sole, and to his successors and assigns, the following: **(amount, percentage, remainder, or other specific asset)**, for the benefit of **(your parish, a Catholic school, a diocesan ministry, or for the Bishop to use where most needed).**”





# Where Do I Go From Here?

## Get Organized

- Do you have all of your paperwork?
    - The Catholic Foundation's Wills Guide can help you organize your information
  - Do you know the value and location of your assets?
  - Get a qualified professional to review your situation.
  - Make good decisions, no matter how difficult
  - Finalize and execute the plan
- 
- Free 1 hour consultation



## Wills and Estate Planning

**Wendy A. Mara, Esquire**  
**555 West Granada Blvd.,**  
**Ste. D-10**  
**Ormond Beach, Florida**  
**32174**  
**386-672-8081**



## Questions



## Passing Your Values Along to Future Generations

**Your life is the legacy that you are already creating.**

It's who you are.  
What you stand for.  
Where you came from.  
How you've lived your life.  
***Your beliefs. Your values. Your story.***

Would you like those things  
to continue to have  
meaning to your  
**loved ones?**



**Establish**



**Grow**

**Impact**

***Don't delay. Engage your family. Tell Your Story.  
Have the conversation.***



# CFOCF Legacy Resources

- **Planning Your Catholic Legacy – A Wills Guide**
- **Create a Family Mission Statement**
- Opportunities to Leave Your Legacy of Faith
- Create Your Catholic Legacy Video
- Catholic Legacy Letter/Journal



[www.cfocf.org/legacy](http://www.cfocf.org/legacy)



CFOCF  
Planned Giving Advisory Council  
[www.cfocf.org/advisory-council](http://www.cfocf.org/advisory-council)



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## Create a Family Mission Statement



# Questions for Reflection

- What inspires you?
- Why is your faith important to you?
- What values are important to you?
- How has your family impacted your community through charity?
- How do you want to make an impact in the future?
- Who/what are you already giving to?
- How are you transitioning your values to your children and grandchildren?



# Family Research on Storytelling

- Shared sense of purpose and values help families come together
- It establishes ideals to strive for in the future
- Assists when making choices
  - Individually
  - As a Family
- Assists parents with decision making



# Where to Begin?



## Call a Family Meeting



# Identify Your Family's Core Values

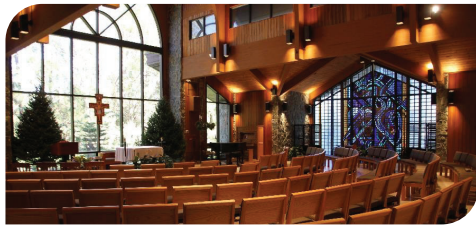
Authenticity	Determination	Hopeful	Patience	Thoughtful
Achievement	Dignity	Humble	Peace	Tolerant
Adventure	Diligence	Humor	Perseverance	Trustworthiness
Authority	Discipline	Imagination	Pleasure	Truthful
Authentic	Dream	Influence	Poise	Wealth
Autonomy	Dutiful	Inner Harmony	Popularity	Wisdom
Balance	Empathy	Integrity	Purposeful	Work Ethic
Beauty	Ethical	Innovation	Recognition	
Belief	Excellence	Intellectual	Religion	
Boldness	Fairness	Joyful	Reputation	
Caring	Faith	Justice	Resilience	
Catholic	Fame	Kindness	Respect	
Community	Family	Knowledge	Responsibility	
Compassion	Forgiving	Leadership	Security	
Courteous	Friendship	Learning	Self-control	
Challenge	Fun	Life	Self-Respect	
Citizenship	Generous	Long-suffering	Service	
Cleanliness	Gentleness	Love	Solidarity	
Committed	Giving	Loyalty	Spirituality	
Community	Gracious	Meaningful Work	Stability	
Competency	Goodness	Merciful	Strong	
Confident	Gratitude	Mildness	Success	
Contribution	Growth	Moral	Status	
Courageous	Happiness	Obedient	Teachable	
Creativity	Helpful	Openness	Tenacity	
Curiosity	Honesty	Optimism	Tenderhearted	





# Family Mission Statement

*"The mission of our family is to create a nurturing place of faith, love and service. We show respect for one another and ourselves. To return the blessings our family received from the San Pedro Retreat Center, we will provide scholarships for children to attend the summer camp retreats."*



*"We are a family that loves and looks out for one another and our neighbors. We commit to always be there for each other. We know we have been abundantly blessed and will volunteer and contribute as a family to help our brothers and sisters in Christ who are in need."*



*"We pray everyday, tell the truth, practice forgiveness and choose to live with joy in our heart. To honor our loved one who has Down syndrome and who God created perfect, we support ministries that empower people with disabilities including Morning Star School and Bishop Grady Villas."*



# Family Giving Mission Statement

## In this family...

we are real,  
we make mistakes,  
we say: "I'm sorry."  
*We believe in God and in each other.*

We have fun,  
we love each other,  
we give hugs, we forgive.  
*We are generous to our family and to others with our time, talent and treasure.*



## In our family...

we are strong and courageous – 1 Corinthians 16:13  
we trust in God's plan – Jeremiah 29:11  
we let our light shine – Matthew 5:16  
we pray for one another – James 5:16  
we are joyful in life – Ecclesiastes 8:15

*We trust in the Lord with all our hearts*  
Proverbs 3:5 – 6

*We believe all things are possible with God*  
Matthew 19:26



# Consider a Tagline

A tagline could also be considered a motto.

**It's one sentence that encapsulates your family culture.**

*Examples:*

*"Our family is built on faith, hope, and love."  
1 Corinthians 13*

*"Always do your best, and your best is always good enough!"*



# Legacy Planning – Family and Beyond

- After you remember your family in your legacy plans, consider your legacy to your spiritual family.
- Your parish, school, or ministries.
- Engage your family and an expert team including a financial planner, estate attorney, and other professionals.
- Join the Vivos Christi Society.
- We are here to help you achieve your philanthropic goals!



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VIVOS CHRISTI SOCIETY



## The Catholic Foundation of Central Florida

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- Office Location: 50 E. Robinson St., Orlando, FL 32801

Join us for our next Legacy Planning Session  
*Taxes & Estates: Protecting Your Family and Planning Today for a  
Better Tomorrow*

**Thursday, January 12 at 1:00 PM**

[www.cfofc.org/leavealegacy](http://www.cfofc.org/leavealegacy)



# Thank You



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