



WALT SHURDEN LAW

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Why did you move to Florida?

By Walt Shurden

If you weren't born in Florida, why did you move here? Florida has a long history of enticing people like you and me to move to this great state.

The reasons people come to Florida have changed over time.

In the late 1800's Hamilton Disston, a Philadelphia industrialist, paid Florida 25 cents per acre for 4,000,000 acres of marshland. Disston then set out to drain the everglades and sell the new land. After limited and sometimes temporary success in draining the land, he ran the following advertisement:

**ATTENTION!!
FARMERS!!**

Why stand you idle Six Months in the year, eating up in winter all you make in summer, and saving nothing for old age, or your children?

STOP! CONSIDER!

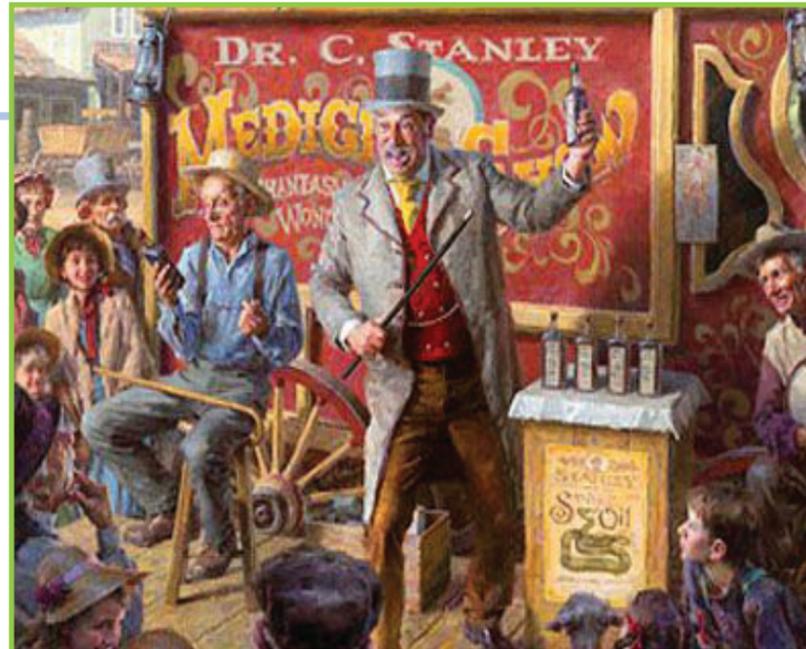
Have you heard of *DISSTON'S* purchase of 4,000,000 acres of upland in *FLORIDA*

The country where you can raise crops *ALL THE YEAR*

Now I haven't seen anyone pulling into town with a tractor lately. People's motives have changed. And while the weather continues to be a draw, many people now move to Florida for the favorable laws.

Our favorite Florida law is the one that does not require us to pay income tax! A close runner-up, and one you may not know about, is the law that protects your home equity from creditors during life and at death. But did you also know that Florida provides qualified retirement accounts (IRA's, 401(k)'s, etc.) special protections?

After you have lived in Florida for two years, all qualified accounts that you own are exempt from creditors in State Court or in Federal Bankruptcy Court without a dollar amount limitation. Even IRA accounts that were



inherited from someone else are protected by a Florida Statute. This stands in contrast to the 2014 U.S. Supreme Court Decision of *Clark v. Rameker*. In that case the Court ruled that inherited IRA's have no protection from creditors. The Court found that after the death of the IRA contributor the account isn't really a "retirement fund" since the account no longer is money set aside by someone for the day they stop working. Federal bankruptcy exemptions exist to give debtors a "fresh start," not a "free pass."

But Florida citizens can choose Florida exemptions instead of the Federal exemptions. And the Florida exemptions specifically exempt inherited IRA's!

Aren't you glad you live in Florida?

Our Goal

To provide exceptional legal service to our clients.

Estate Planning • Fiduciary Services • V.A. Benefits • Irrevocable Trusts • Medicaid Eligibility

Fun April Fools' ideas for your family

- Put a helium balloon in the toilet and close the lid.
- Superglue a couple of coins to the pavement.
- Wear a funny wig.
- Switch the bran flakes to the sugary cereal box.
- Paint clear fingernail polish on a bar of soap and put it back in the shower (it won't lather).
- Cover the TV remote sensor with a piece of tape.
- Put a "For Sale" sign in your yard.
- Make a 'grilled cheese' sandwich with an angel food cake loaf and orange frosting.



This year's "Paint Your Heart Out Safety Harbor"

This year the "Paint Your Heart Out Safety Harbor" event was sponsored by the local Kiwanis Club. Five homes were painted. Thank you painters!



April 14th is National Dolphin Day

While pretty much everyone loves the smart, friendly, ever-smiling dolphins, we are fortunate in our area to have such a great dolphin experience so near.

The Clearwater Marine Aquarium's vision is "To become the global leader in connecting people to marine life and the environment."

Their permanent residents are sea turtles, otters, sting-rays, sharks, a host of other marine mammals, fish and, of course, Hope and Winter, the two stars of the movies, "Dolphin Tale" and "Dolphin Tale 2." These are based on the true story of Winter, the dolphin who lost his tale because debris was wrapped around it, and how the marine scientists were able to get a prosthetic tail to



keep him alive. They also have temporary animals that are rescued, rehabilitated, and released.

The Aquarium is located on the causeway between down-town Clearwater and Clearwater Beach, at 249 Windward Passage, Clearwater 727-441-1790 They are open most days from 9:00 or 10:00 a.m. to 6:00 p.m.

Do we live in the best place in the U.S.?

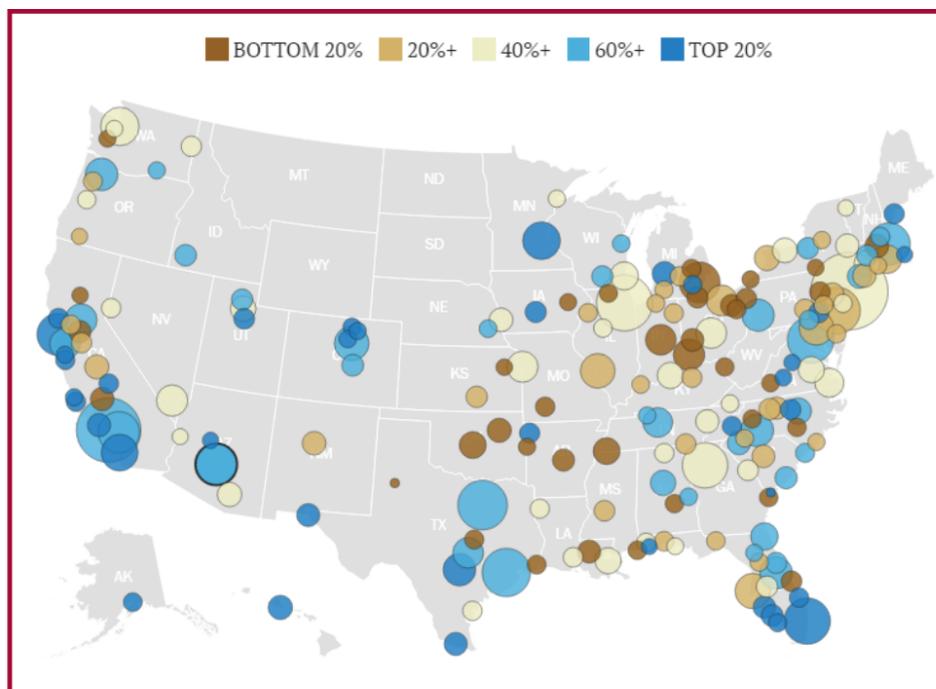
According to the Gallup-Healthways' recently release Community Well-Being Index, the Naples-Immokalee-Marco Island area is number one for resident well-being. While eight of ten of the top-ranked communities are located near an ocean, the Gallup-Healthways researchers are quick to say our feeling of well-being is more than warm weather and sunshine. They state that people who live on or near the coasts tend to eat healthier and are less likely to have clinical depression. However, other factors have a greater role in our overall feeling of well-being. The following is a list of important factors:

- Someone who encourages you to be healthy;
- An interest in learning new and interesting things;
- Going to the dentist regularly;
- Feeling a sense of purpose; and
- A shared culture and feeling of belonging.

They found that when people are interested in improving their community they feel needed and connected.

Top 10 Highest Well-Being Communities:

- 1) Naples - Immokalee - Marco Island, FL
- 2) Barnstable Town, MA



- 3) Santa Cruz - Watsonville, CA
- 4) Urban Honolulu, HI
- 5) Charlottesville, VA
- 6) North Port - Sarasota - Bradenton, FL
- 7) San Luis Obispo- Paso Robles, CA
- 8) Lynchburg, VA
- 9) Hilton Head Island – Bluffton – Beaufort, SC
- 10) Boulder, CO



IN OUR EAR

Is there a set price to have a will or trust prepared?

There is no one-price-fits-all when it comes to estate planning documents. Every family situation is different and a responsible Elder Law attorney would not prepare the same documents for everyone. Individuals and/or couples should meet with their attorney and describe their specific circumstances. The attorney will then be able to explain the different options and give recommendations on what might be best for that person or couple.

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Legal Term of the Month

Constitution– The organic and fundamental law of a nation or state, establishing the character and conception of its government, organizing the government, and regulating, distributing, and limiting the functions of its different departments.

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