MARRIAGE & LGBT OLDER COUPLES

Talk Before You Walk

Considerations for LGBT Older Couples Before Getting Married

When the Supreme Court decided *Obergefell*[1], the freedom to marry became the law of the land all across the United States. This victory forever changed financial planning and legal relationships for LGBT families.

Unresolved by *Obergefell* is the question of *if* LGBT families should take advantage of the legal institution of marriage. Marriage is a legal status that brings both pluses and minuses that should be carefully considered. Any plans that were put together before *Obergefell* should be reviewed to ensure that a legal marriage does not lead to unforeseen consequences.

Under federal and state laws, marriage is more than just the individual commitment of two individuals. The status of marriage brings with it a host of rights, benefits, and protections—1,138 under federal law alone.[2] Marriage also creates a financial unit in which assets and liabilities can and, in some cases, must be shared. Deciding to wed is an important step, and same-sex couples, especially older same-sex couples, in a post-*Obergefell* world should take steps to ensure that they are fully aware of the legal impact that marriage confers on a variety of family planning situations.

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sage
Services & Advocacy for Gay, Lesbian, Bisexual & Transgender Elders

305 Seventh Avenue
15th Floor
New York, NY 10001
212.741.2247
info@sageusa.org
sageusa.org
lgbtagingcenter.org

This resource is made possible through generous support from

MetLife Foundation

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WHAT'S DIFFERENT FOR LGBT COUPLES AFTER *OBERGEFELL*?

Taxes

Income taxes. A same-sex married couple is required to file their taxes either jointly, or "married filing separately."

You may have heard about the marriage penalty. With marriage equality, this is now a concern for same-sex couples as well. This happens when a couple filing jointly will pay more in taxes than each would have paid as a single person, because the two salaries earned may push the couple into a higher tax bracket—often the case where both spouses are high earners. The reason for this is that at higher incomes, the brackets for joint taxpayers triggering higher percentages are less than twice those for unmarried taxpayers. And the brackets for married filing separately are generally lower than those for unmarried individuals. For example, under the 2016 rates, an unmarried individual would reach the 28% bracket earing $91,150; multiply that by two, and that would be $182,300. But a married couple filing jointly reaches that bracket at just $151,900. And if this married couple filed separately, each would reach the 28% bracket at just $75,601.

Other negative tax implications are possible:

- The Medicare tax on wages and investment income puts limits on wage and Adjusted Gross Income for married couples ($250,000) which is only $50,000 higher than those for a single tax payer ($200,000).
- A signer of a joint return is fully responsible for every number that's in it. If one spouse makes a mistake on a figure, the other is equally liable for the consequences. One is not responsible for his or her spouse's mistakes or deliberate omissions if they happened in the years prior to the marriage or if it can be proven that they had no knowledge of the spouse's mistakes or deliberate omissions.
- It might be harder to reach the higher minimum percentages of income necessary to be able to deduct medical or miscellaneous expenses, given the combined income, unless one or both parties had significant expenses.
- If there is a garnishment for an unpaid loan or child support against one spouse, the other spouse's joint refund could be delayed or blocked.

When it comes to income tax, it is not all bad news. A married couple is likely to have greater charitable contribution deductions because the limit on deductibility is based on income. A spouse who may have a small business that is losing money may be able to take advantage of some additional deductions.

Gift and Estate Taxes. The real tax advantages of marriage lie in the gift and estate tax areas. Before the marriages of same-sex couples were federally recognized, every exchange of assets between two partners, no matter how committed or for how long, would technically be a taxable transaction. One spouse supporting another would be a gift from the supporter, or taxable income to the supportee. Buying a home together, even as joint tenants with rights of survivorship, would be a gift from one to the other, unless every dollar contributed by one was matched by the other. And at death, if a moneyed spouse left a less moneyed spouse his or her estate, every dollar over the lifetime exemption amount would be subject to estate tax, with its steep bracket increases. The net result? It was impossible for same-sex couples to form a financial and economic unit.

The real tax advantages of marriage lie in gift and estate tax areas.

This is no longer true for same-sex couples. Marriage brings with it the unlimited marital deduction, meaning that spouses may freely transfer assets between them during life and at death. Not only that, if one spouse does not use up his or her lifetime exemption (i.e. does not transfer during life or at death an amount exceeding the tax free limit), the unused exemption is available to the surviving spouse.

Healthcare

Employer Provided Insurance. Spouses are often able to include each other on an employer-sponsored health plan, which is not as commonly true for domestic partners. Where an employer-sponsored plan provides for the addition of a same-sex spouse, it is likely a less expensive option than the purchase of two individual policies. Moreover, before marriage equality, the value of the healthcare benefits provided to a non-spouse partner was counted as taxable income for federal income tax purposes. Legally married couples are no longer required to treat the value of health care benefits provided by one-partner as taxable income. However, this benefit is not available to domestic partners who may need to continue to treat insurance coverage as taxable income.

Affordable Care Act. If neither spouse works for an employer providing healthcare insurance, a married couple has the possibility of premium tax credits and cost sharing subsidies under the Affordable Care Act (the "ACA"). That law provides low-income Americans with premium assistance tax credits that can be used to purchase health insurance through any of the health insurance exchanges set up by the ACA. This benefit is available only to those who have enrolled in an exchange plan, and:

- Neither spouse is eligible for an "affordable" employer provided plan (affordability determined by whether the employee's portion of annual premium does not exceed an annually adjusted percentage of household income) that provides "minimum value" (defined as a plan covering at least 60 percent of the expected total allowed costs for covered services)[3], and
- The annual household income is between 100% and 400% of federal poverty levels, which for 2016 translates to between $24,250 and $97,000 for a family of four.

There are also cost-sharing subsidies for households with income up to 250% of the federal poverty level, including lower deductibles and co-payments, plus lower out-of-pocket spending limits for in-network medical expenses.

To be clear, if an individual receiving credits marries someone who has an "affordable" employer-sponsored plan "providing minimum value" for which she or he is eligible, then the credits would be lost. So too, married couples' joint income will be considered when determining eligibility for credits and subsidies, so someone qualifying as single, may lose those benefits by marrying.

The situation with domestic partners gets even more complicated.[4] Whether or not the domestic partners are treated together or individually depends upon in which state they live. In most states, registered domestic partners or civil union partners who apply for insurance through the state's health insurance exchange must do so separately. Each partner includes only his or her separate income, and that amount is used to determine the health plan costs and eligibility for cost-saving subsidies. It works this way because marriage is the test, and domestic partners are not considered married for federal tax purposes. (If you registered first and then were legally married later, you must apply as a married person and report your combined income.)

However, in California, Nevada and Washington, states which extended community property laws to registered domestic partners, domestic partners must most often apply as individuals, but using *half* of the partners' combined incomes instead of just his or her own income[5]. This is because IRS Rules[6] require that domestic partners registered in these community property states report half of their combined community income on their federal taxes each year. Sometimes, this reporting requirement will have the unfortunate effect of disqualifying a lower-earning partner for health insurance subsidies.

The bottom line for domestic partners is that how you apply for health care depends on how you file your federal taxes. If you include combined income when you report your earnings to the IRS, you must include it when seeking health care coverage as well. If you report only separate income to the IRS, you will include only separate income on your health insurance application.

Medicare. Medicare will cover the spouse of a covered individual. Even if that spouse has not accumulated the 40 quarters needed to qualify for coverage at age 65, coverage will be available based on the other spouse's work history.[7] This would not be true for domestic partners.

Tax Favored Health Accounts. Flexible Spending Accounts, Health Reimbursement Arrangements, or Health Savings Accounts set up by one spouse can be used by the other spouse for payment or reimbursement of qualified healthcare expenses.[8]

Retirement Planning

Qualified Plans. Unlike Individual Retirement Accounts, workplace retirement plans (401(k) s and the like) are regulated both under the Internal Revenue Code and ERISA (the Employee Retirement Income Security Act of 1974)[9], whereas individual IRAs are only covered by the Internal Revenue Code. This impacts the ability the of the plan participant to name anyone other than a spouse as contingent beneficiary of the account. These rules do not apply to domestic partners.

A *defined benefit plan* is usually funded by employers, and payments are based on formulas typically defined by employers. If a plan participant dies prior to retirement, his or her spouse is entitled to a "Qualified Preretirement Survivor Annuity," or QPSA, which has to be made available to the spouse not later than the earliest month that the plan participant would have reached retirement age.[10] The only way that another beneficiary may be designated is if the spouse signs a waiver.

If a plan participant dies after retirement, the plan has to offer an immediate life annuity for the term of the participant's life and also for that of his or her spouse—in fact, the survivor benefit must be at least 50%, but not more than 100% of the annuity payable when both spouses are alive. To have a form of benefit other than this "Qualified Joint and Survivor Annuity," the plan participant has to provide a notarized written waiver of the survivor benefit.[11]

A *defined contribution plan*, like a 401(k) is an individual account to which employees and often employers make contributions. Often, the entire amount of the contributions together with all investment returns are available at retirement. Some plans provide an immediate annuity on retirement, and rules regarding surviving spouse benefits for this type of defined contribution plan are similar to those for a defined benefit plan. Where there is no annuity, a participant may get a lump sum distribution, or minimum payout. When the participant dies, the balance will be paid to his or her surviving spouse, unless there is a valid signed waiver.

Of critical importance here is that once a plan participant has a legal spouse, his or her options in designating anyone other than a lawful spouse as beneficiary are limited. So it is important to review beneficiary designations to be sure that they reflect the participant's current intentions, and/or have the necessary consents.

Similar restrictions also impact divorce. Since ERISA gives rights in plan benefits to a participant's spouse, the disposition of those benefits must be considered in a property settlement. The form that settlement must take—a "Qualified Domestic Relations Order"—is itself regulated by statute and will transfer benefits to the non-participant spouse upon divorce.

Individual Retirement Accounts (IRAs). Contributions to a regular IRA are made with pre-tax dollars. Contributions to both an IRA and an employer-based plan like those discussed above can be made in the same year. But if either you or your spouse is covered by a retirement plan at work, then there is a limit on the amount of those contributions that will be tax deductible. Contributions to the employer-based plan and the IRA are added together and deductibility is determined by joint "Modified Adjusted Gross Income (MAGI)." If neither spouse is covered by a workplace plan, the amount of contribution that can be deducted may be determined by the combined income of both spouses and will be allowed in full.[12]

A Roth IRA has different rules. Contributions to a Roth IRA are made with after tax dollars. Still, there is a limit to the amount that can be contributed annually—and that limit depends on both marital and filing status, and MAGI. A legally married couple filing a joint return can report income to a certain amount (determined annually), and still make contributions to a Roth IRA—but if income is over that amount, the size of the permitted contributions decreases sharply until none are allowed at all.[13] The point here is that both incomes must be taken into account in determining the amount that can be contributed.

For stay-at-home spouses who might not make enough money of their own to qualify for IRA contributions, the IRS has come up with an alternative: the spousal IRA. So long as the family's earned income—that is, the total earned income from both spouses—is high enough, any earned income that is not used to fund the working spouse's IRA can be used for the nonworking partner's contribution to a "Spousal IRA." The spousal IRA account must be held in the nonworking spouse's name and Social Security or tax identification number. For both regular IRAs and Roth IRAs, the requirements to be eligible to contribute to a spousal IRA are: 1) married; 2) filing jointly; and 3) have household earned income equal to at least the total amount contributed to all IRAs (meaning both spouses' IRAs).[14]

Spousal "Rollovers." All IRAs require distributions to begin when the IRA owner reaches his or her "required beginning date," which is the year in which the IRA owner reaches the age of 70½. When someone inherits an IRA or a Qualified Plan, the usual rule for spouse and non-spouse beneficiaries alike is that distributions *may* begin whenever he or she would like, without tax penalty, regardless of age. However, distributions *must* begin by the year in which the decedent deceased IRA owner would have reached 70½, or the year following the beneficiary's his or her death, whichever is later. The downside of course, is that withdrawn assets are removed from the IRA's tax-deferred environment.

This "usual rule" however, has an exception when the beneficiary is a surviving spouse (which does not include domestic partners). As an alternative, a surviving spouse who is younger than the deceased spouse can set up an "Inherited IRA," but instead of being required to distribute based on when the *decedent* died or would have reached 70½, the surviving spouse can treat the IRA as his or her own and distributions will not be required until the calendar year following that in which the *beneficiary* turns 70½. This is called a "Spousal Rollover."[15]

This flexibility allows a surviving spouse to determine the best way for him or her individually to proceed. For example, if a beneficiary is younger than 70½, but needs the money, then following the "usual rule" would make sense. If the survivor has other assets and wants the account to continue to grow in a tax-deferred environment, then he or she would likely prefer the Spousal Rollover.

Finances

Many Americans rely on Social Security benefits to provide much if not all of their retirement income, and this is especially true of LGBT older adults.[16] So this is one area where the availability of marriage is a real boon to those who have tied the knot. Generally speaking, 40 quarters of reported work history is required to qualify for Social Security benefits. Individuals that don't reach the minimum amount of work history on their own may be able to qualify based on their spouse's work record.[17] And even if an individual has reached the minimum, if his or her benefit at Full Retirement Age (the age at which a full, unreduced benefit becomes available) is less than half of his or her spouse's at Full Retirement Age, the difference will be payable as a spousal benefit.

Benefits also accrue to survivors. When one spouse dies, the Social Security Administration will pay to the surviving spouse whichever benefit is higher—the one that had been paid to the decedent or the one being paid to the survivor. The other benefit is simply dropped. This leads to planning possibilities—if the higher earning spouse delays claiming benefits so that the benefits increase, that increase will be available to the surviving spouse.[18] There are other planning benefits as well that are worth considering.

Social Security is one area where the availability of marriage is a real boon to those who have tied the knot.

Under the Obama administration, if a state recognizes spousal inheritance rights for civil unions, domestic partnerships, or reciprocal relationships, the Social Security Administration treats that couple as married.[19] And if a married couple divorces after they had been married for at least 10 years, the divorced spouses will be eligible for the same benefits as those still married.

State Law and Default Appointments

Before marriage equality, one of the biggest concerns of same-sex couples and families were the state laws that supplied the default appointments in critical and very personal situations—the executor of a will, a guardian in the event of incapacity, a medical surrogate. Invariably, the order was legal next of kin—e.g., spouse, adult children, parents—with rare mentions made of "domestic partner." The same list was used to determine the beneficiary of someone who died intestate. This meant that unless a same sex couple proactively established their own plans through wills, trusts, living wills, powers of appointment, etc., a court was bound under law to appoint family of origin members to handle these duties, and to transfer their assets accordingly, no matter how bitter or lasting an estrangement.

Legally recognized same-sex marriage changes all that. Now, a surviving spouse will be the default appointment in all cases, and the primary beneficiary. Of course, that does not address all of the concerns of same-sex couple—absent an adoption, one spouse's children would not inherit under the other spouse's intestacy (e.g., dying without a will)—but the situation is now the same for same-sex and opposite sex couples.

WHAT REMAINS UNCHANGED FOR LGBT COUPLES AFTER *OBERGEFELL*?

The discussion above confirms the tremendous changes that marriage equality offers an LGBT couple tying the knot. But certain things have not changed, and are unlikely to ever change.

Planning

Despite all of the good news, advance planning—both financial and legal—is still critical. Planning is too often postponed until it is too late, or impractical. Like the population generally, LGBT older adults are living longer, and whether married or not, this "third chapter" of life, can be enriched tremendously by proper planning.

Certain common factors come into play when choosing to work with any type of professional —an attorney, physician, accountant, or financial advisor. First engage someone with whom you feel comfortable—someone that you can speak frankly with, and not have to hide. Sadly, a recent study showed that many LGBT older adults, lesbians in particular, are reluctant to share their sexual orientation with their primary medical care providers for fear of rejection or subsubstandard care.[20] When working with any professional, your best advice will be obtained when all the facts are being considered. Feeling safe and speaking openly about your life and situation are critical. These professionals are not hard to find: ask friends or colleagues for recommendations, and look online for LGBT professional groups in your area and check their membership roster.

Legal Planning. Legal planning is still essential. For example, the possibility of incapacity has to be considered, and with that comes documents that will help in the management of legal and financial affairs, and those that will allow for others to manage medical affairs.

A power of attorney and a document naming a guardian in the event of incapacity are important to allow others to help manage financial and legal decisions. On the medical side, a living will makes clear your decisions on being kept alive by artificial means, and an appointment of a health care surrogate or a medical power of attorney allows for others to make decisions about medical issues for you if you become incapacitated. You may also want a Visitation Directive, specifying who can—and cannot—visit you in a hospital or long-term care facility. A detailed guide to putting these documents together along with copies of the legal forms you'll need is available on the National Resource Center's website at *www.lgbtagingcenter.org/resources/resources.cfm?r=744.*

National Resource Center:
www.lgbtagingcenter.org/resources/resource.cfm?r=744

After death, a will sets forth the disposition of your assets—who gets them, and as important, who takes care of bringing all the assets together, and disposing of them.

State law generally provides that in the event no documents like these are in place, a spouse will be named as the default fiduciary and beneficiary. But there are a number of reasons why it is still extremely important for LGBT people to get their planning documents done:

- While a spouse is the first on the list, if the spouse is not able or available, the law's second choice may not be so palatable.
- The way the law directs the disposition of your assets will likely not reflect your own desires.

- In the event of pre-death incapacity, absent a power of attorney, a court-supervised guardianship will likely be the only way to care for you.
- There still is a good deal of anti-LGBT bias that may operate against you.

These documents are only helpful if people close to you are aware of them. The people you designate to make decisions for you should know about their appointment. Your doctor should also have a copy of your healthcare documents.

But in an emergency, how will you have these documents on hand? Some people carry copies of their documents on a thumb drive, with the expectation that the drive will be discovered if they are in an accident. There are also services like Docubank[21] and Legal Directives[22] that store documents online in a security-protected environment; they issue cards (like health insurance cards) which can be kept in a wallet, and in the event of accident, these services provide the documents immediately once contacted.

The best thing you can do is meet with an LGBT-friendly lawyer to discuss your particular situation. She or he will help you interpret the laws in your state, and they can create wills and other documents to protect you and your spouse.

You can also reduce your time with your lawyer by doing some of the prep work ahead of time. SAGE offers a free tool kit to get you started online.[23]

SAGE's Personal Estate Planning Kit:
http://sageusa.mylegacygift.org/personal-estate-planning-kit

If you can't afford to see a lawyer, take extra care to ensure that your intentions regarding your finances as a couple are clear. Make sure your files are complete and that all your documentation is signed, with the formalities required in your state. Depending on the document, there may need to be two or three witnesses and/or a Notary Public. These requirements are not frivolous and the failure to follow proper formalities in executing these documents can have disastrous consequences—a document missing the proper signatures will be no more effective than if none existed at all.

If you can't afford to see a lawyer, take extra care to ensure that your intentions regarding your finances as a couple are clear.

Financial Planning. Everyone needs a financial plan. The sooner you take control of your finances, the better your chances are of realizing your financial goals and being prepared for retirement. If you can afford it, the best thing you can do is meet with a certified financial planner to get you on the right path. It is ideal and highly recommended that you work with an LGBT-friendly planner who is up-to-speed on all the financial and legal issues that affect the LGBT community specifically and with whom you feel comfortable to be out and open about your plans, hopes and dreams.

Most planners charge annual fees to manage your money (typically a percentage of your assets), but some will charge by the hour. To find the right planner for you, start with a local online search, something like, "LGBT financial planning, Los Angeles." From there, it is important to interview prospective planners to determine if he or she is a good fit and to ask about fees.

If looking for free assistance, look for financial planning events held by non-profit organizations. Visit *financialplanningdays.org* for more information and some useful resources. The National Resource Center on LGBT Aging also has free resources on financial planning at *www.lgbtagingcenter.org*.

Free Financial Planning Days:
http://financialplanningdays.org

Planning for retirement can be exciting, but it can also bring up nagging fears about having enough money to take care of our loved ones as we age. With people living longer, the financial challenges can be greater. These days there are so many ways to retire—you could continue to work part-time, start a new career, or volunteer for your favorite charity. You could sell your house, move closer to loved ones, or buy an RV and tour the country. Some people never retire, either out of choice or financial necessity. The more clearly you can visualize your future, the better you can calculate how much money you'll need to live it. The AARP Retirement Calculator[24] can help you see how much money you will need in different situations and timeframes.

AARP Retirement Calculator:
https://secure.aarp.org/work/retirement-planning/retirement_calculator.html

When and how to begin collecting Social Security is another important decision, particularly for same-sex couples with two different salaries. Considering who should retire first can get extremely complicated, and ideally a financial advisor can help you agree on a strategy. In addition, there is good information about this question available on-line from AARP and other sources including the Social Security Administration's own calculators.

Protecting Yourself from Fraud

Financial Protections. From identity theft to phony "get-rich-quick" schemes, financial fraud targeting older adults is growing every year. Because LGBT older people often struggle with isolation as we age—since we are much less likely to be parents and much more likely to live alon—we are particularly vulnerable to financial exploitation. New scams appear all the time.

While it is impossible to spot every scam, there are common threads and warning signs to look out for, and certain steps you can take to protect yourself.

When to be suspicious:

- **You receive an unsolicited offer.** It is always a red flag when someone you do not know contacts you with an offer of "easy" or "quick" money. They might call you, email you, or show up at your doorstep with offers, written or verbal information or simply the offer to show you their credentials. This might sound obvious, but it is amazing how many people are lured into believing promises that are simply too good to be true.
- **You are pressured to act quickly.** Scam artists often pretend to have "limited time only" offers, designed to get you to act quickly and make an irrational decision. They might try to sell you something at a "special rate," only available if you send a deposit right away. They might tell you how lucky you are to get this offer, and that you were specially selected. **Don't fall for those tactics.** If the offer is legitimate, it will still be there after you have had the chance to do some research and get some advice.
- **You are asked to update your information online.** Internet fraud is especially hard to detect, because crooks can find enough information about you to lure you into believing they represent a legitimate company.
    - They may send an email posing as your bank, the IRS, or your computer's operating system. They'll ask you to "fill in" or "confirm" sensitive information such as your account number or social security number.
    - Or they'll send a "pop-up browser window" to your computer, telling you to click on a link to receive a prize or to initiate a software update. The link then sends a

virus to invade your computer, allowing the crook to access your entire hard drive.

The best way to protect yourself is to be vigilant about safeguarding your sensitive data.

What you can do:

- Never supply information unless **you** have initiated the contact—on the Internet, phone, or in person.
- Only click links or download programs from the Internet if you know exactly where they came from, and only run anti-virus software on your computer that came directly from your operating system.
- Keep your checkbook, account statements, and other sensitive information in a safe place, and shred paper documents before throwing them away.

Scam artists prey on older adults because they assume they will be more trusting, more likely to talk to someone they don't know, and more likely to live alone without someone to consult with. Protect yourself by asking lots of questions and do your homework before getting involved in any financial offer. Get advice from people you trust, and never feel pressured into acting before you're ready.

You can read about the latest scams and what to do if you've been targeted on the FBI's site at *www.fbi.gov/scams-safety*.

FBI Scams & Safety Information:
https://www.fbi.gov/scams-safety

SAGE wishes to thank Jerry Chasen, SAGE Director of Legacy Planning, for his contribution in developing this resource.

Endnotes

[1] *Obergefell v. Hodges,* 576 U.S. ___ ; 135 S. Ct. 2584; 192 L. Ed. 2d 609 (2015)

[2] 1/23/2004 Letter from the Gov't Accounting Office to then Senate Majority Leader Bill Frist. *www.gao.gov/new.items/d04353r.pdf*

[3] *https://www.irs.gov/Affordable-Care-Act/Individuals-and-Families/Questions-and-Answers-on-the-Premium-Tax-Credit*

[4] *http://obamacarefacts.com/questions/unmarried-domestic-partners-health-coverage*

[5] *https://www.legalconsumer.com/obamacare/topic.php?TopicID=82&ST=FL*

[6] *http://www.irs.gov/uac/Answers-to-Frequently-Asked-Questions-for-Registered-Domestic-Partners-and-Individuals-in-Civil-Unions*

[7] *http://www.aarp.org/health/medicare-insurance/info-04-2008/ask_ms__medicare_9.html*

[8] *http://www.aetna.com/members/fsa/FAQs.html*

[9] See, e.g., *http://www.dol.gov/ebsa/publications/qdros.html*

[10] *https://www.irs.gov/Retirement-Plans/Plan-Participant,-Employee/Retirement-Topics-Qualified-Pre-Retirement-Survivor-Annuity-QPSA*

[11] *https://www.irs.gov/Retirement-Plans/Plan-Participant,-Employee/Retirement-Topics-Qualified-Joint-and-Survivor-Annuity*

[12] *https://www.irs.gov/Retirement-Plans/IRA-Deduction-Limits*

[13] *https://www.irs.gov/Retirement-Plans/Amount-of-Roth-IRA-Contributions-That-You-Can-Make-For-2015*

[14] *https://www.irs.gov/Retirement-Plans/Plan-Participant,-Employee/Retirement-Topics-IRA-Contribution-Limits*

[15] *https://www.irs.gov/Retirement-Plans/Plan-Participant,-Employee/Retirement-Topics-Beneficiary*

[16] SAGE, Out & Visible/The Experiences and Attitudes of *LGBT* Older Adults, Ages 45-75, at 15 (2015).

[17] *http://www.aarp.org/health/medicare-insurance/info-04-2008/ask_ms__medicare_9.html*

[18] *https://www.ssa.gov/planners/retire/yourspouse.html*

[19] *https://secure.ssa.gov/poms.nsf/lnx/0200210004*

[20] SAGE, Out & Visible/The Experiences and Attitudes of LGBT Older Adults, Ages 45-75, at 8 (2015).

[21] *www.Docubank.com*

[22] *https://www.legaldirectives.com*

[23] *http://sageusa.mylegacygift.org/personal-estate-planning-kit*

[24] *https://secure.aarp.org/work/retirement-planning/retirement_calculator.html*