



## Estate Planning Appointment Guide

### This Guide is to Prepare you for your Estate Planning Appointment

What to expect at your Estate Planning Appointment?

- We will start with a few quick questions that allow the attorneys to make a recommendation of either a will or a revocable trust.
- We will then establish two documents you need today - Financial Power of Attorney and Healthcare Power of Attorney.
- We will work together to answer questions to complete your estate plan in the software - naming beneficiaries, guardians, etc.

To make sure that the process is productive, please prepare answers to the following:

**Attorney-in-Fact/ Agent for Healthcare Power of Attorney.** Who would you choose to make healthcare decisions on your behalf in the event you cannot personally make your wishes known? You can name as many as 4, we recommend at least 2.

Who would you appoint to make healthcare decisions for you in the event you are unable to do so yourself?

\_\_\_\_\_  
First Choice/ Full Legal Name

\_\_\_\_\_  
Second Choice/ Full Legal Name

**Attorney-in-Fact/ Agent for Financial Power of Attorney.** Who would you choose to manage your assets not held in trust? This is often the same individual who you name as your executor or successor trustee. Your trustee manages the assets in the trust and your attorney-in-fact/ agent in our financial power of attorney manages the assets outside the trust. You can name as many as 4, we recommend at least 2.

Who would you appoint to pay your bills, write checks, etc. in the event you are unable to do so yourself?

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First Choice/ Full Legal Name

\_\_\_\_\_  
Second Choice/ Full Legal Name

**Personal Representative.** In the event something were to happen to you, who would you choose to be your executor (also known as a successor trustee). Your executor/successor trustee oversees your affairs upon your death or incapacitation. It is wise to name at least two individuals so that if one fails to serve there is an alternate. You can name as many as 4, we recommend that you name at least two.

Who would you name to distribute your personal property and financial / real estate assets upon your death?

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First Choice/ Full Legal Name

\_\_\_\_\_  
Second Choice/ Full Legal Name

**Guardian for Minor Children.** Who do you want to be legally responsible for the care and control of your minor children upon your demise? It is wise to name at least two individuals so that if one fails to serve there is an alternate. You can name as many as 4, we recommend at least 2.

Who would you name to take care of your minor children upon your death?

\_\_\_\_\_  
First Choice/ Full Legal Name

\_\_\_\_\_  
Second Choice/ Full Legal Name

**Dates of Birth.** Make sure you know the dates of birth for all your children.

**General Thoughts on Asset Distribution.** The individuals or institutions who receive your assets upon your death are referred to as beneficiaries. Think through who is to get what.

Consider things like:

- If you were to die today, who is to receive your assets? Are your assets to be divided equally among your living children (this is the most common choice) or via some other arrangement? If that beneficiary was to predecease you, who should be the back-up beneficiary?

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- Is there anyone that you wish to formally disinherit (former spouses are automatically disinherited)?

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- If your beneficiaries are minors, do you want to hold their inheritance in trust so they do not receive all their inheritance at age 18 (think what you would have done with a large sum of

money at age 18)? You can sprinkle out distributions over as many as 3 different ages. For example: Give 20% of their inheritance at age 18; 50% at age 25; and the balance at age 30.

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• In addition to age based distributions, which, if any, of the following conditions do you want to impose on your beneficiaries as a requirement to receive assets? Three options are provided - drug free, alcohol free, gambling free

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• Prior to distributing your assets, do you want to make any specific bequests? Specific assets, including digital assets, can be given to specific people and charities. You can also make a specific bequest of an asset or piece of real estate.

Examples: Give the grandfather clock to Sara.  
Give the cabin in Cedar City, Utah to Jason.  
Give \$10,000 to the Alzheimer's Association.

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\*It is not necessary, nor recommended, that you attempt to provide details for who is to receive every little thing. The distribution of smaller, less valuable items is handled in a separate, stand-alone "Letter of Direction" that is referenced in the trust/will.

• Do you have any pets you want to leave to someone? If so, would you like to earmark a dollar amount for the care of your pet(s)?

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• In the unlikely event that everyone you name as a beneficiary dies before you, who is to receive your assets? This is known as your ultimate beneficiary. By default your ultimate beneficiaries are your then living relatives, but you can name specific individuals or institutions, such as an uncle or family friend, or your favorite charity or church.

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**Net Worth:** Please have your approximate net worth.

**Deeds:** If you have them convenient, please provide copies of your deeds to any real property you own.

**Existing Trust:** Please provide a copy of your existing trust, if you have one.