



SUMMER 2022

Estate Planning with Virtual Currency - Things to Consider

The Internal Revenue Service currently treats virtual currency (for example, Bitcoin, Litecoin, Ethereum, and Dogecoin) as property and not conventional currency (i.e. cash). As such, general tax principles applicable to property transactions apply to transactions involving virtual currency. For example, an exchange or sale of virtual currency, just like an exchange or sale of real property, can lead to capital gains or losses. When preparing an estate plan or administering an estate, it is important to view any virtual currency as property rather than currency.

If you own virtual currency as part of your asset portfolio, you may need to update your estate planning documents to ensure your documents include the requisite information concerning your virtual currency. Despite the current market, virtual currency is an asset that is here to stay and requires special consideration in your estate plan.

Because virtual currency is a unique asset, you should consider the following questions when preparing your estate plan:

1. Who do I want to receive my virtual currency assets?
2. Where will I store my memorandum detailing a description of my virtual currency assets and instructions for accessing the assets and the related passwords?
3. Have I chosen a trustworthy fiduciary capable of accessing and distributing this asset?
4. Do my estate planning documents include a provision specifically authorizing my fiduciary to access my virtual currency accounts?
5. Do I have a financial power of attorney? If so, does it include authority for my agent to manage my virtual currency?

We have experience working with virtual currency from an estate planning perspective and would be happy to discuss any updates that you may need to your documents.



Goddard Hawkins partners with clients on estate planning, and trust and estate administration matters, including related issues in real estate, business and tax law, and charitable planning.

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Expansion of Practice to Include Premarital and Marital Agreements

We are excited to announce that we are expanding our practice to include premarital and marital agreements. Our services include the preparation, negotiation, and review of the agreements. If you or a loved one would like to discuss the benefits of premarital or marital agreements, or need to have a current agreement reviewed, please contact our office.



Left to right: Emilie Denton, Elizabeth J.M. Howard, Miranda K. Hawkins, Jennifer A. Gordon, and Kaitlyn Reitz-Beemer.

Firm News

- We continue to be fortunate to work with a strong team. Kaitlyn Reitz-Beemer was promoted to full-time paralegal and we recently welcomed Emilie Denton to Goddard Hawkins as our office manager.
- We are excited to offer a new and convenient online credit card payment option for our clients via a LawPay link that will appear on your emailed invoices. We will continue to accept checks as a form of payment.
- For the fifth year in a row, Miranda K. Hawkins was selected by her peers to the Colorado Super Lawyers list as one of the top 5% of attorneys practicing estate planning and probate in Colorado in 2022, as published in 5280 Magazine. Miranda also received the 2022 Five Star Investment Professional Award for the third year in a row.
- Jennifer A. Gordon joins the Metro Volunteer Lawyers Power of Attorney Program to help low-income seniors complete advanced planning documents, including powers of attorney and living wills.