

We are pleased to send you our Winter 2018 edition of the *Trusts and Estates Quarterly*. The members of our Trusts and Estates Department write on topics that we think will be of interest to our clients and friends. Please do not hesitate to let us know if there are any topics of particular interest to you.

The New Tax Law: Does It Affect Your Estate Plan?

The Tax Cuts and Jobs Act went into effect on January 1, 2018. The most striking change for estate planning is the increase in the federal estate tax exemption. [Click here to read the full article](#)

The Fiduciary Duty: A Trustee's Duty of Care

This is the third and final installment in a series called, "The Fiduciary Duty." In prior articles, we covered the nature of a fiduciary's duty and the "Duty of Loyalty," with an emphasis on rules against self-dealing. This article addresses a trustee's "Duty of Care" in handling trust property. Although common sense is essential to acting with reasonable care, common sense alone is not enough. [Click here to read the full article](#)

Decanting Trusts That Have Not Aged Well

Trustees or beneficiaries of trusts sometimes find themselves stuck with trust provisions that are administratively inefficient or no longer make much sense because time has passed or facts have changed. Until fairly recently, there was not much to be done about that, even though there might be a better or more practical way to administer the trust while still satisfying the intent of the grantor of the trust. However, recent state statutes and court decisions do provide an avenue of change to explore, known as "decanting." [Click here to read the full article](#)

Health Care Proxies: Who Do You Trust With Your Health?

Having a baby, having a medical procedure at an outpatient clinic and having surgery or a serious illness requiring hospitalization all have in one thing in common besides being related to your health care: you will probably be asked to provide or sign a document called a "health care proxy" prior to receiving care. A health care proxy is a document that specifies who is to make medical decisions for you if you can't make them yourself and may express your preferences for treatment. [Click here to read the full article](#)

The *Trusts & Estates Quarterly* is written and published by the members of the [Trusts and Estates Department](#) at Bulkley Richardson.

For more information please contact:

[Seunghee Cha, Partner](#)

413-272-6205

scha@bulkley.com

[William E. Hart, Counsel](#)

413-272-6208

whart@bulkley.com

[Debra L. Purrington, Counsel](#)

413-272-6294

dpurrington@bulkley.com

[Elizabeth H. Sillin, Partner](#)

413-272-6296

esillin@bulkley.com

[Kathryn G. Wakefield, Counsel](#)

413-272-6291

kwakefield@bulkley.com

[Ronald P. Weiss, Partner](#)

413-272-6259

rweiss@bulkley.com

This newsletter is designed for general information only. The information presented in this newsletter should not be construed to be formal legal advice nor the formation of a lawyer/client relationship.

[Join Our Mailing List!](#)

BULKLEY, RICHARDSON AND GELINAS, LLP

Springfield

Amherst

www.bulkley.com