



NEWS BRIEFS

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SACRAMENTO COUNTY RETIRED EMPLOYEES ASSOCIATION
Post Office Box 573, Fair Oaks, CA 95628
www.saccountyretirees.com

2024 Spring Issue

Pamela Thomas, Editor



PRESIDENT'S MESSAGE *By Randal Angeloni, President*

Greetings 2024! I hope everyone had a great holiday season and are ready to start the new year. The new year brings new opportunities and challenges. We know that every year new laws are passed and enacted. Let's review a few of the new laws enacted in California for 2024.

SB 700: Prohibits an employer from requesting information regarding applicant's prior cannabis use.

AB 2188: Prohibits employers from discriminating against a worker or applicant based on their use of cannabis off the job and away from the workplace.

Minimum wage: California's minimum wage will increase to \$16.00 per hour.

AB 1228: Will go into effect in April to raise the minimum wage of fast-food workers to \$20 per hour and some health care workers will begin seeing increases to their minimum wage, depending on the type of facility they work in, to eventually reach a \$25 minimum wage for the entire industry by 2033.

AB 452: Eliminates the statute of limitations, or time limit for the recovery of damages, for victims of childhood sexual assault that occurs on or after January 1.

AB 2282: Enhances criminal penalties for those who use swastikas, nooses, desecrated crosses and other hate symbols on schools, cemeteries, religious institutions, businesses and public spaces.

AB 12: Starting in July, prohibits landlords from charging more than one month's rent for a security deposit on other private and public spaces.

SB 345: Sets legal protections for healthcare providers who mail abortion pills or gender-affirming prescriptions out of state.

SB 385: Allows physician's assistants to do surgical abortions without the direct supervision of a doctor.

SB 43: Makes it easier for counties to put those with severe mental illness into medical treatment or temporary psychiatric holds. The law expands who can be put into an involuntary hold to include those who are addicted to drugs or alcohol or who are unable to keep themselves safe.

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Remember to
change your
clock! Daylight
savings starts
March 10



**SCREA extends our deepest sympathy to family and friends of
retirees listed below. This list identifies those reported in
October thru December 2023**

Neil Anderson, DA
Kathryn Azevedo, DHHS
Mary Baker, OCIT
Marilyn Bingham, Human Assist.
Carol Biondi, Sheriff
Marvin Black, Sheriff
Jennifer Bouman, DHHS
Patricia Brown, Library
Bret Butler, Correctional Hlth Svcs
Clara Carpenter, Assessor
Gary Cassady, Co Exec
Bonnie Collins, Public Works
Bobbie Cory, Courts
Maureen Crabaugh, SETA
Bennett Davidson, Sheriff
Lisa Dennis, Human Assist.
Robert DiNardo, Human Assist.
Devin Donohue, Superior Courts
Deborah Erby, Human Assist.
Joselyn Erickson, Probation
David Evans, Sheriff
Roger Ewers, DTECH
Phillip Fischbach, Public Works
Sue Flynn, DHHS
John Franklin, Personnel Svcs
Doris Fried, Treasurer/Tax Coll.
Anita Fryar, Human Assist.
Louise Galgani, County Counsel
Karin Gostage, DHHS
Leona Hamilton, Welfare

Rochelle Hamilton, Probation
Rebecca Hammer, Sheriff
Roger Hendrickson, Sheriff
Jeri Howard, MSA
Richard Seymour Johnson, DA
Harriet Jones, Child Supp. Svcs
David Kelley, Sheriff
Patricia Kelly, DA
Charles Kropf, General Services
Alice Kuwabara, Sheriff
Larry Laird, Sheriff
Ronald Landrus, Sheriff
Lila Lee, Welfare
James Licican, General Services
Jose Magaway, Env Rev/Assessor
Dorothy Marlitt, General Services
Frank Marulo, Health
Cheryl Martin, Human Assist.
Joanne McKee, Public Works
Clevelynn Mentillo, Superior Court
Lorraine Messecar, Welfare
AnnMarie Meyer, Personnel Svcs
Anna Ng, Probation
Margaret Noland, DA
Anita O'Bryan, Public Works
Katsuhiko Onishi, Public Works
Nell Person, Probation
Robert Petty, Public Works
William Price, DCSS
Viktor Rapoport, Human Assist.

Earlene Reynolds, Sheriff
Lonnie Rogers, Public Works
Jack Sanders, Jr., Courts
Catalina Santana, Sheriff
Dennis Scharosch, Courts
Donald Schwab, Public Works
Frances Shirley, Social Services
Paula Ruth Siebert, DHHS
Marty Simmons, Sheriff
Joseph Simoni, Sheriff
Genevieve Sinclair, DHHS
Jean Single, Public Works
Mary Soule, SETA
Donald Standridge, General Svcs
Alfred Stieff, Welfare
Mary Strohl, Library
Alene Sutton, Human Assist.
Kendall Thompson, Probation
Ralph Thompson, Public Works
Richard Twilling, Sheriff
Jeannette Tucker, Public Works
Gregory Valley, Florin Fire
Koua Vang, Human Assist.
Ed Vasquez, Human Assist.
William Wagstaff, County Exec
Phillip Watkins, Probation
Andrew Weitnauer, Sheriff
John Wells, Technology



The surviving spouse of a member is eligible for SCREA membership. Our membership application is available on our website at www.saccountyretirees.com/forms. For enrollment assistance, please contact Sue Murray, Chair, Membership Committee at msmurray03@gmail.com or at 916-359-6394.

Jane Smith, Chair, Sunshine Committee, sends **sympathy cards** to families of our members when we are notified of a death. Jane also sends get well cards to our members who are experiencing health problems. If you know of a member who would be cheered by receiving a card from SCREA, please contact Jane at districtfiveveteretired@yahoo.com or 916-786-6502.

REMEMBER that if you do lose a spouse that is a retired County employee, be sure to contact SCERS for your burial benefit of up to \$4,000. SCERS phone is 916-874-9119.

MEMBERSHIP

As of January 8, 2024, SCREA now has a total of **4,919 members**. Members consist of retired Sacramento County employees and/or their spouses.

The membership application for retirees and/or a spouse is available on our website, at www.saccountyretirees.com/membership. If you have any questions, please contact Sue Murray, Chair, Membership Committee at 916-359-6394 or at msmurray03@gmail.com.



WELCOME NEW SCREA MEMBERS!

Diana Acosta, Agricultural Commission
 D J Andriessen, Child Support Services
 Comfort Allotey, Correctional Health Services
 Ann F. Baker, Planning
 Donna Bonnel, Personnel Services
 Todd Bowen, Human Assistance
 Roberta Carpenter, DHHS
 Regina Carthen, Human Assistance
 Bobbi Jaye Catlin, Dept of Health Care
 Gesna Rose Clarke, Superior Court
 John Cochran, Child Support Services
 Tracy Cooper, SETA
 Paul (Sheriff) & Laura (DHHS), Copsey
 Carol Daly, Sheriff
 Erika Davis, SETA
 Michael DeCuir, Sheriff
 Kim Dee (DHHS) &
 Lisa Ruhan
 Willie Mae Desha, SETA
 Cynthia Eaton
 Patricia D. Fernandez, Court Investigations
 Barry Fitzpatrick
 Joyce Flowers (Probation) & Jason Plant
 Lisa Gayman, Sheriff
 Rodora Godfrey, Assessor
 Michele A. Gonzales, Juvenile Courts
 Glenda Goodlow, Coroner
 David W. & Kathy Guthrie, Sheriff
 Robert M. Hamilton, Public Works
 Richard & Kathleen Hanson, Mental Health
 Patricia Henry, AOD
 Keith Holman, Child, Family & Adult Services
 Colleen Hounihan, Sheriff
 Lee Jackson, Sheriff
 Steven Johnson, Sheriff & Jill Aguirre
 Stephen Jolley Sheriff
 Ella Kelley
 Jane Rae Keys, Sheriff
 Denise King, County Counsel
 Beth Ann Lane, Superior Court
 Debra (Child, Family & Adult Services)
 & Steven Larson

Althea Lee
 Mary Maffei, Welfare
 Henry (Health) & Cheri (Welfare) Mailhot
 Dennis Marcheschi, Human Assistance
 Kamau Mensah, Human Assistance
 Curtis Allen (Airport) & Arleen Merjil
 Ronald (Water Resources) & Heidi Mickelson
 Jerry Moore, Sheriff
 Daniel Morrissey, Sheriff
 Cecilia Nu Hong Nguyen
 Kathy Nichols, Animal Control
 Deborah & Michael Noble, Health
 & Human Services
 Don Nottoli, Board of Supervisors
 Tosca (Sheriff) & Eric Olives
 Cherie Pace, Sheriff
 Velma Parker, DHHS
 Stephan Payton, Human Assistance
 Charlene Pettigrew, Sheriff
 Nancy Powell, Courts
 Deborah Purrington, Superior Court
 Hao Quinn, Air Quality Mgt District
 Ma Elizabeth Resuello
 Christopher (Waste Mgt & Recycling)
 & Sheila Richgels
 Kenneth & Dana Rickett, Sheriff
 Dolores Ross, Public Works
 Antonia R. Ruiz, District Attorney
 Linda Lee Seiler, Correctional Medical Svcs
 Gloria Shamblin, Worker's Compensation
 Walter Brian Shine, Transportation
 Kirby John Silo, Child Support Services
 James (Sac Metro Fire District) &
 Diane Spina-Skidmore
 Victor Spahn, Probation
 Susan Stokes, DTECH
 Brenda Tolbert, Mental Health
 Diane Vandruff (Sheriff) & Carey Ward
 Gail Vasquez, Sheriff
 Carey Yamanaka
 Susan Z'Berg, Superior Court

The SCREA News Briefs is published quarterly. Information presented in our News Briefs is believed to be from reliable sources. No responsibility is assumed by SCREA, the Editor or the writers for inaccuracies in the articles published. However, if you do see an error, please bring it to the attention of Pamela Thomas, SCREA's News Briefs Editor, at egishome@gmail.com.



SCREA MARCH LUNCHEON & INFORMATION SHARING

By Nancy Gust, Chair, Program Committee

MARCH 25, 2024 Monday 9:30 – 2:00 pm (Doors open 9:30 a.m.)

We held our Annual Holiday Luncheon at the Hilton Hotel in December 2023. We had a nice crowd with plenty of time to visit and catch up. Supervisor Pat Hume, Eric Stern (SCERS CEO), Alice Krueger (Sac County Benefits Manager) and Mike Gomes (Fidelity) joined us for lunch and a chat. Thank you to all the SCREA Board of Directors & members who helped with the event.

For the March Luncheon we are adding speakers to the event. Session #1 will be choice of Delta Dental or Mission Square (10:00 - 10:25 a.m.); Session #2 will be choice of Kaiser Permanente or United Healthcare (10:35 - 11:05 a.m.); Session #3 will be SCERS (11:15 - 11:45 a.m.). You may choose to attend one of each session or just come for lunch (check-in 11:30 a.m.) See article on speakers from Alice Krueger, Sacramento County Employees Benefits Manager.

Please join us for our March Luncheon with Informational Speakers at Hilton Hotel Ballroom
2200 Harvard Street, Sacramento, CA

11:45 a.m. NO-HOST BAR – 12:20 p.m. LUNCH (Raffle after lunch)

The menu this year will include choice of:

1. Rosemary Chicken w/Lemon Garnish & Yukon Gold Mashed Potatoes, or
2. Butternut Squash Ravioli with Sage Butter

Each dish comes with a Mixed Green Salad with grape tomatoes, cucumbers, carrots and a choice of Ranch or Italian Vinaigrette dressings, Fresh Vegetables du Jour, wheat/white soft dinner rolls w/butter, fresh brewed coffee, regular or decaffeinated, hot or iced tea, water.

For dessert they will alternate Chocolate Cake and New York Style Cheesecake with fruit coulis

COST: MEMBERS ARE \$30.00 AND NON-MEMBERS ARE \$ 47.00

Please let me know if you have any special dietary requests on your reservation form.

Please complete the reservation form on page 5 of this News Briefs to select which speaker sessions you would like to attend and your entrée choice. Return by the deadline Thursday, March 7, 2024. If you put your check in the mail close to or on the deadline, PLEASE email njgust@hotmail.com or call me at (916) 725-6752 so I can have the correct count. All meals given for the final count must be paid for. No refunds after March 7, 2024.

Directions: Coming from Roseville on Hwy 80, exit at Arden Way Exit 10A, turn right at light, right on Harvard Street, right into the Hilton parking lot. Coming from the South on Hwy 50 take Arden Way Exit 9B, keep left to take Arden Way W ramp, keep left and then a slight right onto Arden Way. Follow the above directions from Harvard Street on. Parking is free and is in front and on the sides of the hotel. If you must take a parking ticket you will not have to pay to exit, the arms will be up when we leave.

SEE'S CANDY SALES *By Nancy Gust, Chair, Program Committee*

See's \$25.00 gift cards are available at a discounted price of \$20.00. If you would like to purchase, please email me (njgust@hotmail.com) or call (916) 725-6752 and tell me how many you would like. For mail orders it will be check only. If you purchase at the March Luncheon cash will also be accepted. These gift cards can be used at any See's Candy Store.

You also have the option of taking your current pay advice to one of the See's Discount Stores to receive a discount. The stores are located at 10395 Folsom Blvd, Rancho Cordova, CA 95670 or 1009 L St, Sacramento, CA 95814. Your county discount is only available at these two stores.

2024 SCREA MARCH LUNCHEON AND INFORMATION SHARING RESERVATION FORM
Hilton Hotel 2200 Harvard Way, Sacramento CA 95815
MONDAY, MARCH 25, 2024

1. Member's Name: _____ Phone: _____
 2. Member's Name: _____ Phone: _____
 "New" e-mail addresses ONLY: _____

3. Non-Member's Name: _____ Phone: _____
 4. Non-Member's Name: _____ Phone: _____

_____ Member's Rosemary Chicken w/Lemon Garnish and Yukon Gold mashed potatoes \$ 30.00
 # _____ Member's Butternut Squash Ravioli with Sage Butter \$ 30.00
 # _____ Non-Member's Rosemary Chicken w/Lemon Garnish & Yukon Gold mashed potatoes \$ 47.00
 # _____ Non-Member's Butternut Squash Ravioli with Sage Butter \$ 47.00

TOTAL CHECK ENCLOSED _____

RESERVATION DEADLINE: MARCH 7, 2024

PLEASE NOTE ON YOUR RESERVATION FORM IF YOU HAVE SPECIAL DIETARY NEEDS. **ALL CANCELLATIONS MUST BE CALLED IN BY THE RESERVATION DEADLINE (MARCH 7, 2024).** PLEASE DO NOT SEND CASH. **SEND THIS FORM** AND A CHECK PAYABLE TO SCREA, TO SCREA, P.O. BOX 573, FAIR OAKS, CA 95628.

INFORMATION SHARING SESSIONS

Choose one in each session or come at 11:30 a.m. for lunch only

Check box for each topic you would like to hear for each person on your reservation form.
 If you are attending more than one session and lunch you can register for all at the same time

SESSION 1 – 10:00 a.m. to 10:25 a.m. (Registration opens at 9:30 a.m.)

DELTA DENTAL – Sr Oral Health

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MISSION SQUARE RETIREMENT HEALTH SAVINGS PLAN Designed to help you pay for future healthcare costs

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☐ ☐ ☐ ☐

SESSION 2 – 10:35 a.m. to 11:05 a.m. (Registration opens at 10:20 a.m.)

KAISER - Medical coverage, Sr. Advantage Plans and to answer questions

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UNITED HEALTH CARE - Benefits, RetireeFirst advocacy service, and to answer questions

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SESSION 3 – 11:20 a.m.- to 11:50 a.m. (Registration open at 11:00 a.m.)

SCERS

1 2 3 4
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LUNCH/RAFFLE – 12:00 p.m. to 2:00 p.m. (Registration for lunch only starts at 11:30 p.m.)

PRESIDENT'S MESSAGE, *continued from page 1*

SB 2: Places new limits on concealed carry firearm permit holders, while **AB 28** imposes an 11% tax on firearms and ammunition to help fund violence prevention programs.

AB 587: Requires social media companies to disclose how they address hate speech and disinformation. Tech companies are expected to provide reports to the State Attorney General on how they address violations of user terms.

SCREA is watching for issues related to County Retirees. This year there have been no major legislative efforts that affects our retirement security. As you might expect this is a modified list of the new laws and regulations slated to take effect in 2024. You can search the web for additional information.

SCREA SEPTEMBER 2023 RANDOM RAFFLE WINNERS *by Nancy Gust*

SCREA is continuing our random raffle drawings for those who cannot attend our luncheon events. Congratulations to our random raffle winners for the SCREA 2023 Holiday Luncheon. Winners will receive a \$25 Amazon gift card via mail and are Scott Haymart, Dorris Obrien, Daniel Ortega and Janis Schultz.

For your information and convenience, below are some important phone numbers and addresses:

SCERS:

916-874-9119, 980-9th Street, Suite 1900, Sacramento, CA 95814-2739

Employee Benefits Office:

916-874-2020, 700 H Street, Sacramento, CA 95814-2739

Deferred Compensation Questions: 916-874-7061

A list of SCREA Board members and their contact numbers is on the last page of this newsletter.

NOMINATING COMMITTEE UPDATE *By Carol Summers, Chair, Nominating Committee*

I am happy to report that all our current SCREA Board vacancies are filled. We continue to actively recruit any interested SCREA members to fill the position of Committee Chair of the Information /Website Committee. The Chair reviews our website and submits changes or additions to a contracted consultant who then performs the update to the website.

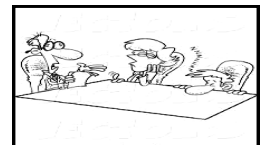
There will also be two SCREA Board positions vacant for the July 2024 to June 2027 term of office. Members of the Board meet once a month, usually the first Monday of the month, for about 2 hours. We ask that each member serve on at least one committee. We are an active and dynamic group of retirees. Our mission is to serve the needs of Sacramento County Retirees with information and advocacy.

Retiree members of SCREA can apply for these positions by submitting a Letter of Interest via email to me, Carol Summers, at mauisummers13@gmail.com. The letter of interest should indicate that the candidate consents to run and if elected, will serve as a member of the Board of Directors.

For a list of committees and more information, please contact me, Carol Summers, at mauisummers13@gmail.com.

ATTEND A SCREA BOARD MEETING... SCREA members are always welcome to join us for our monthly Board meetings. All meetings begin at 9:30 am and are held on the first Monday of each month. If the first Monday is a holiday, the meeting is held the following Monday.

Most of our meetings are held at the Rancho Cordova Police Department, 2897 Kilgore Road, Rancho Cordova.



UPDATE FROM THE EMPLOYEE BENEFITS OFFICE

By Alice Krueger, County Benefits Officer

As we look forward to the rain that helps our region's drought and makes everything bloom in the Spring, the Sacramento County Employee Benefits Office wanted to let you know about available information sessions on benefit-related topics.

Training Calendar:

Access training calendars here: <https://personnel.saccounty.gov/Benefits/Pages/Training.aspx>

All training sessions are accessible via computer or simply by listening on the phone. Sessions include:

Medicare 101 - Quarterly:

For those turning 65 during 2024, we have scheduled quarterly training sessions, provided by Kaiser, to cover all the basic information you will need to enroll in Medicare Part A & B, as well as the different types of Medicare Advantage/Supplement plans for consideration. Register online for the following dates and times:

- February 6, 2024: 10:00 am to 11:00 am
- May 14, 2024: 2:00 pm to 3:00 pm
- September 10, 2024: 9:00 am to 10:00 am
- November 19, 2024: 1:00 pm to 3:00 pm

Kaiser will also be offering some one-on-one sessions to answer more individual questions on a date closely following each webinar.

MissionSquare – Retiree Health Savings Plan:

We're partnering with MissionSquare to provide a 30-minute information session on the Retiree Health Savings Account including how to file claims.

Fidelity – Monthly

Each month, our dedicated Fidelity Representative covers a variety of topics focused on your 457(b) accounts. Sessions are scheduled throughout the month and are generally 45 minutes or less.

SCREA Information Session:

Join the Employee Benefits Office for the SCREA Information Session and Luncheon on March 25, 2024. Speakers are United Healthcare (Benefits, RetireeFirst advocacy service, and to answer any questions members may have); Kaiser (Medical coverage, Sr. Advantage Plans and to answer questions); Delta Dental (Sr. Oral Health Care); and MissionSquare Retiree Health Savings (RHS) Plan (designed to help you pay for future health-care costs through a tax-advantaged savings and investing vehicle). Come to hear their presentations and ask questions directly to the carriers.

Resources:

You can find forms, benefit coverage details, and additional links on the Employee Benefits Office website:

<https://personnel.saccounty.gov/Benefits/Pages/Pre-Retiree-Resources.aspx>

<https://personnel.saccounty.gov/Benefits/Pages/RetiredEmployee.aspx>



SACRAMENTO RIVER CATS BASEBALL

By Nancy Gust, Chair, Program Committee



It's time for baseball again. SCREA has scheduled one day game for the Sacramento River Cats.

Day Game Tuesday May 14, 2024 12:05 PM Member \$19.00 Non-Member \$24.00
Vs Oklahoma City Dodgers (Los Angeles Dodgers affiliate) (twenty tickets)

Reservations for the May 14, 2024, Day Game will be due April 10, 2024.

Gates open one hour before game time.

The changes at the ballpark are the same as last year. All services are mobile now. You will need a mobile phone to receive your tickets, pay for parking, to order food & drink or buy souvenirs. The ATM machines have been removed. Ladies & Gents can only bring clear plastic bags/totes into the ballpark no larger than 12" x 6" x 12".

You can CTRL + Click on the link below to see all the details and any COVID requirements. [Sutter Health Park A-Z Guide | River Cats \(milb.com\)](#)

Parking will be the same at \$15.00. If you have a valid blue placard or handicap plates, you can park in the Green Lot. Placards must be displayed when you pull in. They have golf carts to take you to the drop off curb. Then they will take you back to your car at the end of the game.



SCREA'S SACRAMENTO RIVER CATS BASEBALL GAME

RESERVATION FORM

TUESDAY, MAY 14, 2024

Member's Name: _____ Cell Phone #: _____ Required

Member's Name: _____ Phone: _____

E-mail address: _____ Required

Non-Member's Name: _____ Phone: _____

Non-Member's Name: _____ Phone: _____

_____ Members Sacramento River Cats May 14, 2024 (Tuesday Day Game) \$19.00

_____ Non-Members Sacrament River Cats May 14, 2024 (Tuesday Day Game) \$24.00

TOTAL CHECK ENCLOSED \$ _____

RESERVATION DEADLINE: APRIL 10, 2024 (WEDNESDAY)

ALL CANCELLATIONS MUST BE CALLED IN BY THE RESERVATION DEADLINE **(04/10/2024)** TO NANCY AT (916) 725-6752 OR njgust@hotmail.com. PLEASE DO NOT SEND CASH. **SEND THIS FORM** AND A CHECK PAYABLE TO **SCREA to SCREA P.O. BOX 573, FAIR OAKS, CA 95628**



By Ernie Strobel

Have you thought about **Long-Term Care**?

Long-Term Care isn't just for the elderly. Accidents, injuries, and illnesses can happen to anyone, at any age, so it is very important to be prepared. Many people believe, incorrectly, that Medicare or their Health Insurance will cover most or all of the costs of long-term care services. However, nothing could be further from the truth. In fact, Medicare typically covers only about 12% of the cost of long-term care services nationally. Standard healthcare insurance plans for those under 65 are simply not designed to provide long-term services on an extended basis. Without a Long-Term Care Insurance plan in place, you could be stuck paying out-of-pocket for expenses that can exceed \$75,000 per year or more depending on the area in which you live.

The good news is that you can protect yourself with a Long-Term Care Insurance plan now available to **SACRAMENTO COUNTY RETIRED EMPLOYEES ASSOCIATION (SCREA)** members through **SPECIALISTS IN LONG TERM CARE INSURANCE SERVICES, INC., (AN AMBA COMPANY.)** These policies can provide benefits to help you pay for your long-term care expenses and protect your assets. They also allow for the choice to receive care in your home, an assisted living facility, or a nursing home. In addition to choosing how you receive care, you can also customize the amounts of your coverage, creating a plan that perfectly suits you and your budget, giving you peace of mind. Furthermore, SCREA members are eligible for a group discount on the policy of their choice.

If you are interested in learning more about the plans available to SCREA members, please call **TOLL FREE 1-800-764-6585** or email an inquiry containing your name, association, and telephone number to info@siltc.com. **Please note that a telephone call is necessary to ask several qualifying questions before a customized quote can be mailed to you.**

Visit SCREA's website at www.sac-countyretirees.com to get updated info and keep informed on various issues affecting County retirees. You can also read our newsletters and subscribe to receive emails when the website is updated.



*The SCREA Board wishes
you a VERY happy &
peaceful Easter*



THE DIFFERENCE BETWEEN A WILL AND A TRUST

By Ed Fong, Attorney

As a probate attorney, one of the most common questions I get is “What is the difference between a will and a trust?”

A will and a trust both act as a contract to determine what happens to your property when you die. The biggest difference is the process in determining who is the rightful owner of one’s property after death. Under a will, the court will determine who is the rightful owner and, via a court order, will give that individual or individuals the right to lawfully collect the property. **Under a trust**, the creator of the trust selects a trustee, who follows the instructions of the trust agreement. The trust agreement is a familiar document with banks, brokerage houses, and title companies. **A will** requires the estate to go through court to determine who the Executor is. The consequence is that court involvement is costly, untimely, and inconvenient. With a trust, the trustee will have the authority to make decisions without court involvement.

Probate law as an area of law is not very sexy or interesting on the surface. TV shows, movies, and books regarding this area just don’t hold a candle to criminal law. The public is generally unaware of how probate law works compared to criminal law, whereas almost every one can recite the Miranda warnings. One of the main complexities of probate law is the terminology. The legal jargon is not intuitive and often causes confusion.

Let’s start with some basic terms and definitions.

A guide to Probate legal terms for the average person:

1. **Assets or estate** - This is all your “stuff”. Your bank accounts, brokerage accounts, house(s), boat(s), car(s), and all the contents of your home. This also includes any interest, dividends, rents, and royalties. Any positive cash flow can be part of your estate. This usually does not include any debts or liabilities (what you “owe”).
2. **Decedent** - a person who has died. In this case, this would be a person who died and who has property to be passed to a beneficiary or heir.
3. **Beneficiary** - one who inherits property because it was designated in an instrument such as a will or trust.
4. **Heir (heir apparent)** - a person who would naturally inherit your property, such as a child or grandchild. The official term is heir apparent because a person is not an heir until one has died.
5. **Probate (probate administration)**- a court procedure, where the state court determines who is entitled to a deceased person’s assets. This process could take up to a year and a half in Sacramento County.
6. **Will** - an instrument which distributes one’s assets to one’s beneficiaries.
7. **Executor** - a person who manages, controls, and distributes one’s property after death, specifically under a will.
8. **Trust** - an instrument or agreement which determines who may manage, control, and distribute your assets. It also determines who gets all your assets after you die.
9. **Trustee** - A designated person who manages and controls the trust without court involvement.

Probate Administration vs. Trust Administration.

You need a trust to avoid probate.

Time

Currently in Sacramento County, a probate may take 18 months to complete. In contrast, a trust may allow for distribution of property after 120 days and the process can be completed shortly after.

Cost

Probate, by law, has statutory fees. The California Probate code provides that the estate will pay attorney fees according to the value of the assets. The computation for these fees is: 4% for the first \$100,000, 3% for the next \$100,000, 2% for the \$800,000 and so on. This fee can be doubled because the executor gets the same fee as the attorney. For example, on a one-million-dollar estate, the statutory attorney fees and executor fee can be as high as \$50,000. In contrast, a trust administration just requires a properly executed trust agreement and attorney involvement, if necessary, but nowhere as costly as the statutory fees.

Continued on page 11

THE DIFFERENCE BETWEEN A WILL AND A TRUST, continued from page 10

Court Oversight

The court has complete oversight under a probate administration after death without a trust. The courts are in charge. The court tells you what to do, when to do it and how to do it. One of the consequences of lack of an estate plan is the fact one's assets may be passed to an estranged relative with whom one no longer has a relationship. The trust agreement allows a predetermined person (named as Trustee) to manage and control your assets and determines where these assets go.

Privacy

When I started estate planning, I did not realize how important this piece really is. Did you know court information is a public record and can be purchased? This can be a disadvantage to your family members and/or beneficiaries for numerous reasons. Fraudsters and creditors may attach themselves and attempt to claim your property, thus resulting in assets going to someone else instead of your loved ones.

One last consideration: once a trust is executed and property is attached to the trust, it is activated immediately. A will is only active when the person dies.

The benefits of using an estate planning attorney:

For most people, the vastness of the terminology and confusion of the language make this journey daunting. Lawyers who don't regularly practice in this area of law may not know all the nuances and pitfalls of creating an estate plan. Attorneys in this area of law go through periodic updates and continuing education to ensure proper adherence to case law and changes in adjacent areas of law such as tax law or family law.

An option for those who find this task overwhelming is to engage the services of a probate/estate planning attorney. This type of lawyer will guide you in making choices about managing your assets and property. This attorney helps you draft and execute enforceable documents, so you have control. In addition, you decide in advance who will manage your finances, assets, and medical decisions with clarity and as you have determined.

Ed Fong is a retired Sacramento Sheriff's Deputy after serving for 24 years. Prior to becoming a deputy, he was a civilian employee for the Sacramento Police Department. He is currently an estate planning/probate attorney in Sacramento County. Ed began his probate experience by working as an intern for the Sacramento County Probate Court for 15 months. If you have any questions, please contact him at: admin@edfonglaw.com or call

MOVING? FORMS TO ADVISE SCERS AND SCREA

If you plan on moving any time soon, there are **two** very important places to notify.

First, notify the Retirement Office (SCERS) by downloading and completing a SCERS Member's Affidavit form from their website, <https://saccountyretirees.com/county-retirement-system>. Once completed, return the form to SCERS at the address listed on page 6. If you prefer, you may call SCERS and request a DocuSign version of the form. SCERS Reception is at 916-874-9119. **If you do not notify SCERS of your new address, you will miss receiving your retirement check!**

Second is SCREA. Please complete this form and forward it to SCREA at the address at the top of the form so you can continue receiving your quarterly News Briefs and other correspondence from your Board.

CHANGE OF ADDRESS, PHONE OR EMAIL (for SCREA only)

Please complete and mail this notice to SCREA
Change of Address, P.O. Box 573, Fair Oaks, CA
95628

Please Print

Name(s) _____

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City _____ State _____ Zip _____

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Effective Date for Change _____



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