

Settlements Of Farm Family Estates

BY DR. MIKE ROSMANN

Nothing brings out unresolved issues among family members like the settling of a family estate. When the estate involves selling or distributing farm land, the settlement is even more complex and emotion-laden, especially if one or more beneficiaries farms.

The settlement of any estate involving a family business that has existed for more than one generation is difficult enough. When ranch or farm land makes up a portion of the estate, the issues multiply.

I will defer the legal aspects of estate settlement to legal and estate planning experts and stick to the psychological aspects of estate settlement. Often the psychological matters, such as feelings about favoritism, are more unsettling than the legal and tax implications.

Why is distributing land in an estate emotionally difficult? Attachments to land are intense because farmers are motivated by a genetically programmed inclination to acquire the resources necessary to produce essentials for life: food and fiber for shelter, clothing and fuel.

Just as animals claim territories that have the food and shelter needed to produce the next generation, humans seek territories that enable the human species to reproduce and prosper. Humans have a drive to care for our families, communities and the entire population of people.

Our emotions get entangled in the acquisition of land, especially feelings of power, the pride that comes from acquisition of property and defensiveness about relinquishing possible claims to land. It's difficult to behave in an egalitarian way.

Egalitarianism is a useful principle to practice. Egalitarian is a descriptor of how we should behave when we settle estates. It means we believe in the equality of all people and behave in a way that treats everyone involved in the matter equally.

What seems fair, or equal, can vary from beneficiary to beneficiary. Sometimes the estate plan or legal will contains provisions which are deliberately unequal.

Perhaps the parent who made the will or estate plan wanted to reward one beneficiary more than others. I know an elderly widow who plans to leave forty acres to each surviving child who is not farming while leaving 160 acres to the son who looks after her affairs and rents the family farm. Her plan makes sense to her but some of the children might not agree.

Feelings get hurt but we have to get past hurt feelings. The legal document takes priority over the feelings of the beneficiaries. It helps to assume the estate plan is a "given," unless there are legitimate concerns about undue influence or other

factors that can lead to legal challenges.

I have been involved as a psychological counselor or as an expert witness for many persons involved in legal challenges to a will or estate plan. I have never seen a legal challenge lead to resolution of hurt feelings among all the beneficiaries or descendants, but I have observed how structured follow-up meetings among the beneficiaries have helped.

Setting up a series of structured meetings of all the beneficiaries provides a way to deal with hurt feelings. It helps to have a meeting moderator who makes sure all the participants are given equal time and opportunity to talk. The moderator should also make sure the participants speak respectfully, do not interrupt, and that someone

keeps minutes which are distributed to all the participants before the next meeting.

Meeting in a neutral setting like the back room of a restaurant or the office of an uninvolved party facilitates movement toward resolution.

It also helps to not allow other persons who are not beneficiaries, such as spouses, children, or advisors, to participate in the structured meetings. Allowing time to pass between meetings allows the participants to work through feelings and to plan what to say in future get-togethers.

Acknowledging other persons' feelings helps. We might not agree with the terms of the estate settlement but hearing other beneficiaries validate our hurt feelings soothes perceived injustices.

It's not the end of the world when we don't get what we wanted in the estate settlement. We have to adjust our thinking and realize that there is always more than one way to resolve what we feel are injustices.

I know of one case in which the unjust estate settlement has become the source of family humor. Everybody in the family laughs at how their parents favored one child, but they worked out their feelings.

The main beneficiary eventually decided to share the wealth he inherited with the other family members because he valued their friendship and respect as much as their genetic ties.

Retaining or restoring good feelings among family members can be more important than getting everything we wanted out of the settlement. We can't pick and choose our family members so we might as well get along well enough that we can treat each other civilly, and even maybe even affectionately, at future family gatherings.

Dr. Rosmann is a Harlan, Iowa psychologist and farmer. To contact him please visit: www.agbehavioralhealth.com.

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Free Public Workshop In Sioux Falls

SIoux FALLS — The South Dakota Association of Christian Churches, in cooperation with South Dakota Air National Guard military chaplains and Hope Prison Ministry, will hold a free informational meeting in Sioux Falls on Thursday, Sept. 20. The workshop is titled "Welcoming Them Home."

The information will help attendees become familiar with the challenges faced by returning soldiers and guard units from active duty, as well as obstacles incarcerated persons must confront when released to live on their own.

The workshop will be held at Spirit of Peace Church, 6509 S. Cliff Avenue (South of 57th St), the gathering will begin at 1 p.m. and end at 4:30 p.m. (Spirit of Peace is a barrier-free building).

Key groups and individuals that may benefit include non-profits, governmental agencies, and clergy and laity of any faith-based organization, but anyone may attend. The intended outcome is for attendees to gain appreciation of the needs of these two groups of people, and consider ways to expand support systems to welcome and serve them.

The event is free to all attendees. Register your attendance at www.accsd.org or send an email to office@accsd.org by Sept. 17, so we can provide adequate seating and refreshments and printed handouts.

Briar Cliff Campus Visit Day Planned

SIoux CITY, Iowa — High school juniors and seniors and their families who are looking for something more in their college choices are invited to visit Briar Cliff University on Campus Visit Day, set for Friday, Sept. 21.

BCU's Visit Day begins with registration at 9:45 a.m. in the Stark Student Center on the Briar Cliff campus at 3303 Rebecca Street, Sioux City, and concludes at 2 p.m. While on the Cliff, students will have time with Briar Cliff professors who are well-known for their dedication to student success. They also will meet current BCU students and hear about campus life and learn from financial aid advisors about how Briar Cliff makes tuition affordable with scholarships, grants and other forms of support. Visitors also will tour BCU's dynamic hilltop campus.

For more information, call the Office of Admissions at 712-279-5200 or email admissions@briarcliff.edu.

Visiting Hours

Considering Assisted Living?

BY CHRIS CALLAGHAN, NURSE COORDINATOR, & LINDA FOLKERS, ACTIVITIES COORDINATOR

Avera Sacred Heart Majestic Bluffs

Many seniors are experiencing some challenges in their activities of daily living. Making a decision to move to an assisted living apartment certainly isn't an easy decision to make. However, with the help of family, friends and your primary health care provider, those decisions can become doable.

Assisted living provides an opportunity to meet new supportive neighbors who understand the challenge of making lifestyle changes. Informal resident support groups evolve on senior campuses providing listening and socialization.

Everyone arrives with their own unique set of circumstances. Diversity is a key ingredient at the Bluffs. We have welcomed residents from the surrounding area and from throughout the United States. Many residents choose the Bluffs to be closer to their children living in this area, or return to their Yankton roots. Included in our population are retired educators, farmers, business owners, homemakers, the medical profession, accountants and more... each brings to the table their experiences and knowledge.

The advantages to assisted living are:

- Personalized, 'round the clock health care
- Balanced meals
- Personal assistance with bathing, grooming, dressing and medications
- Peace of mind knowing if the need to transition from independent living to assisted living level of care is needed, the resident is given the opportunity to age in place. Aging in place allows the resident to remain in their current apartment provided the level of care needed can be met.
- Social interaction with others, recreational activities
- Housekeeping, laundry
- Transportation to health care appointments
- Beauty shop
- Wellness center
- Coffee shop
- Outpatient therapies such as physical therapy, occupational therapy, and speech therapy can be provided without leaving the facility.

It's also important to remember that if you choose the assisted living apartment alternative, you remain independent. You have an enhanced apartment with your own safe bathroom, kitchen, fridge, freezer, microwave, bedroom and living room. If a person is experiencing increased memory loss, a

specialized memory unit provides privacy, dignity and individual attention with the same amenities as mentioned earlier.

What "fun" things occur at the Bluffs assisted living?

- Learning and Community Circles
- Fishing/picnicking outings
- Tea parties
- Happy hour
- Wii game
- Senior exercise program including weights, stretch bands, chair and standing range of motion and cognitive exercises
- Card groups
- Sing-along's/music entertainment
- Residents as volunteers
- Bingo with monthly themed bingo
- Scheduled shopping trips
- Bible study and Bible Sharing
- Daily coffee time
- Nail Care
- Social gatherings with families and residents
- The possibilities are endless.

For more information about Avera Majestic Bluffs Assisted Living, call (605) 668-8928. We will answer your questions, send you an informational packet and give you a personal tour.

Here's A Cautionary Tale To Avoid Threats From Financial Scammers

BY BETTY LIN-FISHER

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Here's a cautionary tale with a good lesson for us all that a reader recently called to relay to me.

The reader, a professional, college-educated woman in her early 50s, did not want to be identified because she is embarrassed about her finances and actions she took. But she said, she wanted people to learn from her subsequent troubles.

I will say up front that I do not know if this is an isolated incident, a regular practice of one particular company or the industry, but it definitely happened to this person.

A few weeks ago on a Saturday, the woman said she was feeling financially desperate. She went online to a payday lender to apply for \$500. She completed the online application, giving her Social Security number and bank account routing number.

"I knew I shouldn't have done it," she said. "I knew the minute I did it. It was one of those really huge brain cramps that you sometimes get when you're upset."

Almost immediately, she started getting phone calls from the lender. She said she changed her mind and didn't want the loan anymore. She received an email saying there was one final step to take before getting her money.

She never replied to the email.

Her bank account never received any money from the lender.

However, that began a barrage of phone calls. The next day, on a Sunday, there were 21 calls to her

house. One day, after work, she had about that same amount, mostly in hang-ups on her Caller ID.

The following Friday, six days after her initial contact, she picked up the phone. The caller told her she owed \$500.

"I gave it right back to him. I said, 'I didn't borrow one dime from you people. Not one penny has appeared in my account. How dare you?' I cursed him out and hung up. He called back, and I didn't answer. That's when he left the threatening message."

One voice mail left at her office that she played for me has the caller, a man with a foreign accent who said his name was John Marshall, said the local sheriff would be coming soon to pick her up and that court documents soon would be served to her office. She could now owe \$11,453.69, and if she loses the case, there would be an imprisonment period and her Social Security benefits would be taken.

Essentially, they were throwing nearly every threat at her.

The woman said that while she knew they were empty threats, they still were very terrifying. She filed police reports in her hometown and called the police in her employer's town. Authorities confirmed the threats were empty. One police officer tried to call the lender for her but was put on hold.

When she called me, I suggested she change her bank accounts, put a freeze on her credit, and if it gets too bad, possibly change her home phone number, which she is considering.

Certainly, she is worried about potential identity theft, be-

cause she gave her Social Security number. That's why she took the precautionary action of freezing her credit.

But still, some calls continue. Cynthia Sich, director of the Summit County Office of Consumer Affairs, said her office is hearing about a lot of the threatening calls of sending the police after consumers, whether it be for payday loans or collections.

What consumers don't know and need to is that "law enforcement will not arrest you for civil debt," Sich said. Most consumer debt is called civil debt, meaning if a court action happens to try to collect on the debt, it is in civil court, not criminal court, she said.

Debtors' prisons, where people were thrown into jail for their debts, were eliminated in 1830. Sich, however, said she has read that some states are bringing debtors prisons back, but only after a court action is taken.

"Almost all the time, these debt-callers call when no action has been filed at the time of the call," she said.

"These offshore telemarketers are using all sorts of threats and intimidation, which are a violation of the Fair Debt Collection Act. But when we're dealing with offshore, all we can do is educate consumers about their rights."

Sich said it was good that the reader took all of the steps now, such as changing her bank account and the credit freeze.

She stressed that before doing any type of business online, consumers should always do some type of research on it.

And be very leery of sharing information such as your Social

Security number or financial information.

"Once you put the information into the computer and hit that send button, it's sent. There's no recall," she said.

Sich suggests looking for alternatives to payday loans.

"There are alternatives out there. A lot of the banks are doing shorter loans. If it's something you need desperately, look at layaways. Instead of going out and getting that loan, yes, it may take you two or three months to get it, but if you plan ahead, you can get it. Also, take budgeting classes or look at resources that are available or look to local counseling agencies," she said.

My reader said she knows sometimes people do dumb things when they are in dire straits.

"It's a cautionary tale. I don't want anyone to go through what I've gone through with these people ... making up this ghost of a loan. It's ridiculous."

SCAM WARNING

The Medina County Auditor's Office is warning of a public-records scam that people are receiving there. A similar scam has been reported in other counties.

A document offers to get a copy of a deed to prove property ownership for an \$89 processing fee.

The auditor's office reminds people that property record information can be printed for free by going to www.medina-countyauditor.org and an actual deed is available from the Medina County Recorder's Office for \$2 or copies for 10 cents per page.

USD To Welcome Suriname Journalism Delegation

VERMILLION — The Department of Contemporary Media & Journalism at the University of South Dakota will host a visiting delegation of journalists from Suriname, Sept. 10-12.

The journalists are traveling from Suriname, located in northern South America, to learn more about American journalism culture. While at USD, they will attend several media classes, tour the Al Neuharth Media Center — the home of the Contemporary Media and Journalism Department, meet with Coyote News staff and students at The Volante, and participate in a South Dakotans for Open Government Presentation and discussion at 4:45 p.m. on Tuesday, Sept. 11.

"We are excited about the op-

portunity for our students to compare and contrast their culture with ours," stated Michelle Van Maanen, chair, Contemporary Media & Journalism Department. "The delegation from Suriname will have a great deal of interaction with our student media outlets and discover that most student journalists on college campuses deal with multiple platforms on every story."

Additionally, the journalists from Suriname will spend a day in Sioux Falls, Sept. 12, attending an Argus Leader newspaper meeting in the morning followed by an afternoon news meeting and tour at KELO-TV. A reception for the Suriname journalists, sponsored by USD, the South Dakota Broadcasters Association

and the South Dakota Newspaper Association, is scheduled for 6 p.m. on Sept. 12 at the Paramount Lounge in Sioux Falls.

"We at the U.S. Embassy in Paramaribo, the capital of Suriname, are delighted to be sending five talented Surinamese journalists on a trip that has been long planned and is much needed, given the opportunities and challenges for media practitioners in Suriname, a former Dutch colony," said Susan Ross, Public Affairs Officer with the U.S. Embassy at Paramaribo, Suriname. "This is an unparal-


leled opportunity for the Surinamese journalists to interact with American students, academics and media professionals, to discuss and learn about topics as varied as free speech, FCC regulations, digital news, media ethics, journalistic objectivity, and media law. We are hopeful that these journalists will then advise and support their colleagues in Suriname upon their return, utilizing the connections they will make in South Dakota and maintaining a broad network of cross-cultural professional connections."

Church Holding Coat, Hat And Mitten Drive

Christ the King Lutheran Church of Yankton is having a coat, hat and mitten drive for the Lower Brule Reservation near Chamberlain. New and gently used warm coats, hats and mittens of all sizes are being collected. These items will be distributed through the Boys and Girls Club at Lower Brule.

Items can be delivered to Christ the King Lutheran, 305 West 25th Street, between the hours of 8:30 a.m.-4 p.m., Monday through Friday. Deliver items by Sept. 28.

If you have any questions or would like items picked up, call the church at 665-8848.



AM 1450

MORNING COFFEE

WEEKDAYS MONDAY-FRIDAY

Wednesday, September 12

7:40 am The Observer (Kathy Church)

8:15 am Hy-Vee Foods (Chef Staci)

8:45 am YCTC "Bedbugs" (Julie Perakslis)

Thursday, September 13

7:40 am Yankton Chamber (Carmen Schramm)

8:15 am Yankton Conv/Vis Bureau (Lisa Scheve)



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