

# Steffens Law Office, P.C.



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## *What To Do If You're Injured at Work* *Workers' Compensation 101*

Every job has some injury risk. Whether you move semi trailers or sheets of paper – you risk the possibility of a work place injury. If you are injured while on the clock, and performing your job duty, here's a simple "to-do" list:

(1) Immediately notify your employer that you've been hurt. With few exceptions (mostly agribusiness related), every employer is required to carry workers' compensation insurance. Your employer should contact their insurance com-



pany, and a representative will be in touch with you within a few days. This

should be strictly an insurance matter—not an action against your employer.

(2) Seek medical assistance immediately. Explain what and where your accident happened. Trying to "tough it out" on your own could be detrimental to your health and your claim.

(3) Journalize what happened, including any witnesses that were present. You won't remember everything months from now – when you may need it.

(4) Stay in touch with your employer and keep them informed of your medical and work status. If your doctor takes you off work, be sure that a "no work" note from your doctor's of-

fice is faxed or emailed to your employer so you don't lose your job.

(5) After seven (7) days, if you're unable to return to work (you'll need a note from your doctor) then you should begin receiving weekly indemnity payments in an amount equal to 2/3 of your average weekly wage (AWW).

If you return to work "with restrictions", make sure a copy of these restrictions is given to your employer. Be sure to follow your doctor's advice, and don't exceed your restrictions.

Don't expect the insurance company to be helpful. On the contrary, with few exceptions, they will probably deny or delay your medical treatment or indemnity payments. If this happens, find a way to continue your medical treatment, follow your doctor's advice, and be persistent.

If you reach an impasse with the insurance company, and need legal help – call Steffens Law Office for a free review of your claim. There is no commitment. ■

### *A Note From Bill*

A mentor of mine has a sign above his desk that reads, "God didn't put me here to have a small life." I've been pondering that statement. My wife, Cory, recently broke her ankle, in two places, while bicycling. Not to worry, she's recovering well. The first few days after her surgery were tough—she couldn't do much of anything. But, once in a cast, she began finding ways to resume activities. She would balance on this, sit and swivel on that, push here, and pull up there—but got things done. She even figured out a way to get in and out of our boat. Anyone could be tempted to think, "I guess I'm just getting old" or "I'm just going to sit here and play it safe." Instead of "why let a mishap ruin my summer or change my life." It's why tall ships (even older ones) don't just sit safely docked in harbor. They are meant to navigate great oceans. I think we are too. So, I'm pretty proud of Cory.

# Some Things Can't Be Taken Away From You



Clients who have been threatened by bill collectors often describe the experience as gut-wrenching. Many say they are left with a sense of dread that everything they have will be taken away from them. Not so.

There are some property items and amounts which no creditor can take, unless they have a lien, because they are "exempt" under the law. While there are many different exemptions, the following are the most commonly used:

(1) House (homestead/residence): Up to \$60,000 of market value or equity in your home is protected. This exemption was recently expanded to cover every homeowner regard-

less of marital status, age, or whether children live in the home.

(2) Work Vehicle: Up to \$2,400 of market value or equity is shielded for a vehicle used to drive to and from work (or to volunteer). Your vehicle is not exempt per se, even if you are disabled and just use it to pick up your medication. However, any part-time job will create this exemption.

(3) Tools of Trade: "Tools" used by the debtor in their employment are protected. This exemption has a broad definition and can even apply to a horse, saddle, and tack if you're employed as a ranch hand. It is combined with the work vehicle exemption, and the total amount available (between the two) cannot exceed \$2,400.

(4) Personal Property: Up to \$2,500 of market value is shielded. It can be used to protect any personal

property items: bank accounts, cash, guns, boats, etc. – any property but real estate. This exemption is doubled for a married couple.

(5) Household Furniture and Appliances: Up to \$1,500 in market value is exempt. For most, this shields all their household goods. This exemption is also doubled for a married couple.

(6) Social Security: Virtually all government benefits are 100% exempt from collection. Included in the list, besides Social Security, are Veterans benefits, and Unemployment benefits. If you have income in addition to these benefits, the government checks must be deposited in a separate account, to avoid commingling with other funds, in order to be protected.

(7) Injury Settlement: Any settlement proceeds which you might receive in an injury case (personal injury or workers' compensation) are, except for back child

support, is 100% exempt.

There are numerous other exemptions which may apply to your situation. However, in some cases, special steps must be taken to claim the exemption. If you have questions, don't hesitate to call our law office for a free consultation.

Now, if some brutish bill collector named "Guido", or something like that, threatens to take your house away, unless you send him a check, just laugh and say, "That's not gonna happen." ■

## Thanks for the Referrals

Our success depends on your continued satisfaction, and on the family and friends you refer to us.

Thanks for your help. We appreciate the trust that you have placed in us. Please continue to remember to pass our name on to people who could use our help.

## Summer S'mores Ball



8 oz. semisweet chocolate  
1/2 cup packed light brown sugar  
8 oz. cream cheese, softened  
1 tsp. pure vanilla extract  
1 cup mini marshmallows  
8 graham crackers, crushed, for coating  
Graham crackers for serving

In a double boiler or a glass bowl set over a pot of simmering water, melt the chocolate. When smooth, remove from the water and add the sugar. Stir until combined and let cool, about 15 minutes.

Using a stand mixer, or a bowl and a spatula, mix together the chocolate mixture, cream cheese, and vanilla extract until combined and even colored. Blend in the marshmallows. Form the mixture into a ball. Cover with plastic wrap, and refrigerate for at least 2 hours or overnight.

Before serving, roll the cheese ball in the crushed graham crackers to coat.

Serve with graham crackers.



# Time to Review Your Estate Plan?



If you've completed an estate plan—good for you! But, how long ago was that? And when did you last review it? Whatever number pops into your head—the accurate figure is probably twice that (for most of us anyway).

Most planning experts advise reviewing your plan every 3-5 years. Trusts should be reviewed more often. If only to update your "Inventory" (what's owned by the Trust).

Here are a few reasons why you may want to review your estate documents now:

**(1) Family changes.** Have the dynamics of your family significantly changed such that your present estate appointments are no

longer a good fit? Has there been a marriage, divorce, birth or death which will change your documents? Has the maturing of your children changed your plans?

**(2) Designated beneficiary changes.** Your bank accounts, retirement accounts, life insurance policies, and annuities probably all have designated beneficiaries (joint ownership, pay on death, or transfer on death). At your death, these assets will pass directly to the beneficiaries listed—not according to your Will or Trust. Do you know what, if any, designated property you have? To find out, just contact the appropriate account manager and ask for a simple printout. Most are surprised by the results, and quickly make changes.

**(3) Legacy/Gifting changes.** Has the organization you intend to gift to after your death, undergone

undesirable changes? Would you like to add others? Should you consider changing the size of the gift, or perhaps begin donating regularly now?

**(4) Legal Changes.** State and Federal Trust and Probate laws change a little (sometimes a lot) each year. The federal estate tax exemption recently changed, along with new rules about preserving the unused exemption for the surviving spouse. While we try and keep our client family advised of the major changes, there may be a slight change in the law that affects you, or your estate, a great deal.

Just because you completed the estate planning process years ago doesn't mean it's still a good plan today. In this day and age, it is not advisable to just close your eyes and figure your children will sort it out when the time comes. Your planning goals may

not be met, your estate could suffer unnecessary financial losses, and worst of all, you risk potential heartache or resentment in a beneficiary you deeply love.

If you'd like to schedule some time to review your estate (30 minutes to an hour should do it), simply call the office for an appointment. ■

## We Appreciate You

Thank you for choosing our firm for your legal needs. We hope that you will think of us as "your law office."

If you have a legal question, give us a call. If we don't practice in the legal area you need, we can refer you to another experienced attorney who does.

## The Secret Strategy That Saves You Money in an S-Corporation

In an S-Corporation, there are no corporate taxes. Instead, you pay income tax on all "pass through" corporate profits no matter how you take them out of the business. So it may appear, on the surface, that it doesn't matter whether you pay yourself a big salary or big dividends. Until you consider the "payroll tax" difference.

Dividends paid out by an S-Corporation are not subject to Social Security tax or Medicare tax (a savings

of approximately 15.3%). This can result in significant savings with careful planning and the help of your CPA.

To produce these savings, the stockholder/employee must reduce their salary. Sounds backward, I know. But the concept is to lower your salary to a "reasonable compensation" (that amount which another company might pay you for your services given your qualifications, experience and the nature of the work), and then pay yourself the

rest in dividends. Frankly, your real value to the corporation is probably your entrepreneurial skill rather than your day-to-day services. So, substantial dividends are appropriate. Again, your CPA can help you with this calculation.

Here's an example: An electrician/shareholder expects to earn \$160,000/net this year. The electrician reduces his salary to \$117,000 (the maximum Social Security benefit), and receives the remaining \$43,000 in dividends. A

savings of approximately \$6,579.00.

If he didn't want to pay out as much Social Security tax, his tax savings would increase as his dividends go up.

This type of tax saving is only available in a Sub-S (small) Corporation, and it is often overlooked. For more ideas on how to make and save money in your business entity, simply call our office for an appointment or visit our website [www.steffenslaw.com](http://www.steffenslaw.com). ■



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## ***Go Take a Hike!***

Outdoor hiking is enjoying a large, and ever growing, popularity. It's inexpensive, beneficial for your physical and mental health, and easily accessible.

About the only equipment you really need is a good pair of walking shoes or boots. In addition, there are no fitness center fees, club dues, or green fees to pay. Although, you might benefit from an inexpensive State park entry permit. Not many other sports boast this kind of minimal initial investment.

From an exercise standpoint, hiking offers multiple physical benefits. It can easily be adjusted to any level of fitness. You can walk a few blocks on a level surface, or climb up

hill for a more strenuous workout. To improve your fitness, you simply take more, and increasingly difficult, hikes.

Because hiking on a trail involves exercising multiple muscle groups, as your body and legs compensate for the terrain, workouts are more varied than you would find in a gym. This

activity also puts pressure on your bones which encourages healthy structure and reduces chances of osteoporosis. Exposure to sunshine increases your levels of vitamin D, and the cardiovascular activity promotes weight loss, reduces the chance of heart disease, and increases your overall fitness.

This form of exercise also promotes mental health as it relieves stress, can reduce insomnia, and can be very socially satisfying. In fact, hiking with a friend or a group can feel more like entertainment than exercise.

This sport is also extremely accessible. You can just step out your door, and walk in your neighborhood, or travel to one of the many State or National hiking trails. Go to [www.outdoornebraska.net/ov/trails.asp](http://www.outdoornebraska.net/ov/trails.asp) to research the many state trails available. If you're interested in visiting one of our country's more than 170,000 miles of trails, head on over to [www.americanhiking.org](http://www.americanhiking.org).

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