

PERSONAL INFORMATION

Date _____

Husband's Name _____
(name **most often** used to title property and accounts – typically first name, middle initial, and last name – please do not use your full middle name if you do not regularly use it when signing your name – you can include it as an “also known as” name below)

Also Known As _____
(other names used to title property and accounts)

Prefer to be called _____ Birth date _____ US Citizen? _____

Home Address _____ City _____ State _____ Zip _____

Phone _____

E-mail Address _____

Wife's Name _____
(name **most often** used to title property and accounts – typically first name, middle initial, and last name – please do not use your full middle name if you do not regularly use it when signing your name – you can include it as an “also known as” name below)

Also Known As _____
(other names used to title property and accounts)

Prefer to be called _____ Birth date _____ US Citizen? _____

Home Address _____ City _____ State _____ Zip _____

Phone _____

E-mail Address _____

NAME OF TRUST: Typically the family's last name followed by "Family Trust" (e.g., Jones Family Trust). If you prefer a different name for your trust, please provide it here: _____

CHILDREN AND/OR OTHER FAMILY MEMBERS:

(Use full legal name. Use "JT" if both spouses are the parents, "H" if husband the parent, "W" if wife is the parent.)

Name	Birth date	Parent or Relationship
_____	_____	_____
Comments: _____		
_____	_____	_____
Comments: _____		
_____	_____	_____
Comments: _____		
_____	_____	_____
Comments: _____		

REFERRED BY: _____

ASSET INFORMATION

DO YOU EXPECT EITHER SPOUSE’S ASSETS (including life insurance proceeds) TO EXCEED \$5 MILLION AT THE FIRST DEATH? YES NO; TO EXCEED \$13.61 MILLION AT THE FIRST DEATH? YES NO

DO YOU EXPECT YOUR COMBINED ASSETS TO EXCEED \$10 MILLION AT THE SECOND DEATH? YES NO; TO EXCEED \$27.22 MILLION AT THE SECOND DEATH? YES NO

DO YOU OWN REAL PROPERTY (including timeshare interests)? If so, please provide addresses or descriptions:

DO YOU HAVE RETIREMENT ACCOUNTS? If so, please provide descriptions:

DO YOU HAVE (NON-RETIREMENT) BANK AND/OR BROKERAGE ACCOUNTS? If so, please provide descriptions:

DO YOU OWN LIFE INSURANCE POLICES AND/OR ANNUITIES? If so, please provide descriptions:

DO YOU OWN ANY BUSINESS INTERESTS (e.g., general or limited partnerships, LLC membership interests, sole proprietorships, oil interests, farm and ranch interests, privately owned corporations? If so, please provide a description of the business interest and your ownership in the interest.

DO YOU OWN INTEREST IN A MEDICAL, DENTAL, LEGAL, VETERINARY, ACCOUNTING, ARCHITECTURAL, ENGINEERING, OR OTHER PROFESSIONAL PRACTICE IN WHICH YOU PARTICIPATE AS A LICENSED PERSON?

(DOES ANYONE OWE YOU MONEY (e.g., mortgages or promissory notes payable to you, or other moneys owed to you)?

Name of Debtor	Date of Note	Maturity Date	Owed to	Current Balance
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>

DO YOU ANTICIPATE ANY INHERITANCE, GIFT, OR LAWSUIT JUDGMENT? If so, please describe.

Description

SELECTION OF FINANCIAL FIDUCIARIES

IF YOU BECOME INCAPACITATED AND CAN NO LONGER HANDLE YOUR OWN FINANCIAL AFFAIRS, YOUR SUCCESSOR TRUSTEE WILL STEP IN TO HANDLE THEM. YOUR INABILITY TO HANDLE YOUR OWN FINANCIAL AFFAIRS IS TO BE DETERMINED BY:

- Your Attending Physician Your Attending Physician and Spouse
(most common choice) Two Licensed Physicians
- Other _____

WHO WOULD YOU WANT TO HANDLE YOUR FINANCIAL AFFAIRS:

UPON INCAPACITY: If you were incapacitated and unable to make financial decisions for yourself, who would you want to make decisions for you with regard to your property and assets? Married couples typically name their spouse, followed by one or more individuals, corporate trustees, or private fiduciaries.

FOR HUSBAND

Name

Relationship

_____	_____
_____	_____
_____	_____

FOR WIFE

Name

Relationship

_____	_____
_____	_____
_____	_____

UPON DEATH: After your death, who would you want to handle your financial affairs – gathering, appraising, managing assets, paying taxes, if any, and making distributions to beneficiaries?

FOR HUSBAND

Name

Relationship

_____	_____
_____	_____
_____	_____

FOR WIFE

Name

Relationship

_____	_____
_____	_____
_____	_____

If no fiduciary named above is willing or able to serve, can the last acting trustee/fiduciary appoint one?

Estate Plan, Inc.

Phone (949) 497-5056 • Fax (949) 497-7150
LDaff@estateplaninc.com • www.estateplaninc.com

HEALTH CARE FIDUCIARIES AND GUARDIANS FOR MINOR CHILDREN

HEALTH CARE: If you are unable to make health care decisions for yourself, who do you want to make decisions for you with regard to your medical treatment?

HUSBAND'S AGENT

Name	Relationship
_____	_____
_____	_____
_____	_____

WIFE'S AGENT

Name	Relationship
_____	_____
_____	_____
_____	_____

GUARDIAN FOR MINOR CHILDREN: If you have any children under the age of 18, list in order of preference who you wish to be guardian.

Name	Relationship
_____	_____
_____	_____
_____	_____

DISTRIBUTIONS OF PERSONAL PROPERTY AND SPECIFIC GIFTS

USE OF PERSONAL PROPERTY MEMORANDUM: Do you want to provide that your personal property will be distributed pursuant to a written list you may prepare later? Yes No

Any property not listed on the memorandum should be distributed to spouse and then children equally? Yes No

If no, please provide alternate distribution: _____

SPECIFIC GIFTS: If you want to make any specific gifts of real estate or cash to individuals or charities at your death, even if your spouse survives you, please list them here. Indicate whether the gifts are to be made outright or in trust. If an individual gift recipient is deceased, will his/her gift go to his/her descendants (outright or in trust), to charities, to other individuals (outright or in trust), or will the gift lapse and pass with the remainder of the trust?

AT HUSBAND'S DEATH EVEN IF WIFE SURVIVES:

Individual or Charity Amount or Property Manner If individual deceased?

AT WIFE'S DEATH EVEN IF HUSBAND SURVIVES:

Individual or Charity Amount or Property Manner If individual deceased?

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DISTRIBUTION OF DECEASED SPOUSE’S ASSETS AT THE FIRST DEATH (After Specific Gifts, If Any)

At the first death, the surviving spouse’s assets will go into a revocable Survivor’s Trust (to keep the assets out of probate at his/her subsequent death). The Survivor’s Trust is completely amendable and revocable by the surviving spouse. The assets of the first spouse to die will go:

TO THE SURVIVING SPOUSE IN A *REVOCABLE* SURVIVOR’S TRUST (added to the assets of the surviving spouse’s Survivor’s Trust)

TO THE SURVIVING SPOUSE IN AN *IRREVOCABLE* TRUST (If so, please check all that apply):

SPOUSE IS TO RECEIVE:

INCOME ONLY, or

INCOME AND DISTRIBUTIONS FOR HEALTH, EDUCATION, MAINTENANCE, OR SUPPORT, or

INCOME AND DISTRIBUTIONS FOR HEALTH, EDUCATION, MAINTENANCE, OR SUPPORT TO KEEP HIM/HER IN HIS/HER ACCUSTOMED STANDARD OF LIVING AT THE TIME OF THE FIRST SPOUSE’S DEATH, or

OTHER

SPOUSE *DOES NOT* HAVE THE POWER TO CHANGE THE DECEASED SPOUSE’S ULTIMATE DISTRIBUTION OF THE DECEASED SPOUSE’S SHARE TO BENEFICIARIES, or

SPOUSE *DOES* HAVE THE POWER TO CHANGE THE DECEASED SPOUSE’S ULTIMATE DISTRIBUTION OF THE DECEASED SPOUSE’S SHARE TO BENEFICIARIES AMONG:

JOINT DESCENDANTS, or

JOINT DESCENDANTS AND CHARITIES, or

OTHER

SPOUSE *WILL* SERVE AS TRUSTEE OF THE IRREVOCABLE TRUST, or

SPOUSE *WILL NOT* SERVE AS TRUSTEE OF THE IRREVOCABLE TRUST. THE FOLLOWING (IN ORDER) WILL SERVE AS TRUSTEE:

NOTES:

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DISTRIBUTION OF REMAINING PROPERTY AT SECOND DEATH

DIVIDE EQUALLY BETWEEN OUR CHILDREN AND THE DESCENDANTS OF ANY DECEASED CHILDREN

DIVIDE AMONG NAMED INDIVIDUALS and/or CHARITIES (If an individual is deceased, will his/her distribution go to his/her descendants (outright or in trust), to charities, to other individuals (outright or in trust), or will the distribution lapse?)

HOW AND WHEN TO DISTRIBUTE OUR PROPERTY:

DISTRIBUTE OUTRIGHT TO OUR BENEFICIARIES: Does not provide beneficiaries with any protection from creditors, predators, or themselves.

STRUCTURED TRUST: During the period of time the property is held in trust the trustee will make distributions for the beneficiary's health, education, maintenance, or support. You may provide for staggered outright distributions of principal (e.g., 1/2 at age 25 and the remainder at age 30). But outright distributions do not protect the assets from creditors.

LIFETIME TRUST: A lifetime trust can provide more protection from creditors and/or divorce. Check all that apply:

Independent Trustee has complete discretion over distributions (provides maximum creditor protection).

Beneficiary may serve as co-trustee or sole trustee of his/her trust at certain age(s) or stages(s) (provides maximum flexibility). While beneficiary is trustee, he/she may take distributions for health, education, maintenance, or support. If beneficiary resigns as trustee, he/she will appoint an Independent Trustee who has complete discretion over distributions.

Beneficiary may serve as sole trustee of his/her trust at age 25 30 Other _____

Beneficiary may serve as sole trustee of 1/2 of his/her trust at age _____; and over the remainder at age _____

Other _____

REMOTE CONTINGENT BENEFICIARY: Who do you want to receive your property in the remote event that no one listed above is alive to receive your property? Determining the remote contingent beneficiary is not so important that it should cause you to delay completion of your entire estate plan. It can always be changed at a later date.

Default Provision - To each spouse's heirs-at-law (meaning to your parents, or if they are not alive to your brothers and sisters, or if they are not alive to your nieces and nephews, and so on).

To the following named individuals and/or charities: _____

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