

ZACH HESSELBAUM

People Skills, Tax Plans Protect Client Lifestyles, Legacies

by Chris Bailey

AURORA—Families and riddles. Serving and solving. Those are the pillars of Zachary J. Hesselbaum's life, both personally and professionally at Law Hesselbaum LLP in Aurora.

Toss in a memory wired like that of Los Angeles Rams Head Coach Sean McVay and you begin to understand how few details escape Hesselbaum. McVay is considered somewhat of an NFL savant because he can recall every play he has ever called and when he called it.

"Zach can meet someone once and will remember the name years later," says his wife, Kelly, a social worker at Geneva High School. She says he can recall details from their relationship long lost to her. She also says that when they went on a cruise, Zach participated in a sports trivia contest.

"He was so upset that he got second place," she says, laughing. "But he also has the best social skills of anybody I've ever met. He can engage with just about anybody and find a way to connect."

"He's the family historian," says Kelly, who emphasized that she, not Zach, is the family handyman.

Hesselbaum is likely to know the McVay storyline well because he's an inveterate sports fan. He supports two teams that have had dark days recently but seem poised to rise again soon—the Chicago White Sox and the Dallas Cowboys. Sports also led him to the law.

"I saw *Jerry McGuire* and wanted to become a sports agent," says Hesselbaum, of the movie based on the book *A Shark Never Sleeps* about agent Drew Rosenhaus. "I stayed on that path for a while."

Raised in Oswego, he attended Valparaiso University in Valparaiso, Indiana, graduating *cum laude* with a bachelor's degree and a double major in political science and philosophy. He received his J.D. from the Valparaiso University School of Law and then an LL.M. in taxation from DePaul University College of Law. Although he met Kelly at Valparaiso—a big plus for him—it was also where his sports agent dream eventually died.

"Law school showed me that the movie portrayed just about the opposite of what



sports agents really did," says Hesselbaum, noting that they spend most of their time in a room, poring over piles of paper. "I wanted to work more directly with people, and I didn't want to work for a big firm."

When he was a little unsure of where those desires might take him, an uncle suggested he talk to Rick Law of Law Elder Law in Aurora, a firm focused on family asset preservation, trusts, wills and estate planning.

"I asked to shadow him," says Hesselbaum. "They made me a summer intern and later a law clerk. I found I was able to help people in this area of the law. They offered me a position before I went back for my third year of law school."

Thus, Hesselbaum found himself working in his old stomping grounds for clients worried about survival, money and legacy, the same issues that concern a sports agent, but on behalf of those decidedly less famous.

EACH CLIENT OFFERS NEW RIDDLE

"His family members are all Aurora lifers," says wife Kelly. "I think having his name on a business in Aurora makes him very proud." He certainly acts comfortable.

"Now I feel like I'm where I should be," says Hesselbaum. "Every family is different. Each family presents a different riddle. I have a basket of legal tools that I use differently for every family. I try to help them keep more of what they have worked for."

That's not always easy in the face of \$10,000 per month nursing home fees, medical issues, including Alzheimer's disease, and tax laws that

seemingly change on a whim, he says. In other words, it is very easy for someone at the end of life to find themselves without enough cash to maintain a lifestyle or get proper medical or home care, or worse, leave their children with tax liabilities they can't afford.

"I want to hit a home run for those families," says Hesselbaum. "I like to help families protect real dollars. If they own property, I can usually do something for them."

Hesselbaum says he was able to help a woman with a modest condominium, some savings and some government bonds to reposition assets in a way that made the "future safe for her and provide a small family legacy. She was very proud."

Hesselbaum says that about 10% of his cases involve feuding siblings fighting for pieces of a limited pie.

"It might never be clean or easy," says Hesselbaum of such disputes. "There can be hurt feelings and big fights, but I follow the document and try to be very upfront with them."

Other difficult cases involve those who might not have the capacity to make decisions for themselves. He often uses Diana Law, an in-firm colleague with special knowledge of guardianship issues, as a sounding board.

"You have to be an open book to be sure the assets are used to take care of Mom or Dad," says Hesselbaum.

He also spends a good deal of time educating himself and staying current with Veterans Administration benefits, which are ever-changing but can be valuable to some clients.

“VA benefits have changed the most since I started in the law,” says Hesselbaum. “As the use of benefits became more popular, the restrictions grew. In 2018, the VA implemented new rules that greatly limited access to benefits.”

But he calls the Aid in Attendance provision in those benefits “the biggest-kept government secret. It can help with medical costs when you are older.”

To be eligible, he says, one needs to have a discharge other than dishonorable, to have spent just one day on active duty during wartime—the exact dates are defined by federal law—and 90 days on active duty total, or to be a spouse of someone who meets those guidelines. Need can be a factor, too, he says.

“The government considers a person permanently disabled just by reaching the age of 65, so if you need in-home care, that’s usually a good time to investigate the program,” he says.

Another case of which he is proud involved a family wherein the husband was an executive type and had some stocks, but otherwise the family had no real plan.

“We used a charitable donation to help reduce the tax liability,” says Hesselbaum, adding that his master’s degree in taxation felt “weird” at the time but grew to have great value in cases like this one. “Their net worth was higher when they left than when they came in. I was very proud of that.”

NOT FAMOUS, BUT APPRECIATIVE

Though his clients might not be as famous as a sports agent’s, they are no less appreciative.

“I feel so blessed to have him,” says Donna Rolison, a longtime client. “They helped me make sure the money could be there so Mom could be taken care of at home. They showed me ways to protect her money and to have access to it when needed. Zach lifted the future so much.”

Rolison says everyone could use Hesselbaum’s services, even if they don’t think so.

“Looking at their 401(k)s and IRAs, people think they are so secure, but they only see the amount,” she says. “But what matters is protecting it, putting it in places where it will be there for you to use without taxes. The way our economy and government are going, every year something changes. You can easily end up in a higher tax bracket without the money to pay those higher taxes.”

And despite the extreme learning curve, Rolison is grateful that she had a good teacher.

“You’ve got to look at the big picture,” she says. “If I hadn’t gone this route, I couldn’t tell you where I would be.”

Raulene Kuebelbeck, another Hesselbaum client, couldn’t agree more.

“I was taking care of my uncle, who was in his 90s,” says Kuebelbeck. “Zach couldn’t have been more supportive of getting my uncle’s estate taken care of so my uncle would be

taken care of. My uncle had fallen and broken his pelvis, and he needed care. They supported me through everything and couldn’t have been more helpful.”

She says she learned to rely on Hesselbaum, even as circumstances changed, including her uncle’s return to independent living with resources available for his care.

“These issues are so complicated that it’s easy to feel stupid,” says Kuebelbeck, 73, of Elburn. “But Zach never made you feel that way. No question was insignificant, even if I’d asked the same one a couple of months earlier. He always had a smile and wasn’t gloom and doom. He’d put the options out there and let you decide. And he was always very phone or email accessible. He handled my issues with the utmost care. He has respect for what you are going through, and his desire is to help maintain a certain lifestyle.”

Kuebelbeck says she had tons of questions for him, but he never made her feel “inadequate for asking them.”

She says she considers him a “huge asset” to the legal profession, adding that her whole family now uses him.

“If you have contact with him, you are lucky to do so,” she says. And others support that view.

Kerry Peck, of Peck Ritchey LLC in Chicago, has known Hesselbaum since he became a lawyer.

“He’s very talented and extra bright, with high integrity,” says Peck. “He has great people skills and a lot of knowledge of the law. He has been an incredible co-counsel. We rely on Zach heavily.”

Tom Garland is a longtime Hesselbaum friend, a real estate agent and a sales agent for a firm that sells human resources services.

“We’ve been good friends for a long time,” says Garland. Hesselbaum says they met in seventh grade, but Garland thinks it was even earlier.

“He’s the most professional guy I’ve ever worked with,” says Garland. “I’ve referred

people to Zach because he’s a caring person and I trust him. I don’t do referrals very often.”

Garland’s interaction with Hesselbaum extends to the personal, too.

“We have two kids about the same age, so we do family stuff together and just let them all run around,” says Garland, adding that they’ve attended music concerts together as couples and even done family vacations together.

Hesselbaum and Garland also golf together on occasion, without consensus on who is more skilled.

“It depends on the day,” says Garland. “Sometimes it’s Zach, sometimes it’s me. He can drive the ball a long way, but I think if you meshed our two games together, you’d probably have a pretty good golfer.”

A FATHER’S PREDICAMENT

Hesselbaum is into Orangetheory Fitness and participates in an F3 workout group, but his family keeps him on the run as well.

He and Kelly have two children, Rockne, 6, and Brynn, 3. And yes, Rockne is named after legendary Notre Dame Football Coach Knute Rockne. They all live very happily in Batavia.

“Batavia suits us really well,” says Zach. “It feels like home.” And Kelly concurs.

“We love it,” she says. “There are a lot of young families here. We ride bikes along the river.”

But the kids require both parents, and a little help from the grandparents, too.

Kelly says Zach has been “super-involved” in parenting and yes, he does diapers.

“We have super-active, wild children,” she says, laughing at her own description. “We need both sets of hands to keep up with them.”

Zach says they asked his mom to “just give the kids park district gift cards” to help keep them busy in various activities.

Kelly seems amused by the whole experience, while noting her husband’s predicament.

“It means he has to be on his game, at work and at home.” ■



Hesselbaum with wife Kelly Hesselbaum, daughter Brynn and son Rockne