

Chambliss Estate Planning Newsletter – November 2024

Section 1.01 **Understanding Beneficiary Designations in Estate Planning**

By: [Abby Sutton](#)

An essential aspect of estate planning is determining how your assets will be distributed after you pass away. Many people believe their will controls all aspects of their estate but this is not entirely the case. Beneficiary designations play a crucial role in ensuring your assets are passed on according to your wishes, and understanding the difference between what a will controls and what it does not is vital to effective planning.

The Role of Beneficiary Designations

Certain types of accounts or assets, such as life insurance policies, retirement accounts (like IRAs or 401(k)s), and payable-on-death (POD) or transfer-on-death (TOD) bank accounts allow you to designate beneficiaries. Most custodians, banks, and insurance companies provide their own forms for the account owners. These designations specify who will inherit these assets upon your death and will take precedence over the instructions in your will.

Why is this important? If you do not update your beneficiary designations — or if they conflict with your will — your assets may not be distributed according to your intentions. For example, if your will states that your daughter is to receive your retirement account, but your beneficiary designation lists your ex-spouse, the account will go to your ex-spouse, regardless of what your will says.

Additionally, beneficiary designations ensure that assets are transferred directly to the individuals or entities named as beneficiaries, bypassing the probate process, which can save time and money. If you have tailored your estate plan to avoid probate, carefully reviewing your beneficiary designations is necessary to ensure you name the appropriate beneficiaries.

What Does a Will Control?

A will generally governs the distribution of your estate, including tangible personal property (e.x., jewelry, heirlooms, and household furniture), real estate, and any assets that do not have a designated beneficiary. This “catch-all” document directs how your estate will be divided among your beneficiaries.

It is important to note that if you do not name a beneficiary on an account or asset that allows such designations, the default is that the account will be payable to your estate at your death and, therefore, be controlled by the instructions laid out in your will.

Why Beneficiary Designations Matter

While your will is a critical component of your estate plan, it does not control everything, and it is important to align your beneficiary designations to fit the overall goal of your estate plan to ensure that your estate is distributed exactly as you intend. We recommend that you regularly review your beneficiary designations alongside your will and other

estate planning documents to ensure they are consistent, especially after significant life events like marriage, divorce, or the birth of a child.

If you are unsure about your current designations or need assistance reviewing them, contact [Abby Sutton](#) or another member of our estate planning team to ensure your estate plan and beneficiary designations represent your current wishes.

Estate Planning Resources

I Don't Need SSI or Medicaid. Why Get a Special Needs Trust?

Social Security Disability Insurance (SSDI) is a federal program that typically provides cash stipends to people who have paid into the Social Security system and who can't work because of a disability. (In some cases, it is possible to receive SSDI even if you haven't worked.) In most cases, when someone has been eligible for SSDI benefits for two years, they also receive Medicare, even if they are under age 65...

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Your Social Security Benefits for 2025: COLA Update

The Social Security Administration (SSA) has officially released its annual cost-of-living adjustment (COLA) figures for 2025. These newly issued numbers will have an impact on monthly Social Security benefits payouts for retirees, as well as recipients of Social Security disability benefits and survivor benefits, over the forthcoming year...

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Hoarding Disorder in Older Adults: Challenges and Resources

Hoarding disorder disproportionately affects older adults, according to the United States Senate Special Committee on Aging. While about 2% of the general population struggles with accumulating too many objects, hoarding impacts over 6 percent of people aged 65 and older...

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Upcoming Events

Sensory-Friendly Concert

Where: Chattanooga Theatre Center | **When:** November 16, 2024

The Chattanooga Symphony & Opera's FREE Sensory-Friendly concerts feature performances by their String or Wind Ensembles in a space that allows for movement, interaction, or easy listening. Smaller audiences, floor-to-ceiling windows, open seating, and a designated quiet space creates a listening experience that allows attendees to engage with classical music without concert hall limitations. Scarves, props, noise-reducing headphones, and other manipulatives will be on hand, but please bring any you prefer to use. Ticket reservations are appreciated and are available at the [CSO website](#).

Bingo Fever

Where: East Lake Community Center | **When:** November 15 and 22, 2024

Morning bingo is from 10-11 a.m. for adults with disabilities to get you up and socializing, so come drink some coffee and hang out with friends, and maybe even win a prize! For more information, email Jessie at jmock@chattanooga.gov or call 423-643-6606.

Catalyst Climbing Clinics

Where: High Point Climbing Gym (219 Broad Street) | **When:** November 19 and December 17, 2024

Catalyst Sports is a nonprofit organization based out of Atlanta whose mission focuses on empowering people by providing the highest quality of adaptive sports for those with disabilities. The clinic is from 6-8 p.m. for individuals, ages 5 and up, with physical disabilities. To sign up for the event, visit [Catalyst Sports events page](#).

Parent Perspectives: Creating a Circle of Support & Prioritizing Self-Care

Where: Online via Zoom | **When:** November 21, 2024

This panel discussion is at 6 p.m. CT and is part of the Exploring Autistic Life and Culture project, funded by HumanitiesTN. The Parent Perspectives series is open to parents, caregivers, and other supporters of people with autism. These panels create an affirming space for parents (+ others) to share their unique experiences as caregivers to people with autism. AutismTN believes bringing these supportive networks together is an act of community care as we all journey through a world designed without neurodivergent families in mind. Register for the event on the Autism Tennessee website.

Pickleball

Where: East Lake Community Center | When: November 21, December 5, 12, and 19, 2024

A weekly pickleball group to learn how to play, master skills, and improve your physical fitness for individuals with disabilities, ages 16 and up. All skill levels are welcome. The group meets from 10:30 a.m.-12 p.m. and it is free to attend. For more information, email Jessie at jmock@chattanooga.gov or call 423-643-6606.

Also Check Out

Helpful SSI Changes Reducing Customer Burden Take Effect

Social Security Administration policy updates that expand access to Supplemental Security Income in line with the law go into effect today. The agency no longer includes food in in-kind support and maintenance calculations, has expanded its rental subsidy policy exception, and has expanded the definition of a public assistance household.

New Bricks and Minifigs Store in Chattanooga

Bricks and Minifigs, an aftermarket LEGO toy shop, had the grand opening of its newest location in Chattanooga in the Waterside Lifestyle Center. As this location specializes in creating a warm welcome to all individuals, a specific area for individuals with special needs was created to ensure a warm, safe experience.