



Estate Planning Experts: Atlanta Protecting Your Legacy and Peace of Mind Part 1 of 3

Argent Trust is proud to have been selected in the 2016 edition of “Estate Planning Experts”. The book’s author, Shane Smith, Esq, is an Atlanta attorney that wanted to share information that would help families avoid the financial and non-financial problems that frequently occur when estate planning issues have not been discussed fully, understood and implemented.



Howard Safer

Argent Trust’s CEO **Howard Safer**, was requested to share his thoughts on the many advantages of using trusts for the benefit of better estate planning results. The author discovered Argent Trust’s many advantages of having a Tennessee Chartered fiduciary doing business in Atlanta, Georgia and 9 other southern states.

Shane: Today I have the good fortune to be interviewing Howard Safer, a Research Magazine ‘Hall of Fame’ financial advisor. Howard, what inspired you to become a trust officer?

Howard: Well, it really goes back five decades at this point. I got into financial services as a CPA. I got an MBA from Tulane and a BA from Vanderbilt. I found that in working with families’ finances, the families wanted more holistic services. It became apparent that they knew a lot about their businesses or professions but that they wanted to know a lot more about personal finance topics. Quite often the business owners that would use the CPA controller treasurer service provider would have greater personal financial needs. They wanted someone to coordinate their planning with their other advisors. Many understood the benefit of being provided service from someone that was independent and objective.

As I worked for certain companies and spent 10 years as a partner in a large regional CPA firm, there were lots of people in that same position. We began offering services that helped them decide how to handle their financial planning as their wealth became liquid. They would sell their companies and go into retirement. They didn’t fully understand stocks, bonds, various alternative investments and other personal finance subjects. We migrated into helping them in those areas and found that the chartered trust company was the best platform to provide those services.

I reached that conclusion after years of study of the various financial service providers. Many use the first level which would be registered representatives or brokers. They work on a suitability standard for their clients, trying to do good for their clients, but also having a duty to the companies they work for.

The next step up would be to use an RIA, Registered Investment Adviser. They are held to the fiduciary standard, that is, they're supposed to be on the same side of the table as the client. To me, that appeared to be a better place to be. But as I came to know over time they often are only audited by the SEC once every 10 years, often have low levels of capital and aren't always audited by independent CPA's.

Eventually, you discover that there's this top of the pyramid called trust officers and trust companies that have to have significant capital. They have to do what's right for the client all the time—the fiduciary standard. They get audited by the local auditors and either state or national charter auditors on a much more frequent basis. They can be sued. There's no arbitration. They're absolutely responsible.

Another example to help understand the 'trust' advantage is to look at what probate judges do when dealing with a settlement for an orphan, widower or a widow that don't have financial expertise. The judge will look to a trust officer with a trust company that has significant assets and can be more likely to provide the needed services.

S: That's quite a journey you've been on and it all makes total and complete sense, you just kept moving, for lack of the better word, up the ladder to the highest way of serving the client. How would you define estate planning if a lay person were to ask you what it was?

H: Estate planning is one of about six categories of financial planning. Financial planning would generally include investment planning, income tax and risk management

which includes insurance and protecting the down side. A significant category is retirement planning. The bulk of what's in the literature deals with retirement planning because the bulk of our population is having to build their net worth from current income streams. Families are trying to build a pool of assets that will take care of them in the future. The question becomes what happens to you and your family if something happens to you prematurely. Estate planning deals with formulating and executing smart plans in case of disability or death. The key is how do you want to distribute assets in case of your demise?

It used to be that estate planning would spend a lot of time on the minimization of taxes, but today that's been lessened by changes in the tax laws. What has grown is how do you make sure that those dollars are used to meet the goals and objectives of the deceased? How do you expect others to act when you can't take care of yourself? Estate planning includes a review of how one built for their retirement years and how one made past investment choices. We believe that the trust officer is as good as anyone to coordinate an appropriate plan going forward. If you're going to pay someone for doing it then that trust officer is the only one of the three financial service categories that can be the fiduciary during life and upon death. At your demise, estate planning documents provide a family plan. In my own estate, whatever my wife and I don't spend will go to our three daughters, grandchildren and charities down the road. The guidelines for all that are laid out. Estate planning is spending time and effort and energy to make sure there's a smooth transition based on the wishes of the senior generation.

For a copy of the book and a complimentary consultation, please call 615.385.2345 or your local Argent Trust professional.