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MEMBER



Special needs require special lawyers.

INSIDE THIS ISSUE

- Oast & Hook Co-Sponsoring Panel Seminar
- Social Security Early Retirement Decision Can Be Reversed
- Announcement
- Ask Allie

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OAST & HOOK CO-SPONSORING PANEL SEMINAR

Oast & Hook, Merrill Lynch, and Endependence Center are co-sponsoring a panel seminar entitled "Planning for Persons With Disabilities and Their Families." The seminar will be held on Thursday, May 29, 2008, at Endependence Center, 6300 East Virginia Beach Boulevard, Norfolk, Virginia. There will be two sessions: one from 1:00 p.m. to 2:30 p.m. and the other from 6:00 p.m. to 7:30 p.m.. The panel members will be Certified Elder Law Attorney Sandra Smith from Oast & Hook who will discuss legal issues; Brad Harris from Merrill Lynch who will discuss financial issues; and Lisbet Ward from Endependence Center who will discuss social issues. The seminar is geared toward adults with disabilities and their families, and parents of children with disabilities. The panel members will address questions from participants, and they will also be available to talk with participants after the seminar. There is no cost to attend this seminar, but reservations are required. A registration form is attached to this newsletter. Reservations can be made by phoning Linda Johnson at Endependence Center at 461-8007, or by using the attached registration form. For further information, please phone Jennifer Lantz at 757-399-7506.

SOCIAL SECURITY EARLY RETIREMENT DECISION CAN BE REVERSED

The attorneys at Oast & Hook are often asked, "When should I start claiming my Social Security benefits?" Many baby boomers are facing the trade-off of claiming Social Security benefits early and receiving a lower benefit, or waiting until full retirement age or later and receiving a significantly higher benefit. A recent article in *USA Today* highlights this trade-off, and discusses a little-known option that allows retirees to have the best of both worlds.

Those who claim their Social Security benefits at age 62 can retire at an earlier age, but they will receive a reduced benefit that may be insufficient later in life. Waiting until full retirement age (age 66 for baby boomers who turn 62 this year) will result in increased monthly payments, but many boomers will therefore have to work longer. This can be a problem for workers who dislike their jobs or want to spend more time with their families.

Most retirees don't realize that if they claim early retirement benefits, they can later change their minds. Mary Jane Yarrington, senior policy analyst for the National Committee to Preserve Social Security and Medicare, states that those who receive early retirement Social Security benefits can withdraw their applications, repay the benefits they have received, and file for benefits again at a later date. This strategy will work if the retiree has saved enough money to repay the benefits, and the retiree will not have to pay interest on the benefits received. Retirees electing this strategy could fare better than if they continued to receive the reduced benefits.

In one example, a 70-year old retiree claimed early retirement benefits and receives \$11,556 per year. If this retiree had waited to file at age 70, then she would have received \$20,000 per year. If she wanted to withdraw her application and reapplied for benefits at age 70, then she would have to repay \$79,305 (interest-free), but she would raise her standard of living by 14%. In this example, this strategy would provide the retiree the equivalent of an inflation-indexed annuity. This strategy is well-suited for people who took early retirement, are unhappy with that decision, and want to increase their benefits.

The strategy is not without risks. There is a chance that the government could change the rules and eliminate the option to reapply. Claiming early retirement benefits could also put the spouse at risk. If the higher-earning spouse takes early retirement benefits and dies before withdrawing and reapplying, then the surviving spouse would receive reduced survivor's benefits for the rest of his or her life. If the higher earning retiree dies soon after repaying the benefits, then he or she would not recoup their investment; however, the surviving spouse would receive the higher survivor's benefit.

Retirees interested in repaying and reapplying for benefits, can visit their local Social Security Administration office, or phone 800-772-1213 and make an appointment. They will need to fill out Form 521, available at the Social Security Administration's website, www.ssa.gov. If the retiree's spouse is receiving benefits based on the retiree's earnings record, then the retiree must obtain the spouse's consent before the application can be approved.

Announcement

Hope House Foundation is sponsoring a family forum entitled "An Ordinary Life is an Extraordinary Gift." It will be held from 6:00 p.m. to 8:00 p.m, Tuesday, May 20, 2008, at Blocker Hall, Virginia Wesleyan College, 1584 Wesleyan Drive, Norfolk Virginia. The guest speakers will include Dawn

Machonis, the parent of a child with a disability; Nancy Mercer and Jill Engel, Co-Executive Directors of the Arc of Northern Virginia; and Kit Hammer, a young man with a disability. To reserve a seat, please phone 757-625-6161.

Ask Allie

Mistie Kitty: Allie, we've heard a lot about the pets who have been separated from their families after recent tornadoes in Suffolk, Virginia, and also after Hurricane Katrina. Do you have any advice for pet owners?

Allie: Yes. I suggest that pet owners invest in microchip implants for their pets, particularly before hurricane season starts in our area. Microchips have been particularly helpful in returning lost pets to their families. They can also assist where the ownership of an animal is in dispute. Animal shelters benefit from microchipping because they can more quickly and easily return pets to their owners. The shelter can avoid the expense of housing, feeding, providing medical care for the pet, and outplacing or euthanizing the pet. Microchipping is becoming increasingly standard at shelters: many require each outplaced animal to receive a microchip, and they provide this service as part of the adoption package. The attorneys at Oast & Hook invested in a microchip implant for me. The families trying to find their missing pets in Suffolk can download lost pet fliers at www.suffolkhumanesociety.com (click on Disaster Response for Pets). In addition, families rebuilding their homes can find pet-friendly hotels and discounted pet boarding locations on the same Web page. The Suffolk Humane Society also plans to provide foster homes for pets until their families homes are rebuilt.



Please feel free to e-mail your questions to Allie at: allie@oasthook.com.

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