



Brennan & Rogers, PLLC

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York, Maine 03909
(207) 361-4680**



**2 Storer Street, Suite 111
Kennebunk, Maine 04043***

The Brennan & Rogers, PLLC Journal December 2020 Edition

Office Operations During the Pandemic

In the ever-changing landscape in which we find ourselves due to the COVID-19 Pandemic, we wanted to remind you that we are open during the Pandemic and here to make sure you are prepared; however, we have limited how, when, and where we work with clients to protect our clients and staff utilizing remote services and responsible social distancing measures.

1. Call us if you need assistance at **207-361-4680**. Please don't come by unannounced as the office door will be locked. If you have documents you would like us to review in advance of a meeting, please send them via e-mail, US Mail, fax, or drop them in the locked box outside our main office door to the left.
2. We continue to conduct most meetings and document reviews by phone and Zoom. In-person document signings are brief and to the point.
3. We offer remote pre-signing document reviews and by telephone or video conference.
4. Upon entering our offices, we will require that you wear a mask and respect social distancing guidelines.

Thank you for your patience and understanding. Please stay safe and be well. We look forward to talking with you and seeing you soon.

Holiday Office Hours



Please be advised that the office remains closed, as it has been in past years, from December 24, 2020 until Monday January 4, 2021 when we re-open for normal business hours at 9:00 am so we can enjoy the Christmas season with our families.

Our Business Year In Review

Brennan & Rogers, PLLC Tenth Anniversary

Previously known as the Law Office of Smilie G. Rogers, Esq. established in 2010, where Mary Kathryn joined as a partner in 2011. Our firm name change occurred on January 1, 2017, and continues with the same focus.

Smilie was named Client Champion by Martindale-Hubbell

Client Champion is a designation given by Martindale-Hubbell, a world-renowned legal source, to attorneys who have received exceptional reviews from their clients.

Smilie's Twentieth Anniversary of his First Admission to the State Bar

Smilie Contributes to A Practice Guide to the Probate in Maine

Smilie wrote two chapters to the 1st edition of this new book, published by MCLE New England, which is intended to be used by lawyers statewide in their practices.

Redesigned Website

Our website has gone through a redesign as of September! Visit us at www.brennanrogers.com to check it out!

Zoom Virtual Meet and Greet Sessions

Mary Kathryn and Smilie have been offering virtual Meet and Greet sessions via Zoom in 2020. If you have any friends or family that are on the fence regarding their estate planning or long term care planning, let them know that they can contact Kimberly Woods at kim@brennanrogers.com to schedule a virtual Meet and Greet session with Mary Kathryn or Smilie to determine if our practice would be a good fit for their estate planning needs.

Limited-Time Free Virtual Meet & Greet Sessions in January and February 2021



Reserve Your Free Virtual Meet & Greet Session with One of Our Attorneys, Smilie G. Rogers, Esq., or Mary Kathryn Brennan, Esq.

Allow us to introduce you to ourselves and the basic concepts surrounding estate planning. Learn more about Revocable Trusts (“Living Trusts”), Transfer on Death Deeds (*aka TODD which you can also read about in Smilie’s Blog*), Advance Healthcare Directives, Powers of Attorney, Wills, and their importance under normal circumstances, but more so now during the pandemic.

**During a Virtual Meet & Greet, our lawyers cannot give specific legal answers or advice, and sessions shall not constitute the formation of an attorney-client relationship. Sessions last for thirty (30) minutes.*



Availability with Smilie G. Rogers, Esq.

[Request your session with Smilie by completing this Google form in its' entirety.](#)

Wednesday, January 13, 2021
Private session 5:00 pm- 5:30 pm

Wednesday, January 27, 2021
Private session 5:00 pm- 5:30 pm

Wednesday, February 10, 2021
Private session 5:00 pm- 5:30 pm

Availability with Mary Kathryn Brennan, Esq.

[Request your session with Mary Kathryn by completing this form in its' entirety.](#)

Wednesday, January 6, 2021
Private session 5:00 pm- 5:30 pm

Wednesday, January 20, 2021
Private session 5:00 pm- 5:30 pm

Wednesday, February 3, 2021

Private session 5:00 pm- 5:30 pm

Wednesday, February 24, 2021

Private session 5:00 pm- 5:30 pm

Ability to Withdraw Money Early from Retirement Plan Without Penalty Expires at the End of the Year



Passed in March 2020, the Coronavirus Aid, Relief, and Economic Security (CARES) Act allows individuals adversely affected by the pandemic to make hardship withdrawals of up to \$100,000 from retirement plans this year without paying the 10 percent penalty that individuals under age 59 ½ are usually required to pay. This exemption is only for withdrawals made by December 30, 2020.

A Modest Social Security Increase for 2021



The Social Security Administration has announced a 1.3 percent increase in benefits in 2021, an increase even smaller than last year's increase.

Cost-of-living increases are tied to the consumer price index, and a modest upturn in inflation rates and gas prices means Social Security recipients will get only a slight boost in 2021. The 1.3 percent increase is similar to last year's 1.6 percent increase but much smaller than the 2.8 percent rise in 2019. The average monthly benefit of \$1,523 in 2020 will go up by \$20 a month to \$1,543 a month for an individual beneficiary, or \$240 yearly.

The cost-of-living change also affects the maximum amount of earnings subject to the Social Security tax, which will grow from \$137,700 to \$142,800.

For 2021, the monthly federal Supplemental Security Income (SSI)

payment standard will be \$794 for an individual and \$1,191 for a couple.

Some years a small increase means that higher Medicare Part B premiums will entirely eat up additional income. But this year, that shouldn't be the case. The standard monthly premium for Medicare Part B enrollees is forecast to rise from \$8.70 to \$153.30 monthly. However, due to the coronavirus pandemic, under the terms of the short-term spending bill, the increase for 2021 will be limited to 25 percent of what it would otherwise have been.

Most beneficiaries will find out their specific cost-of-living adjustment online by logging on to my Social Security in December 2020. While you can still receive your increase notice by mail, you have the option to choose whether to receive your notice online instead of on paper.

Why Husbands Need to Consider Their Wives Future

The amount of Social Security benefits a surviving spouse receives depends, in part, on when their deceased spouse began claiming benefits. However, husbands usually don't take survivor's benefits into account when claiming benefits, according to a recent study, meaning that many widows will needlessly experience a significant drop in income.

Because women typically live longer than men and men are often the higher earners, most married women will be widowed. They will have their income drop below what they need to maintain their accustomed standard of living. Spouses of workers who have died are entitled to the worker's full retirement benefits once they reach their full retirement age. If the worker delayed retirement, the survivor's benefit would be higher. Husbands have the option of increasing their surviving spouse's income by delaying Social Security



benefits. Still, according to a study by the Center for Retirement Research at Boston College, most husbands do not consider their wives' future needs.

The study looked at whether greater awareness of Social Security Survivor's benefits would affect claiming decisions. The study found that husbands tend to consider more immediate concerns, such as their health and whether they have another pension, rather than their wives' Survivor's Benefits. Giving husbands information about how they could improve their wives' financial well-being by claiming benefits later did not change their claiming decisions.

The study concludes that to protect widows, the government should consider providing Survivor's Benefits in a way that doesn't tie the surviving spouse's benefits to the decision of when to claim benefits. However, as things stand now if you are the higher earner and are nearing retirement, you may want to consider how your decision on when to claim benefits will affect your spouse if he or she survives you.

HIPAA Authorization and Releases



The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a federal law that required the creation of national standards to protect sensitive patient health information from being disclosed without the patient's consent or knowledge. Enforcement has been increasing, with hefty fines imposed on violators, which serves to send a message. Hospitals, family medical practices, dentists, health plans, the Department of Health and Human Services (DHHS) are all subject to HIPAA. For many years, one could assume that an organization might look the other way in the case of family or that the HIPAA authorization provisions in our Advance Health Care Directives would suffice to cover contingent agents, but the times seem to be changing.

With the looming possibility that anyone might be admitted to a hospital at any time due to Covid-19 and that family might not be able to make in-person visits, we are recommending clients prepare for the worst and hope for the best. Having a separate HIPAA authorization and release, which does not prioritize the appointment of one family member over another, maybe a wise choice. For example, a HIPAA authorization that allows all of a client's children to have concurrent access to health information, rather than just one child that is the current agent for actual healthcare decision making under the Advance Health Care Directive, might avoid situations where the children who are not serving as a current agent are shut off from necessary information. It would not be an understatement to say that now is the time to review your Advance Health Care Directive, your appointment of agents, and to ensure that their contact information is up to date.

Helpful Links

Do you have something helpful you have found while spending more time at home? If you find something useful, please forward them to either [Smilie](#) or [Kim](#). We will make sure they get shared with others!

General Information

[*Get your affairs in order, COVID-19 won't wait*](#)

End of Life

[*The Conversation Project is dedicated to helping people talk about their wishes for end-of-life care.*](#)

Documents

[*Free Advance Health Care Directive published by the Maine Hospital Association*](#) - Maine requires two witnesses to witness it and having it notarized is preferable. We encourage you to print, fill it out and please forward this to anyone you think would find this information useful.

Religious

[*For our Catholic Clients, the Portland Archdiocese has published "The Three Beliefs: A Guide for Maine Catholics on End of Life Decisions"*](#)

Religious Services Available Online

[*The Parish of the Ascension of the Lord*](#) which collectively consists of St. Rafael's, St. Christopher's, and Our Lady of the Angels live stream their Masses via Facebook and

are now taking [Reservations](#) for live Masses.

[The Eliot Baptist Church](#) has also moved its services online or by Reservation for live services.

[Temple Israel in Portsmouth, NH](#) is beginning to hold outdoor services or online via Zoom.

Organization of Personal Information

Our "[Day After Guide](#)" is available on our website for free to help you organize your everyday information.

[The American Bar Association has created a free tool kit for Health Care Advance Planning](#)

Shopping Hours for Senior Citizens and the At-Risk Population

These and other stores may also be limiting the number of people in the store at one time to promote proper social distancing, and wearing masks is being enforced! Please be prepared. This list could be changing daily, so please check with the store before you go!

**1) BJ's Wholesale Club
(Members 60+)**

**Monday, Wednesday & Friday
8:00 am -9:00 am**

**(First Responders)
Sunday
8:00 am- 9:00 am**

**2) Hannaford
(60+ and those who are immune-compromised)
Tuesdays, Wednesdays, Thursdays
7:00 am -8:00 am**

**3) Market Basket
(60 years+)
Daily
6:00 am -7:00 am**

**4) Shaw's
(senior citizens, immune-compromised, at-risk, pregnant, etc.)
Tuesdays and Thursdays
7:00 am - 9:00 am**

**5) Target
(65+, pregnant and those with underlying health conditions)
Tuesdays and Wednesdays
The first hour the store is open**

Socialize with Us



Yelp Reviews

Google Reviews

Brennan & Rogers, PLLC Online

Explore our LegalBlog: Planning for Life's Transitions

Archived Newsletters

[Brennan & Rogers, PLLC](#)

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Monday - Friday: 9 am - 5 pm
Saturday: By appointment
Sunday: Closed

*Satellite office located in [Kennebunk, Maine](#) is staffed for scheduled appointments made through the York office only *

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