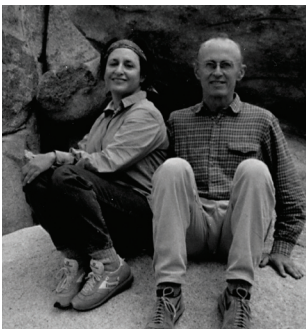


The Evergreen Council News

LEGACY NEWSLETTER OF EARTHJUSTICE • FALL 2012

A STORY OF A LIFETIME OF ENVIRONMENTAL ACTIVISM *How One Couple Fights Against Corporate America*

Diane Balter, who grew up in the piney woods of East Texas, recalls an early fascination with the landscape. When the family moved to West Texas, her passion for the out-of-doors deepened. “The landscape was stark, amazingly minimal, and fragile,” she says. Later, she was captivated by California’s mountains, flora, and fauna.



DIANE BALTER &
MICHAEL MCMILLAN

“Earthjustice represents so many environmental organizations that we gain critical leverage from supporting Earthjustice.”

Balter’s commitment to nature was cemented when she met her future husband, Michael McMillan. “We backpacked into wild places,” she remembers, “with star-filled, velvety black skies. It was thrilling.”

Over time, Michael and Diane have become more and more sensitive to how quickly a pristine area can be ruined.

“We backpacked at Mineral King. That Mineral King could have been lost had it not been for Earthjustice is an important reminder that we must be vigilant.”

Balter and her husband are fighting back. “Solutions are not going to come from corporate America. We have to fight to get our country back from corporations.”

Diane and Michael are giving—now and for the future—to Earthjustice. “Earthjustice represents so many environmental organizations,” explains Balter, “that we gain critical leverage from supporting Earthjustice.”

A docent at the San Francisco Botanical Garden, Balter hopes to inspire, in children and adults, respect and appreciation for the natural world. That same hope has prompted Balter and her husband to include a bequest for Earthjustice in their will.

“Look around,” Balter implores. “How can we not be impassioned? That’s why we support Earthjustice annually and through our will. We hope that Earthjustice can help people like us prevail over the long-term in our fight to save the earth.”

INSIDE THIS ISSUE:

- Preserving Family Harmony
- Sign Your Name—Change the Future

PRESERVING FAMILY HARMONY

Distributing Your Estate Assets Fairly

If you're a parent with children, here is a bit of advice from estate-planning professionals: Before deciding who gets what in your will, think carefully about the emotional legacy you want to leave behind.

Even when a decision to treat loved ones differently in a will is based on sound reasoning, it can cause long-lasting problems for heirs who may believe everything has to be equal to be fair.

One reason for considering unequal shares is the relative success of your children. Or, you might have already helped one child financially more than others. You may also want to leave more to a child that is helping to take care of you.

Clear communication with children is critical. If you're not leaving equal shares, tell the children what you're doing and why. This is also a good time to explain why you've made charitable gifts from your estate to organizations like

Earthjustice. In addition to the financial assets you intend to leave loved ones, you'll be passing on your commitment to a vibrant planet—an inheritance beyond dollars for your children and grandchildren.

Adapted from articles that appeared in the May 2012 AARP Bulletin, by Jane Bryant Quinn, and the Wall Street Journal online, December 12, 2011.

You and Earthjustice Benefit

This chart illustrates the benefits to you and to Earthjustice of making Earthjustice a beneficiary of your retirement plan.

| | Your Heirs | Earthjustice |
|-------------------------------|------------|--------------|
| IRA Gift Amount | \$100,000 | \$100,000 |
| Estate Tax (est 45%) | (\$45,000) | \$0 |
| Income Taxes (est 35%) | (\$19,250) | \$0 |
| Net to IRA Beneficiary | \$35,750 | \$100,000 |

3 Tips for Preserving Family Harmony

1. To reduce the inheritance of a child you are currently supporting, keep track of your gifts so you can document clearly why the inheritance has been reduced.
2. Instead of giving a larger inheritance to a child who is helping to take care of you, pay the child for care or make monetary gifts while you're alive and split the inheritance equally among your children.
3. If you don't want to discuss your plans with your children, leave a letter with your will, explaining your decision. The tone of your letter should be compassionate, anticipating the questions, resentments, and disappointments your children may have.



HELP US STOP ARCH COAL

From undermining the Roadless Rule

One of America's most important environmental victories is in jeopardy!

The federal 2001 Roadless Area Conservation Rule that protected nearly 50 million acres of our nation's last, best forest lands and provided vital habitat for 1,500 wild-life species is threatened.

Over the past 13 years, Earthjustice has fought more than a dozen cases defending this landmark conservation measure against relentless assaults by the timber and mining industries and anti-environment politicians.

This year we stopped an environmentally destructive plan by Arch Coal to expand its existing underground mine directly adjacent to Colorado's West Elk Wilderness. But the U.S. Forest Service is ready to rubberstamp the same project again.

We must act quickly if we're to stop Arch Coal and protect our nation's precious wild lands. Our ability to be vigilant, over decades if necessary, depends on bequests and estate gifts from dedicated supporters like you.

Sign Your Name

Change the Future

Many of us have sacrificed to accumulate retirement savings in expectation of a long and comfortable retirement. Those same frugal habits often result in not using all the money we've saved.

Most retirement plans are highly taxed — income and possibly estate tax — when transferred to others. That's why from a tax perspective, the best charitable bequest gift is often from a retirement plan.

If you designate Earthjustice as beneficiary of your retirement plan you can:

- Leave other, less heavily taxed assets to your family;
- Change your beneficiaries at any time, retaining maximum flexibility;
- Take action without the expense of an attorney. Simply request a change of beneficiary form from your plan provider and include Earthjustice as a full or partial beneficiary.

Because we are tax exempt, 100% of your gift will go to ensuring that future generations can always count on the earth having a good lawyer.

USING *the Right Words*

To include a bequest to Earthjustice in your will or living trust, or to designate us as beneficiary of an IRA or other financial account, simply provide your advisor or financial account administrator with the following information:

"I hereby give (percentage, residuary, share or specific amount or asset) to Earthjustice, 50 California Street, Suite 500, San Francisco, CA 94111." Earthjustice Tax ID: 94-1730465

Supplement your nest egg and support Earthjustice!

Realize Tax Benefits if You Create a Gift Annuity before December 31st

There has never been a better time to deepen your commitment to Earthjustice while receiving an income for life with a charitable gift annuity.



SEE YOUR BENEFITS

To see what your payments and tax savings would be based on your age and gift amount simply contact us to receive a free proposal. We'll send along with it information that describes the many benefits of charitable gift annuities. There is no obligation on your part to learn more.

GIFT ANNUITY PAYMENTS

| If your age is | 75 | 80 | 85 |
|------------------------------|---------|---------|---------|
| Your annual rate will be | 5.8% | 6.8% | 7.8% |
| Your annual payment will be* | \$1,160 | \$1,360 | \$1,560 |

*Payments based on a donation of \$20,000. Rates as of July 1, 2012. Rates are subject to change.

Are you prepared?

Have you taken the right steps to protect your family?

To see if you have the four essential planning documents in place, visit www.earthjustice.org/legacy/docs.


Please consult your qualified financial or tax advisor before making any gift.





WE'RE HERE TO HELP

For assistance in crafting your personal legacy, for more information, or to notify us that you have included Earthjustice in your plans, please contact us.

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