

## The Law Firm Review

A Publication for Plan Sponsors and Retirement Plan Professionals

## **Stuff That Prospective 401(k) Plan Providers Tell You That's True.**

They are not lying.

A New Year's resolution is a promise that a person makes to achieve one or more personal goals, projects, or the reforming of a habit. The big deal about a New Year's Resolution is that it is made in anticipation of the New Year and new beginnings. Aside from losing 42 pounds on Slim-Fast in my senior year of high school, I have never kept a New Year's resolution and the only harm is to myself for not keeping a promise. Plan sponsors who intend to make



New Year's resolutions aren't so lucky; their broken promises can get themselves in a whole lot of hot water and financial liability. So this article is about what New Year's resolutions plan sponsors should make and keep in helping them minimize their fiduciary liability.

For the article, click here.

#### The Conduct Code for Retirement Plan Sponsors. Rules to follow.



When we were in school, there was a conduct code. For some of us that have occupations that require a license, we have a code of conduct to follow as well. Unfortunately for plan sponsor, no one ever tells them that their conduct or lack thereof can have some bad consequences. So this article is supposed to act as a Conduct Code, so you can follow it and turn your retirement plan from something that can be a liabil- ity pitfall into something that can be used as a tool to recruit and retain treasured employees.

To read the article, please click here.

### **Stuff That Won't Help A Retirement Plan Sponsor Limit Their Liability.**

These things won't work.

A seat belt in a car is useless if the driver or passenger isn't wearing it. A smoke detector is useless if the batteries are dead. Vitamin C won't prevent a cold and putting paper on your forehead won't cure hiccups. For a retirement plan, there are many things that won't limit liability if they aren't used and there are other things that will never limit a plan sponsor's liability even though it's advertised that it will. So this article is about stuff that won't limit a plan sponsor's liability.



To read the article, please click here.

### End of Year Tips for The 401(k) Plan Sponsor.

Stuff to get ready for the 2015 Year



With Thanksgiving done, we look to the holidays and the New Year. While many of us are busy shopping for loved ones, many businesses and individuals have their eye geared to- wards next year. As a retirement plan sponsor, you have the fiduciary responsibility to look over your plan and part of looking over the plan is preparing for the future. This article is about what end of year planning you as a plan sponsor should be doing in maintaining and improving your retirement plan for the coming new year.

To read the article, please click here.

# Plan Sponsor may be wise to get a second opinion.

Always good to get another look.

If you don't feel right and you go to the doctor and you get some grim or fantastic news about your health, isn't it a good call to get a second opinion? Especially with certain types of cancer, speaking to a different doctor may lead to a confirmation of your diagnosis or an alternative that can be a better course of treatment.

Yet when it comes to retirement plans and advice from potential plan provides, plan sponsors never ask for a second opinion. That can be harmful when the potential



plan provider is advising something that is against the rules set forth by the Internal Revenue Code and puts the plan sponsor in great harm.

One of my top clients (who is a leading plan fiduciary) advised me that a plan sponsor was being advised by a third parry administrator who also double as insurance salesmen (not a good fit) that it was OK for a plan design that only offered a life insurance benefit to highly compensated employees. The problem is that there is rule called benefits, rights, and features that bar any benefit, right, or feature that is discriminatory in favor of highly compensated employees. If this plan sponsor doesn't get a second opinion and buys this magical bean of insurance only for the highly compensated employees, then they maybe in a rude surprise if the plan ever was audited by the Internal Revenue Service

Whenever a plan sponsor gets an out of the box plan design solution, a second opinion is just always a good idea.

#### Comedy Show, Saturday, February 7th.

Sal "The Stockbroker" Governable from The Howard Stern Show.

For those in the Long Island/NYC area, I hope you can join me for a great night of comedy on Saturday night, February 7, 2015 at 7;30 pm with Sal "The Stockbroker" Governale who his well known for his comedy bits and phony phone calls on The Howard Stern Show, as well as his own YouTube cooking show "Big Meals, Small Places". This event that I am running is for the benefit of my synagogue, Congregation B'nai Sholom-Beth David in Rockville Centre.

Tickets are \$40 per person. There will be raffles including a 50/50 raffle.

Free babysitting available. Free Beer, Wine, Soda and Snacks.





If you would like to sponsor the event or donate something for the raffle, please see the attached sponsorship form.

To sponsor or order tickets online click here.

I appreciate any help in what I think will be a great event.

Find us on Facebook f Follow us on twitter View our profile on Linked in

The Rosenbaum Law Firm Review, January 2015, Vol. 6 No. 1

The Rosenbaum Law Firm P.C. ary@therosenbaumlawfirm.com www.TheRosenbaumLawFirm.com 734 Franklin Avenue, Suite 302 Garden City, New York 11530 Phone 516-594-1557 Fax 516-368-3780

Attorney Advertising. Prior results do not guarantee similar results. Copyright 2015, The Rosenbaum Law Firm P.C. All rights reserved.