

Date: \_\_\_\_\_

## CONFIDENTIAL ESTATE PLANNING QUESTIONNAIRE

### PART 2: Estate Plan Designations / Provisions (Married Couples)

Name(s): \_\_\_\_\_

#### Estate Planning Overview

1. **Give a brief description of main goals for your estate plan:**  
(For example, “all to spouse and upon spouse’s death, to children”):

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#### Alternate Beneficiaries

1. In the event that your children or primary beneficiaries do not survive both you, please indicate your preference for the distribution of your assets:

- Divide in accordance with state law (one-half to each spouse’s next of kin)
- Distribute to the following individuals in equal shares (or you may indicate different percentage amounts)

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- Distribute to the following charities / organizations:

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## **Specific Gifts**

**1. Please list specific gifts to individuals or institutions:**

(For example, monetary gifts, jewelry, art, heirlooms, or items of sentimental value that you intend a specific individual or charitable institution to receive.)

NAME OF INDIVIDUAL OR INSTITUTION	DESCRIPTION OF PROPERTY OR DOLLAR AMOUNT

## Will Provisions

### 1. Personal Representatives (Executor) to be named:

A Personal Representative administers the estate and is responsible for filing probate and distributing the estate assets. A married couple usually names his or her spouse as the primary Personal Representative and we suggest you name an alternate in the event of your spouse's inability to serve.

a. Person to be designated as Personal Representative:

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

b. First Alternate Personal Representative:

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

c. Second Alternate Personal Representative:

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

## **Revocable Trust Provisions (if applicable)**

### **1. Trustees to be named:**

A Trustee is the person who manages the trust and its assets. A married couple usually appoints themselves as the initial Trustees of the trust. Upon the death of one spouse, the surviving spouse will serve as Trustee. We suggest you name a successor trustee to manage the trust upon the death of the surviving spouse.

a. Persons to be designated as initial Trustees:

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

b. First Successor Trustee:

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

c. Second Successor Trustee:

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

### **2. Trust Protector(s) to be named:**

A Trust Protector is someone to keep the trustee accountable and has the power to appoint and remove trustees.

a. Person to be designated as Trust Protector:

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

b. Alternate Trust Protector:

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

## **Trusts and Guardians for Minor Children**

Guardians will care for your children on a day to day basis. The trustee(s) of a children's trust manage the assets set aside for the children. You may choose to name the same person as trustee of your children's assets but you are not required to do so.

**1. Guardian or Co-Guardians (for any minor children):**

- a. Name: \_\_\_\_\_
- b. Relationship: \_\_\_\_\_

**2. First Alternate Guardian or Co-Guardians (for any minor children):**

- a. Name: \_\_\_\_\_
- b. Relationship: \_\_\_\_\_

**3. Second Alternate Guardian or Co-Guardians (for any minor children):**

- a. Name: \_\_\_\_\_
- b. Relationship: \_\_\_\_\_

**4. Do you want a trust for children included in your will or revocable trust?**

Yes  No

**5. If a trust for children is to be part of your will or revocable trust:**

- a. Do you want to require the Trustee to be the same person as the Guardian for the children?

Yes  No

- b. Specify at what ages you want distribution to be made to your children.

(e.g. 10% at age 22, 25% at age 25 and remaining assets at age 35):

\_\_\_\_\_ % at age \_\_\_\_\_

\_\_\_\_\_ % at age \_\_\_\_\_

\_\_\_\_\_ % at age \_\_\_\_\_

- c. Trustee: \_\_\_\_\_

This is the person you want to manage the money for your children. (May or may not be the same person(s) as the Guardian you selected.)

- d. 1<sup>st</sup> Alternate Trustee: \_\_\_\_\_

- e. 2<sup>nd</sup> Alternate Trustee: \_\_\_\_\_

## **Durable Power of Attorney for Management of Assets**

This document allows you to name a person to handle your financial affairs and manage your assets if and when you are incompetent. This is NOT effective after death. It is only used during the period of incompetency. Married couples usually name their spouses as the primary attorney-in-fact and name an alternative in the event that the spouse is unable to serve.

1. Attorney-in-Fact

a. Name: \_\_\_\_\_

b. Relationship: \_\_\_\_\_

2. First Alternate Attorney-in-Fact

a. Name: \_\_\_\_\_

b. Relationship: \_\_\_\_\_

3. Second Alternate Attorney-in-Fact

a. Name: \_\_\_\_\_

b. Relationship: \_\_\_\_\_

## **Healthcare Directive (Living Will) and Durable Power of Attorney for Healthcare**

This document allows you to name a person to make healthcare decisions on your behalf if and when you are incompetent. This is NOT effective after death. It is only used during the period of incompetency. Married couples usually name their spouses as the primary attorney-in-fact and name an alternative in the event that the spouse is unable to serve.

1. Agent (Attorney-in-Fact)

- a) Name: \_\_\_\_\_
- b) Relationship: \_\_\_\_\_
- c) Address: \_\_\_\_\_  
\_\_\_\_\_
- d) Home / Cell Phone: \_\_\_\_\_

2. First Alternate Agent

- a) Name: \_\_\_\_\_
- b) Relationship: \_\_\_\_\_
- c) Address: \_\_\_\_\_  
\_\_\_\_\_
- d) Home / Cell Phone: \_\_\_\_\_

3. Second Alternate Agent

- a) Name: \_\_\_\_\_
- b) Relationship: \_\_\_\_\_
- c) Address: \_\_\_\_\_  
\_\_\_\_\_
- d) Home / Cell Phone: \_\_\_\_\_

Do you want your condition of incompetence to be determined by one or two physicians? \_\_\_\_\_

### **Burial or Funeral Instructions (Optional)**

Would you like to specify your wishes regarding burial, cremation, a funeral or memorial service?

- Yes       No

If yes, please indicate instructions you wish to be followed. If you have already prepared such instructions, please attach:

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