

# Opinion

**gato** journalnow.com  
click on **opinion**

## Scorecard

# Trump and birthright citizenship

Scorecard looks at one event this week: Donald Trump calls for an end to the constitutional right of birthright citizenship for the children of undocumented immigrants, forcing his fellow GOP presidential candidates to respond to the issue.

**Clint Johnson:** “0. I doubt Trump even knew American citizenship based on being born here is specifically mentioned in the Constitution.

“I can’t imagine voting for him. If it came down to him or Clinton, I likely would not vote at all for the first time in my life. I would not want to share the blame for electing either one of the worst candidates to ever contest the presidency. Either one would be a disaster for the future of the country.”

**Bobbie Barron:** “4. I think the odds of repealing the 14th Amendment’s citizenship clause would be extremely difficult because it would require the votes of two-thirds of both houses of Congress and support from three-fourths of the nation’s state legislatures, as Fox News reported.

“Since 2011, Republicans in Congress have failed to pass bills aimed at ending ‘birthright citizenship’ and I believe Trump would find it more difficult than he’s thinking it will be.

“Also, who is going to pay for sending millions of families back to their home countries?”

**Jim Monroe:** “8. Trump is zeroing in on some of the most difficult-to-understand American policies. That is the reason for his grassroots popularity.

“Why should the child of two people who have entered the United States illegally automatically be a citizen simply because the birth happened to be in the United States? I have personally never understood the thinking behind that one.”

**Tony Gagliardi:** “10. The heart of the issue is that if someone is here illegally then the offspring of those illegal persons are illegal also. The law was never intended to circumvent that fact. Obama refuses to do the job he swore that he would do and thus the problem gets worse by the day.

“Obama should be removed from office, but the Republicans in power do not have the courage to do their job either and need to be replaced also.”

**Nan Griswold:** “0. Little if any chance that there will be a constitutional amendment by Congress to change birthright for children born in the United States of illegal immigrants. I do not agree with most of what comes out of Donald Trump’s unfiltered mouth. I know that he is leading in the polls for now, but we are over a year away from the election and his following will decrease as the campaign moves on.

“It is his disregard for humanity unless they are a billionaire or millionaire that makes him not a worthy candidate, besides the fact that he has never been elected to public office and has no experience in domestic or foreign policy. I certainly could not trust him on any important issues such as immigration reform regarding the welfare of our country and other countries. Trump alienates other countries, which certainly is not what the president of the United States is elected to do.”

**JoAnn Dunn:** “3. This question will give liberals a heyday as they express utter disdain for Donald Trump. Obviously, there would be way too long a process to overturn a constitutional amendment guaranteeing citizenship to children born to illegals in the U.S., and there are very few citizens who would support such an attempt. What is true is that something must be done about our open borders, and Trump’s popularity is an expression by the American people of how disgusted they are with the solution our president has: let them in, take care of them, give them citizenship and get them registered to vote before 2016.

“What Obama wants is an even larger group of people dependent upon the government that would swell the Democratic rolls and give them permanent control of our country.”

**Hayes McNeill:** “3. When a Trump exploits his celebrity and wealth to game the political system, he’s calculating that he can mold and exploit the unarticulated rage simmering among far right-wing voters. That he has no workable plan for immigration is unimportant to this population; they are looking for someone to blame for damage done to them by our economic system — which itself has been gamed by Wall Street big money. For now, the spoiled child Trump has figured out how to manipulate his rants to his political advantage. But bubbles always burst.”

**Carroll Leggett:** “0. It says a lot about the huge field of Republicans seeking their party’s nomination that Donald Trump can set their agenda each day by tossing out some half-baked notion and making them react to it. On this matter, I say defer to the wisdom of the founding fathers. I cannot say that I knew the founding fathers, but Donald Trump is no founding father. And I can say that, in my opinion, he is not in their league and should have enough respect for them to leave their work alone.”

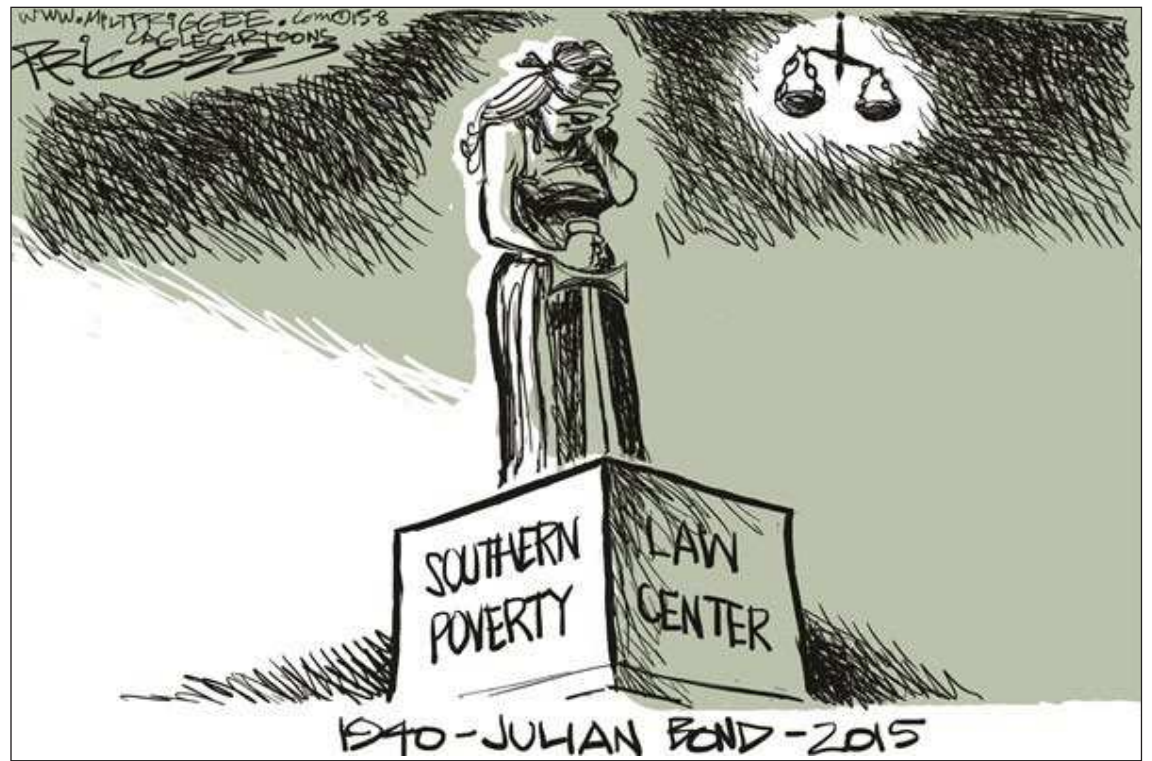
See more Scorecard responses at [journalnow.com](http://journalnow.com).

**WINSTON-SALEM JOURNAL** [journalnow.com](http://journalnow.com)

<b>Kevin Kampman</b>	Publisher	<a href="mailto:kkampman@wsjournal.com">kkampman@wsjournal.com</a>
<b>John Railey</b>	Editorial Page Editor	<a href="mailto:jrailey@wsjournal.com">jrailey@wsjournal.com</a>
<b>John X. Miller</b>	Managing Editor	<a href="mailto:jmiller@wsjournal.com">jmiller@wsjournal.com</a>
<b>Gail Whiting</b>	Vice President of Sales	<a href="mailto:gwhiting@wsjournal.com">gwhiting@wsjournal.com</a>
<b>Tommie McLeod</b>	Circulation Director	<a href="mailto:tmcleod@wsjournal.com">tmcleod@wsjournal.com</a>
<b>Frank B. Clayton</b>	Production Director	<a href="mailto:fclayton@wsjournal.com">fclayton@wsjournal.com</a>
<b>David H. Stanfield</b>	Controller	<a href="mailto:dstanfield@wsjournal.com">dstanfield@wsjournal.com</a>

“We stand firmly with Winston-Salem and our region. We’ll demand accountability and vision from our leaders, and we’ll try to provide you, our readers, with the same. We’ll advocate, celebrate, commiserate, berate and sometimes aggravate. But we will never hesitate in voicing our opinion of what’s best for Northwest North Carolina.”

— The Journal Editorial Board



## The Readers' Forum

RUDY DIAMOND, LEWISVILLE

### Women in the electorate

A majority of women have voted for the Democratic candidate for president in every election since 1992. That is why it is surprising that right-wing Republican attempts to swiftboat Planned Parenthood are being supported by the GOP presidential candidates (with the exception of Donald Trump). In a recent poll by Hart Research, only 27 percent of women had a negative view of Planned Parenthood.

Swiftboat-style videos purported that Planned Parenthood sells the body parts of aborted babies. That is a bald-faced lie. It is lawful for women receiving abortions to donate fetal tissue to the researchers. These reimbursements do not equate to the selling of body parts. I have never heard of a funeral home being accused of selling body parts when it charges a nominal fee for transporting a body to Wake Forest for medical research.

Attacks on Planned Parenthood will be one detriment to Republican attempts to capture women's support in 2016. According to Pew Research, 64 percent of women oppose overturning Roe v. Wade. Yet some GOP presidential candidates favor outlawing abortion even in the case of rape or incest. Until the Republicans realize that the majority of American women support legal abortion and want the government out of women's personal health-care decisions, they will not garner the support of the women electorate.

◆◆◆

SHERRI GOODE, CLEMMONS

### Our children's education

I was very fortunate to have been provided with an excellent education by the wonderful state of North Carolina and I am doing all I can to see that my children do as well. I am very concerned about the delay in passing this year's state budget and the impact of that delay on my children's education.

I have asked state Rep. Donny Lambeth and state Sen. Joyce Krawiec to do everything in their power to see that the budget is approved as soon as possible and that the budget does not defund positions for teacher assistants and primary reading teachers. I agree that decreasing class sizes is

very important but that will not happen before the beginning of this school year, as most schools in our area are at capacity already and there is simply nowhere to house new classrooms.

As a dedicated volunteer in our public schools, I can personally attest to the value that the teacher assistants and primary reading teachers provide to our schools. Losing them would cause a severe setback in our gains in reading achievement and further demoralize our educators.

◆◆◆

PERRY MITCHELL, WINSTON-SALEM

### Going to war

I would like to offer a word of praise for Earl Crow and his Aug. 15 column “Should Christians engage in war?” I’m not sure I would agree that Christians should never go to war, but for any follower of Jesus, seeking peace and condemning the murder and torture of war should surely be the starting point and the default mode. Unfortunately, I expect Crow’s column to be criticized by a portion of his church-going readership; it is, unfortunately, bold for someone to take a stand against war in this day and age — just as bold as it was for Jesus to tell his followers to turn the other cheek to the occupying Romans.

The Bible refers to Jesus as “the prince of peace,” and it baffles me how willingly and, in some cases, eagerly, those who claim to follow him are to fight and kill — sometimes even in his name. Surely it is an apostasy.

Crow quoted Jesus extensively in his column, but many Christians today have learned how to wrangle their way around Jesus’ words. It will be interesting to see how many of them attempt to do so in your readers’ forum.

### When You Write

The Journal encourages readers’ comments. To participate in The Readers’ Forum, please submit letters online to [Letters@wsjournal.com](mailto:Letters@wsjournal.com). Please write “The Readers’ Forum” in the subject line and include your full name, address and a daytime telephone number. Or you may mail letters to: The Readers’ Forum, P.O. Box 3159, Winston-Salem, NC 27102. Letters are subject to editing and may be published on [journalnow.com](http://journalnow.com). Letters are limited to 250 words. Letter writers are allowed one letter every 30 days, but writers may respond to “Sum It Up” every week.

# Seniors, others being sold unneeded living trusts at concerning rate

BY VANCE PARKER

Guest columnist

A CPA colleague of mine recently asked me to help a senior, widowed client of his with her estate planning. At the beginning of our first meeting, she handed me a huge brown notebook with 15 tabs weighing 10.8 pounds and explained to me that her deceased husband had been aggressively sold a \$3,000 living trust and other documents by an Indiana company, with the participation of equally aggressive North Carolina lawyers.

Because this client and her deceased husband had only simple, modest estates, well under \$500,000, my CPA colleague and I knew that both our client and her deceased husband may have been sold unneeded legal documents, which can be considered a form of Elder Financial Abuse (EFA).

This type of straightforward estate-planning client may frequently be protected by a less expensive simple will, containing a testamentary trust (a trust which becomes effective at death), if needed.

Recently, I informally polled my conscientious colleagues who practice estate planning. All agree that the production and sale of revocable living trusts (RLTs) to clients who don't need them remains a substantial

problem. When these RLTs are poorly drafted, they can require significant attorneys’ fees to administer or unravel.

Financial celebrities (such as Suze Orman) have popularized the RLT as one of the “must-have” legal accessories for the new millennium, claiming an almost magical ability to shield assets from probate costs. But celebrities rarely spend much time pondering details. In North Carolina, revocable living trusts, which are more expensive and more complex than simple wills, are frequently unneeded because probate fees are very reasonable here, and both probate fees and legal expenses may be reduced with some basic estate planning strategies.

The following assets do not pass through probate in North Carolina, and thus are not subject to probate fees:

- ◆ Real property held by joint tenants with right of survivorship, or by married spouses as a tenancy by the entirety
- ◆ Life insurance for which a beneficiary/beneficiaries are named
- ◆ Retirement accounts where a beneficiary/beneficiaries are named
- ◆ Bank accounts held jointly with right of survivorship
- ◆ Bank accounts with a Payable-On-Death (POD) beneficiary/beneficiaries

◆ Stocks, bonds and other securities with a Transfer-On-Death (TOD) beneficiary/beneficiaries

North Carolinians can ensure that many of their assets will avoid probate with some basic estate planning. Institutions such as banks, brokerage firms and insurance firms are happy to help clients designate beneficiaries for their accounts, which will simultaneously keep the assets out of probate.

To estimate North Carolina probate costs, one should first convert as much of his or her property as reasonable into the categories outlined above, which avoid probate entirely.

RLTs are definitely not a one-size-fits-all solution. The need for an RLT should be determined on a case-by-case basis by the attorney. RLTs may be suitable when:

- ◆ The estate is large or complex
- ◆ The estate contains certain valuables that the grantor does not want publicly disclosed during probate, including collections such as art, coins, jewelry, guns or other valuables subject to theft
- ◆ Used in appropriate elder law applications, an RLT may be used to protect the assets of a grantor who is expected to become incompetent.

Vance Parker is an elder-law and estate-planning attorney in Winston-Salem.