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Digital thought leadership: Steps to make your mark in a noisy, virtual world.

By Dean R. DeLisle

If you're running a business these days, you know how critical your online brand can be – both professionally and personally. People are only one click away from choosing you or moving on, and many times you will never know about these missed opportunities. People can gain or lose millions of dollars of business over their digital footprint.

This article covers some of the fundamentals that can help make that shift from getting passed over to getting found and ideally, being chosen. These core principles apply to everyone, whether you are a business owner, a sales professional, a CEO, or the parent of a digitally savvy child. For any type of online presence, these simple steps described below can help you build a solid digital presence to stand out in this noisy virtual world.

There are two kinds of digital footprints: passive and active.

A passive digital footprint is any trace you leave about where you've been online, e.g., shopping, chatting with other people, being tagged in photos you may not be aware of, or even being part of a news article without realizing it. We all tend to forget we've set up various online accounts and profiles; this causes your footprint to become fragmented and not intentional about who you are as a thought leader.

An active digital footprint can be created by taking ownership of and controlling what's out there on the internet, e.g., things you post or publish. You can control this content, and by following the steps below, you can make sure it is consistent with your purpose and your brand.

Define your objectives

KNOW YOUR GOAL. The first step in the process of building a personal brand is to know the goal, i.e., define your desired outcome – what are you working towards and why is it important? For career minded individuals such as consultants or corporate employees, that goal is typically getting hired, being promoted, or simply becoming more valued in your professional role – building an executive presence. Sales professionals may want to build a reputation as a trusted ally within their network by establishing themselves as a thought leader in their industry. Greater brand awareness is a common goal for both corporate professionals and individual business owners. Everything you do online should drive toward a destination or outcome.

DEFINE YOUR AUTHENTIC SELF (YOUR STORY). Knowing your story is also critical, and it is perfectly okay to start with a draft and adjust it along the way. Don't wait years to get it perfect; the key is to pick a point and simply begin. I tell the professionals I work with to find some trusted allies who will provide feedback and even some subject matter experts to help you as well. People are very willing to help. You might also have some colleagues you work with that might have gone before you.

As you define your story or brand, ask yourself this question: "What do I want to be known for?" Craft a short narrative, typically 300-500 words; this will help you stay on point. It's common to want to tack things on as you go, so make sure everything about you is relevant, purposeful, and strategic. Stay targeted.

Build a solid digital presence

IDENTIFY RELEVANT KEYWORDS THAT WILL REPRESENT YOU. When writing and building your profiles and bios, look at your story, analyze your target audience, then determine which words people would use to find you on the internet. Think about how you want to be found. Sometimes the words are not always what you would choose; however, they are what people would use to find you. Keywords and phrases are typically made up of one to three words. The ideal digital profile has ten keyword phrases, but it is okay to start with five, if needed, to get out of the gate. Once you have them, weave them into your story. You should do this after you draft your story so you can flow with your ideas before worrying about keywords.

KNOW YOUR IDEAL TARGET. Think about your ideal audience, the people you want to attract and who you ideally want to do business with. This should be at the level of knowing your industry, titles, types of companies, geographic locations, size of organizations, years in business — whatever matters most to you as part of your goal. This can be tough for many of us as we sometime want to keep adding to our story. However, the tighter you can make this, the better your story will be, and in turn, the less effort it will take to generate new business or advance your career.

Questions to consider when defining your target client / partner:

- What do they look like?
- What industry are they in?
- What size company do they work for?
- Who do they know?
- If they are consumers, what are their interests?
- Who will you be talking to?

UPDATE YOUR ONLINE PROFILES AND WEBSITES. Even if your goal is not social selling or career advancement, you should do this next step at least once a month for your own protection.

Google yourself. First, search for your name and any variations on Google. This could look like your name + your company name, etc. When you Google your name, you are looking for things that you are NOT aware of and making sure that all social profiles, websites and content are in alignment with your new brand (story).

Review at least the first two pages of your search results. The first things that should appear are any social network accounts, websites and high-traction videos. Once you have these, you can simply replace your old profiles with your new, more mindful profile. You might want to delete any old or invalid profiles as well. When my clients do this for the first time, I tell them to look at the first ten pages of results — do they reflect who you want to be today? You may be surprised at what you find.

Next, set up Google alerts with your name, brand names, company names, etc. This free tool will alert you when your name shows up on the internet. Have Google alert you at the frequency you desire; I recommend daily. You can do this for your entire family. You will need a Gmail account to set this up, which is also free.

Social support network. I also encourage my clients to look at their connections on LinkedIn. Odds are you set up your LinkedIn profile years ago, perhaps when you were new in your career, and haven't done much to it since. People tended to connect with everyone they could at that time, but in order to create a more thoughtful and strategic online presence, ask yourself if that network serves your current destination, or do you have to swim through 1000s of people to find the few that will really help you achieve your strategic goals?

I like to use a sports metaphor to illustrate the importance of having a small group of people whom you support and who support you: Think of your top five connections in LinkedIn as your starters. These should be the most important contacts for your professional goals. The next 10 people are your bench players, a social network that supports your objectives.

ENGAGE IN RELEVANT ONLINE CONVERSATIONS. Once you've updated your profiles and taken ownership of your digital presence, you can start to become a digital thought leader. Anywhere online — blogs, video, podcasts, social media sites, online news articles — make sure you get your name and your brand attached to the content that is most relevant to your story and that fits the keywords you want to be known for. This will take some practice.

You also can engage (like, comment, share, retweet, etc.) with the content of others. This will give you reach and visibility into their social networks. This can only be good for you. As an example, on LinkedIn, even just a handful of "likes" and comments on a particular post can reach thousands of news feeds as people keep engaging. Keep playing with this and have fun; it's networking right from your smart phone!

In Summary

As you take ownership of your digital presence and build a reputation as a thought leader within your industry, remember these key takeaways:

- You can start now with these first few steps; it only takes a few hours to get out of the gate.
- You can make simple adjustments as you grow, just remember your other profiles.
- Be mindful, thoughtful, and strategic.
- Do this with others; you are not alone, nor should you be.

Once you begin this journey you will be surprised at the people that will notice. That next opportunity may only be a few clicks away!

Dean DeLisle is the founder and CEO of Forward Progress, a Chicago-based digital marketing solutions firm, and the creator of a digital thought leadership development platform known as Social Jack™, which trains professionals on social selling and digital thought leadership, focusing on business owner and investor acquisition marketing. His curriculum includes best practices on the effective use of social networks, digital marketing, streaming, and video. Dean also hosts his own podcast, Influence Factory, where he conducts exclusive interviews with leading business influencers. His recent book, "FIRST, The Street Guide to Digital Business Influence," gives readers proven essential steps and tools to develop thought leadership and recognition in their industries.

Charitable gifts with retained life estates can provide tax and planning benefits.

By Chad Whitfield, JD

For many families, personal real estate is their most valuable asset. Depending on the owner's estate planning objectives, an eventual charitable gift of the property may be part of their overall plan.

However, many owners may be unaware that their residence offers the unique ability to obtain a current income tax deduction without relinquishing the use of the property during their lifetime through the use of a charitable gift with a retained life estate.

The following describes this technique and its tax reduction and planning benefits and provides an overview of considerations for charitably inclined owners of a personal residence and their financial advisors.

Retained life estate

In a typical retained life estate scenario, the donor will convey or deed real estate to a charity but retain the right to live on the property for a specified term. Traditionally, this specified term is for the life or lives of the donor and the donor's spouse.

This conveyance essentially divides the real estate into two parts:

- One part, the life estate, retained by the donor, allows the donor full use and enjoyment of the property for their lifetime.
- The second part, the remainder interest, owned by the charity, provides complete ownership to the charity at the end of the life estate.

The gift of the remainder interest to the charity is permanent and irrevocable.

Note that real estate eligible for a charitable gift with a retained life estate is not limited to a primary home or residence but may also include a vacation home or farmland that includes a personal residence.

Income tax charitable deduction

By contributing the remainder interest in real estate to a charity, the donor receives a significant tax deduction today, yet, is permitted to live on the property for the rest of his or her life.

When the donor legally changes title to the real estate creating a life estate for the donor and a remainder

interest for a charity, the donor has made a charitable contribution in the year the remainder interest was created.[1]

The tax deduction amount is based on the estimated present value of the charity's remainder interest, essentially an estimate of the value the charity is expected to receive in the future. The present value is determined using tables and formulas located in the IRS regulations and will depend largely on the donor's age and interest rates at the time of the contribution.

Note that an appraisal of the property by an individual or organization who is generally in the business of performing such appraisals will be necessary as well.

While the donor will be permitted a federal income tax deduction for the present value of the remainder interest, the tax deduction is typically limited to 30 percent of the donor's adjusted gross income (AGI). Nonetheless, by creating the remainder interest, the donor can produce considerable cash currently by further reducing income taxes. If the donor is unable to utilize all the deduction in 2021, the unused portion may be carried forward for five additional years. Since the Applicable Federal Midterm Rate (AFR) in effect for the month of the retained life estate gift (or one of the prior two months) is applied as the interest factor to calculate the present value, now may be an excellent opportunity to evaluate retained life estate giving. Keep in mind that the lower the AFR, the higher the charitable deduction.

EXAMPLE. Assuming joint owners of personal real estate, both aged 65, the charitable income tax deduction can be significant, as shown below:

Property value:	$500,000
7520 Rate:	1.2% *(July 2021)*
Joint ages:	65 / 65
Donation factor:	0.76467 *(Per IRS Table R(2))*
Charitable income tax deduction:	**$382,335**

Gift agreement

The implementation of a retained life estate for charitable purposes, as part of an overall planning strategy, should always be coupled with a comprehensive gift agreement (GA). The GA should protect both the donor and the charity. A complete GA would address numerous issues and obligations such as utilities, property taxes, liability insurance, and repairs and maintenance, and include a conflict resolution process.

The donor, as owner of the life estate, typically absorbs the cost and expense of customary maintenance. However, expenses associated with improvements that benefit the owner of the remainder interest, the charity, should be agreed upon by the parties and sufficiently covered in the GA.

The capability to rent the real estate and receive rental income is one right typically maintained by the donor as well. Accordingly, the charity will likely expect to have significant involvement regarding the donor's selection of a lessee. Any agreed upon GA should properly adopt rules and provisions to cover a lessor/lessee relationship.

Unfortunately, the relationship between donor and charity may sometimes deteriorate. Therefore, a thoughtfully crafted GA will incorporate a process and procedure to resolve disputes that may arise between the parties.

Estate planning implications

By creating the remainder interest as part of the retained life estate design, the donor's heirs will not inherit the real estate or its value. This may

1 Normally, no charitable deduction is permitted unless the donor relinquishes complete control over donated property, however an exception for personal residences is available under IRC §72(f)(3)(B)(i).

be a beneficial result if the donor has concerns regarding behavior and conflict issues among children/grandchildren that could arise in managing and sharing the property. The donor may look to alternate or additional assets that may provide a more prudent and effective means of inheritance for such heirs.

The retained life estate planning strategy may work best for the donor that has supplemental assets or life insurance to leave as an inheritance for loved ones. Alternatively, the donor may utilize additional cash created through the charitable deduction to fund a life insurance policy to replace or equalize the desired wealth passing to the next generation.

To further protect the life insurance proceeds from estate taxes and creditors, the policy may be owned by a wealth replacement trust designed to meet the donor's specific planning goals and stipulations.

Estate tax minimization is an additional benefit of the retained life estate approach. If a donor's estate will be subject to the federal estate tax, under this planning tactic, the value of the real estate is not included in the federal taxable estate. This effectively removes the property outside the estate for estate tax purposes, yet allows the donor to fully use and enjoy the property during his or her lifetime.

Conclusion

A retained life estate offers several tax and planning benefits for a donor:

- An immediate charitable deduction.
- Lifetime use and enjoyment of gifted property.
- The removal of property value from the taxable estate.

Further, the donor can create the remainder interest for one charity or for multiple charities.

Additionally, if family conflict over real property is a concern, a retained life estate coupled with life insurance will minimize conflict yet maximize the family inheritance.

In addition to these benefits, now may be an optimum time to consider charitable remainder gifts due to the current low interest rates and high property values. Financial advisors should discuss this planning opportunity to see if it could benefit their clients' family and charity with a retained life estate.

Chad Whitfield, JD, joined The Nautilus Group in 2020, bringing more than 20 years of experience in tax, planning and design expertise within the estate, trust and wealth planning niche to assist Nautilus members and their clients with estate planning techniques, asset protection strategies, and succession planning structures. He received his JD from St. Thomas University School of Law, Miami, in 1996, and his BA in political science and English from East Tennessee State University in 1993. Chad is a member of the Florida Bar, the Tennessee Bar, and the U.S. Tax Court.

Estate Planning

Estate planning for 2022: Ten questions to ask your clients.

By Marvin E. Blum, JD, CPA

It's a whole new world of estate planning. From an all-time high estate tax exemption that soon sunsets in half, to the prospect of higher taxes, larger inheritances, complicated family dynamics, rising rates of divorce and litigation, electronic data, the list goes on and on.

Against this backdrop of uncertainty, below is a list of ten questions that every client should be asked to identify areas that need attention. The answers almost always lead to a serious estate planning update.

1 Do you own anything in your name (other than retirement accounts)?

Besides retirement accounts, are any assets directly owned by the client? If assets are titled in the client's name, it generally reveals two things: the assets likely are exposed to claims of creditors, and if the estate is above the exemption, the assets likely will be exposed to a 40% estate tax.

Once these assets have been identified, the first step should be to examine each asset to determine if it is "safe" or "risky." Risky assets (such as real estate or oil and gas) can give rise to claims. Address this exposure by putting an entity wrapper—a limited partnership or limited liability company—around each risky asset, so creditors can only reach the one risky asset and can't reach other assets outside the entity.

The second step is to protect all assets from being exposed to the owner's personal creditors (such as a tort creditor) by transferring both safe assets and risky asset entities to a family limited partnership (FLP).

Finally, the third step is to transfer the FLP units to an irrevocable trust to add another layer of asset protection and to remove assets from the taxable estate.

2 After you're gone, will your retirement assets be protected?

Who are the beneficiaries of the client's retirement accounts? Naming children as outright beneficiaries puts the assets at risk. Instead, naming a trust as beneficiary places the funds outside the reach of creditors or divorce. Also, any funds remaining in the trust when the beneficiary dies may avoid estate taxes.

Normally, when a trust is named as beneficiary, the payout is subject to a five-year rule requiring the individual retirement account be distributed (and taxed) to the trust beneficiaries within five years of the death of the IRA owner. However, a special trust called an accumulation trust achieves the asset protection qualities inherent to trusts while also "stretching out" the payout period. With an accumulation trust, IRA amounts must be paid out to the trust within 10 years. The funds can then be held in the trust and dribbled out to the beneficiary as needed.

3 If you died right now, would your children's inheritance become divisible upon a divorce?

Remind clients that any asset owned by either spouse may be "marital property." Moreover, marital property may be presumed to be community property, and the burden of proof is on the party claiming an asset is separate property. Income from separate property may also be community property, depending on state law.

On the other hand, none of the assets owned by a properly structured irrevocable trust is marital property. Therefore, assets held in such a trust cannot be community property, do not generate community property income, and are not divisible upon divorce. Accordingly, planners should strongly urge clients to leave the inheritance to dynasty trusts for the benefit of heirs.

4 Have you taken advantage of the doubled estate tax exemption?

We have a limited "use it or lose it" opportunity to utilize the doubled estate tax exemption before it sunsets in half on December 31, 2025 (or sooner). To lock in the benefit of the doubled exemption, a couple has to transfer $23.4 million out of their estate. The most popular way for married couples to use each spouse's exemption is for each spouse to create a spousal lifetime access trust (SLAT) for the benefit of the other. When appropriately structured, SLATs allow clients to take full advantage of the increased exemption yet retain access to the assets.

5 Can you have your cake and eat it too?

If clients desire to transfer appreciating assets out of their estate but retain access to trust assets and control of trust investments, consider a Section 678 trust. Essentially, a §678 trust allows a beneficiary to be treated as the owner of the trust for income tax purposes but not for estate tax purposes.

With a §678 trust, a client can retain access to the trust's funds for health, education, maintenance, and support and also can serve as trustee of the trust.

Moreover, upon the client's death, the trust assets will not be subject to estate taxes. In addition, assets owned by the trust are generally not subject to the claims of creditors. State laws vary regarding creditor protection.

6 Do you have any low basis assets?

It is important to identify any assets that have appreciated significantly. If the client has low-basis assets, consider "upstream" planning.

If the client's parent has unneeded exemptions, the client could gift the asset to a parent outright or, even better, to a trust for the parent and give the parent a general power of appointment (GPOA) over the assets. The GPOA would cause the assets to be included in the parent's estate.

In the parent's will, the GPOA could be exercised to leave the assets to a trust for the client, thereby acquiring a stepped-up basis for the assets when the parent dies.

7 Do you love your grandkids equally?

Most people love their grandchildren equally. With a traditional per stirpes inheritance, grandchildren with more siblings receive less than grandchildren with fewer siblings. For instance, assume Generation 1 (G-1) has a son with two children, a daughter with four children, and a $12 million estate. After G-1 dies, the son and daughter (G-2) each receive $6 million. However, after G-2 dies, the son's children each receive $3 million while the daughter's children each receive $1.5 million.

To lessen this blow on the cousins, the client could take out a life insurance policy that goes to all the grandchildren (G-3) per capita. The rest of the estate plan remains intact. This creates new assets to use for gifting to G-3 without disrupting G-2's inheritance.

8 Do you have a "red file?"

People in seemingly excellent health can pass unexpectedly. If the client dies suddenly or becomes incapacitated, do loved ones have all the information they will need? Encourage clients to create a "red file" for what estate planning documents don't cover:

- Section 1 – Centralized file of personal information: passwords, contacts, listing of assets, location of documents.
- Section 2 – Business continuity plan: A will directs who will own the business, but not who will manage it. Clients should provide management succession guidance to facilitate the transition when they're gone.
- Section 3 – Plan for incapacity: preferred care providers, caregiver compensation, living preferences, general preferences

(favorite TV shows, movies, colors, foods).

- Section 4 – Legacy plan: document the "heart" side of an estate plan—information on ancestors, meaningful memories, lessons learned, values, and goals for the family.

9 Do you have a business succession plan in place?

As baby boomers age, many seem to think they're going to live forever and accordingly have done no business succession planning. To start, form a planning team (CPA, attorney, financial advisors) and bring all the key stakeholders to the table to develop a plan and implement the succession process.

When thinking about succession planning, searching for a solution involves evaluating a toolbox of planning options to find what works best. There are three primary choices in the toolbox:

1. Transfer the business to family;
2. Sell the business to people within the business; or
3. Sell the business to an outside party.

Every family is different—there's no single succession plan that works for all families.

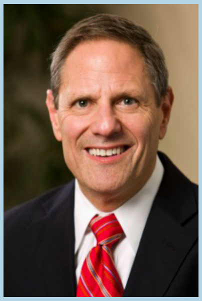
10 Are you worried an inheritance will ruin your children?

We have all witnessed the disaster when an inheritance passes into unprepared hands. Families who succeed engage in best practices like family meetings and family education, all aimed at preparing heirs to be responsible inheritors.

A family advancement sustainability trust (FAST) equips your family to remain strong and connected through the generations.

In a nutshell, a FAST is an add-on to a traditional estate plan, often funded with life insurance, that does two things. First, it provides funds to pay for family enrichment and education activities such as family retreats, travel, and preserving the family's heritage, as well as maintaining legacy real estate assets passing down to future generations. Second, it appoints trustees/committees who are paid to do the legwork in planning these activities and making sure they happen. The end result is a gift to your family of a meaningful and lasting legacy.

In conclusion, asking effective questions is the gateway to creating an effective estate plan. With these ten questions as a guide, planners can navigate the current climate to identify their clients' most pressing needs.



Marvin E. Blum, attorney and CPA, established The Blum Firm more than 40 years ago, specializing in the areas of estate planning and probate, asset protection planning, planning for closely held businesses, tax planning, tax controversy, and charitable planning. The company is now the largest group of estate planning attorneys in the state of Texas. He is board certified in estate planning and probate law and is a Fellow of the American College of Trust and Estate Counsel. Blum was chosen as one of the "Nation's Top 100 Attorneys" by New York's *Worth* magazine and selected by his peers for inclusion in *The Best Lawyers of America – Trusts & Estates.*