SOUTHEAST WEALTH MANAGEMENT BUSINESS

PROFILES IN WEALTH MANAGEMENT:

A Q&A WITH SOME OF THE INDUSTRY'S LEADERS


Hoyt

Peggy R. Hoyt
Partner
The Law Offices of
Hoyt & Bryan, LLC
Oviedo, Florida

Peggy Hoyt is a founding partner of Hoyt & Bryan, LLC. She practices in the areas of family wealth and legacy counseling, including trust and estate planning and administration, small business creation, succession and exit planning, real estate transactions and animal law. In addition to her law degree, she holds a Florida real estate license. Hoyt formerly held a NASD Series 7 license and health, life and variable annuities licenses. She serves as a certified NASD Arbitrator and is also a Florida Circuit Court Mediator concentrating in family business and estate matters.

She speaks at the local, regional and national levels on estate planning topics including pet planning, special needs planning and planning for unmarried couples and same sex partners.

SWMB: What is your overall estate planning philosophy?

Hoyt: My philosophy is reflected in the motto adopted by our law firm, "Partners in Planning, Friends for Life." Our goal is to partner with our clients, their family and their advisors to create a lifelong relationship that serves the best interests of the client and their family. One way we do this is our practice is education centered. Many of our client relationships start in an educational forum. A portion of our office is dedicated to a Learning Center where we offer ongoing educational workshops on a wide variety of estate planning topics from basic estate planning principles to asset protection for long-term care to planning for disabled children and pets to continuing education courses for professional advisors. We also speak frequently in local, regional and national venues. As additional resources for our clients, I've published a number of estate planning books designed to address the concerns of individuals and families with unique planning concerns such as planning for unmarried couples ("Loving Without a License"), planning for disabled family members ("Special People, Special Planning") and planning for your pets ("All My Children Wear Fur Coats"), to give examples. We also offer our clients an opportunity to participate in our Estate Security Plan ("ESP") that is designed to encourage regular client communication, provide a platform for ongoing education throughout the client and their family's lifetime, foster fully-funded plans where all assets are fully integrated with the estate plan and create a system for the ongoing updating and maintenance of their estate plan. We've discovered that a well-educated client who actively participates in the continued maintenance of their plan has a much better understanding of the structure of the

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plan and its importance to family members.

SWMB: Over the years, what was your single greatest client challenge and how did you overcome the challenge?

Hoyt: I wasn't aware there was only one greatest client challenge – seriously, one of the greatest challenges is encouraging clients to approach their estate planning as a lifelong process rather than a single event. I think as a profession we may have done our clients a disservice during the years because we allowed them to believe that once they created an estate plan that it was somehow "done." As lawyers, we admonish our clients to update their plans on a regular and ongoing basis but most of us haven't created a system that actually accomplishes this goal. In a national survey of estate planning clients, it was discovered that on average people only update their plans every 19.6 years! And this is for the small percentage of individuals who have actually created an estate plan. I love when clients perceive their estate plans as one of the greatest gifts they leave to their families – that it is not just about the giving of "stuff" but also about the transfer of a true legacy – of family wisdom and values. Many of our clients view their plans as dynamic, changing structures that require their time, energy and commitment. That's really what makes having our type of practice fun and rewarding.

SWMB: What was your most unusual client request?

Hoyt: Unusual requests go with the territory. I work with a number of families that consider their pets to be members of the family. In fact, for many of my clients, their pets may be their only real family. In one case, I had an elderly lady who wanted her cats euthanized and cremated at the time of her death. She then wanted their remains mixed with her own so they could be scattered together. She had even located a friend willing to take on this awesome responsibility. Fortunately, my client lived longer than her cats and this provision of her plan never had to be implemented.

SWMB: What aspects of your profession give you the most satisfaction?

Hoyt: I get the most satisfaction out of the really incredible relationships I've been able to develop with clients over the years. There is nothing more rewarding than getting a heartfelt card or letter, receiving a call just to say hello, inviting you to their 50th anniversary party or getting a hug when they leave. As an estate planning attorney I have an incredible opportunity with everyone I serve. I ask them to tell me the most intimate details of their lives and the most amazing part is that they do share this information, openly and freely. Being a friend, not just a trusted advisor is an honor that I cherish.

SWMB: What keeps you awake at night?

Hoyt: Mostly all of the new ideas I have for creating quality services and educational products for my clients. So far I have yet to run out of new and interesting ways to try and communicate value and creating a lasting legacy.

SWMB: If you yourself had access to unlimited funds, what would you do with them?

Hoyt: Given that I expect this will actually happen someday, anyone who knows me probably wouldn't be surprised to discover that I plan to create a perpetual care sanctuary for horses, particularly wild horses. This is a dream I've had for a long time — a farm called "All Horses Go to Heaven" where people who love horses can know that at the end of their lifetime their horses will have a forever home with green pastures and someone to love them. Since this endeavor won't take all my money or my time, I will also support other charitable organizations and continue to find ways to create opportunities for people to protect what's most important — who they love.

SWMB: What is the greatest trend you see in your profession over the coming years?

Hoyt: As a profession, we have to do a better job of educating people about the importance of transferring wisdom, not just wealth. That's not to say that the transfer of wealth and the minimization of estate tax exposure isn't important, it's just that as the estate tax exemption increases, the tax-motivating factor for people to do their planning declines. The concept of wealth reception — how the next and future generations are going to receive wealth, including wisdom as a component of wealth, is going to become a leading issue in the estate planning world. In our firm, we spend a lot of time counseling families about wealth reception including protecting family members from not just themselves, but also protecting them from the world — the bad things that happen to good people. This can mean creating legal structures that provide asset protection and values promotion but can also include the non-legal aspects of wisdom transfer. Examples include documenting family histories, capturing individual family member stories, creating journals for family heirlooms, learning about genealogy, etc. My grandfather died last year at the age of 103 ½ — losing him was like a library burning down — all that information and knowledge is lost forever if we don't have creative ways to preserve the information. My father had always promised to write a book called, "Letters to My Children." However, as time went by it became clear that this probably wasn't going to happen. To prevent this, I asked him to send me things he had written during his lifetime that he was proud of. He sent me sermons he had written as a minister, excerpts from speeches when he was President of The Humane Society of the United States and family letters and poems. I published these in a book called, "I Live but Once", also the title of one of his poems. My sister created a beautiful cover and included family photos in the book as well. It was presented to my father and mother at their 50th wedding anniversary. This is a legacy our family will treasure forever – each member has their own personally autographed copy.

Another area where the transfer of wisdom becomes critical is within a family business. If the elder generation intends to transfer a successful family business, the time to start is now, when everyone is alive and well and able to create a family legacy plan that takes into consideration the needs of all family members, not just those that work in the business.

That was a long way of saying that the wisdom aspects of wealth and legacy transfer planning are gaining importance as families recognize the need to preserve family memories and values as well as wealth. We are only just getting started. ❑

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