



THE LAW OFFICES OF
HOYT & BRYAN, LLC

FAMILY WEALTH & LEGACY COUNSELLORS

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‡ BOARD CERTIFIED IN WILLS, TRUSTS & ESTATES
† BOARD CERTIFIED IN ELDER LAW
*CERTIFIED LEGACY ADVISOR™



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It is our mission to provide individuals and families with the knowledge, counselling and legal advice necessary to assist them in developing personal estate plans that allow them to control their assets while they are alive and well; plan for themselves and their loved ones in the event they become disabled; give what they have, to whom they want; when they want, the way they want, and to secure appropriate assistance for themselves and their loved ones to transfer their wealth and wisdom.

ESTATE PLANNING

WILLS AND TRUSTS
POWERS OF ATTORNEY
ADVANCE DIRECTIVES
UN-MARRIED COUPLES
SPECIAL NEEDS PLANNING
PET PLANNING AND MORE

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ESTATE PLANNING

Our Estate Planning practice is different from what you might expect from a law firm. Here, estate planning is less about the “what” you have in your life and more about the “who.” The people in your life that you love, including yourself, are the centerpiece of the estate planning process. Without a detailed and complete understanding of who these people are and what you would like to accomplish for their benefit, many estate planning decisions are doomed to failure.

Your estate plan will allow you to:

- Retain full control and access to your assets while living
- Plan and provide for your mental disability
- Assure continuity of control over your assets at either disability or death
- Efficiently transfer your estate to your desired beneficiaries with personalized instructions that protect your loved ones from bad things that often happen to good people
- Minimize time delays and expenses and avoid public disclosure of your planning at death
- Maximize federal estate tax planning to save taxes

Our goal is to provide you with an estate plan that works – not only from a legal perspective, but also from a family perspective. This goal is accomplished through a three-step process that includes superior counselling and design in the plan’s initial creation, a formal updating and maintenance program through our Estate Security Plan (ESP) program to account for the certainty that your life and the law will inevitably change, and fully disclosed fees for settlement services. This process results in lower overall lifetime estate planning costs. We are firm believers in establishing and building trusting long-term relationships with our clients and truly strive to be your “Partners in Planning, Friends for Life.”

WILLS AND TRUSTS

A Will is an end-of-life declaration created for the purpose of setting forth your wishes with regard to the distribution of your estate at the time of your death. In addition, a Will appoints your Personal Representative (sometimes called an Executor) who is responsible for the administration of your estate. If you have minor children, you will also nominate your child's guardians and/or trustees for their care and management of their assets. A Will guarantees that any assets you own in your individual name will be administered at the time of death through a court-administered probate process. A Will provides no protection in the event of your lifetime disability (see Advance Directives).

A Trust, sometimes referred to as a Living Trust is created during your lifetime for the purpose of setting forth your wishes with regard to the management of your assets in the event of your disability and at the time of your death. Trusts can also be useful in accomplishing estate tax reduction goals and providing for the long-term care of a special needs child, pets or even adult children for whom you have asset protection concerns. Trusts can be revocable so that they can be easily changed as your circumstances change or irrevocable depending on your circumstances and the goals you wish to accomplish. A trust will nominate your Successor Trustee to act on your behalf either at disability or death. Trusts avoid the probate process but can only control those assets that have been properly re-titled in the name of the trust or which name the trust as a beneficiary (i.e. insurance policies or retirement accounts).

If you don't have a comprehensive estate plan, the State of Florida has one for you. We believe in planning by design, not by default. You should consult with an estate planning professional when creating your estate plan to ensure that your plan will work when you need it most.

ADVANCE DIRECTIVES

Advance directives come in two essential forms:

1. Financial Directives; and
2. Healthcare Directives.

Both are necessary to a comprehensive disability plan.

A Durable Financial Power of Attorney is a financial directive that allows you to appoint an agent to act on your behalf from a financial perspective when you are unable to act on your own behalf. Powers of Attorney can accomplish a number of goals depending on your unique circumstances and should be custom drafted to meet your needs. A Power of Attorney can also provide for gifting in order to reduce your estate for tax or long-term care planning needs.

Healthcare Directives also come in a variety of forms. A Healthcare Power of Attorney or Healthcare Surrogate is used to appoint an individual to make everyday medical care decisions for you; things like consent to surgery or treatment, transfer to or from a medical facility, release of medical records and the hiring and firing of medical personnel.

A Living Will is used to set forth your wishes with regard to the termination of life-prolonging procedures. A Living Will becomes effective when you are unable to make your own healthcare decisions and have either a terminal or end-stage condition or are in a persistent vegetative state. If your doctors have determined that there is no medical probability of your recovery, your Living Will sets forth your declaration regarding the removal of life-support.

Another disability directive is a Pre-Need Guardian Declaration used to represent your choice of both financial and personal guardian in the event your incapacity results in a court-ordered guardianship proceeding.

UNMARRIED COUPLES

Unmarried couples have unique planning needs that cannot be left to chance. The State of Florida's default plan for you provides no protection in the event of disability or death. We have experience working with the concerns of unmarried couples to create a plan that will work for you.

SPECIAL NEEDS PLANNING

Our goal is to help you plan for the future and security of your special loved one with a disability. Have you ever wondered who will take care of and provide for your child with special needs after you are gone? How do you pass an inheritance on to your special needs person (when he or she cannot have more than \$2,000.00) without affecting their governmental benefits?

If you have a loved one with a disability, proper planning is a necessity. Don't jeopardize your child's future and put their inheritance at risk through the loss of government benefits. A special needs trust may allow you to maintain control over assets for the benefit of your special person while ensuring eligibility for those valuable medical, housing and support benefits.

PET PLANNING

Animal companions...your pets..."your children." Whatever you call them, they are dearly loved family members. We worry about our pets, just like our children. Our pets love us unconditionally, help reduce stress and even enhance longevity. For all these reasons and so many more, you should explore all the alternatives for planning for your pet's future without you and for your future without your pet.

ABOUT OUR FIRM

Founded in 1999, THE LAW OFFICES OF HOYT & BRYAN, LLC is located in the heart of historic Oviedo, Florida. Both Peggy Hoyt and Randy Bryan bring significant estate planning, elder law and business experience to their practice. They are members of the National Network of Estate Planning Attorneys, WealthCounsel, and the National Academy of Elder Law Attorneys, national organizations of estate planning and elder law professionals committed to one goal, the best interests of our clients.

We are committed to being truthful with each client and providing the individual service they deserve through:

- Educational forums for individuals and their families, as well as their CPAs, financial advisors, or other trusted advisors.
- Communication with our clients and their professional advisors regarding changes in the law and our experience through the use of newsletters, consultations, group counselling and fellowship meetings, electronic and computer media.
- Prompt courteous service to our clients and their loved ones.