

**CONFIDENTIAL
ESTATE PLANNING
ORGANIZER
(MARRIED COUPLE)**



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**CONFIDENTIAL
ESTATE PLANNING INFORMATION**

Personal Information

Husband

Wife

Full Name: _____

Goes By: _____

Birth Date: _____

Date of Marriage: _____

U.S Citizen (yes/no): _____

Social Security Number: _____

Home Address: _____

Home Phone: _____

Employer: _____

Work Address: _____

Cell/Work Phone: _____

Fax number: _____

E-Mail Address: _____

Preferred Form of
Communication: _____

Name of prior spouse
(if any): _____

Dependants other
than children: _____

Mother
(name if living) _____

Father
(name if living) _____

No. of Living Siblings _____

Children

Name	Birth Date	Relationship* to		Married (Y/N)	No. of Children
		Husband	Wife		
1.					
2.					
3.					
4.					
5.					
6.					

* (B) if blood relation, (A) if adopted, and (S) if step relation

Unless specifically stated otherwise, the definition of a child (or more remote descendant) in a will or trust would include only a child (or more remote descendant) for whom a blood relationship exists or who has been legally adopted, and would exclude a child (or more remote descendant) with whom only a step relationship exists. With respect to any child for whom only a step relationship exists, would you like to specify that the stepchild should be treated the same as a blood or adopted child? Yes _____ No _____

Do any of your children have special educational, medical or physical needs? Yes _____ No _____

Do any of your children receive governmental support or benefits? Yes _____ No _____

General Information

	<u>Husband</u>	<u>Wife</u>
Do you currently have a will?	Yes _____ No _____	Yes _____ No _____
Do you currently have a trust that you created?	Yes _____ No _____	Yes _____ No _____
Have you made a power of attorney?	Yes _____ No _____	Yes _____ No _____
Are you a beneficiary or trustee of any trust?	Yes _____ No _____	Yes _____ No _____
Do you hold a power of appointment?	Yes _____ No _____	Yes _____ No _____
Have you ever filed a gift tax return?	Yes _____ No _____	Yes _____ No _____
Are you receiving disability or Medicaid benefits?	Yes _____ No _____	Yes _____ No _____
Do you expect a material gift or inheritance?	Yes _____ No _____	Yes _____ No _____
Do you have a safe deposit box?	Yes _____ No _____	Yes _____ No _____
Do you have a prior divorce that restricts how you dispose of property by will?	Yes _____ No _____	Yes _____ No _____
Do you own insurance on the life of anyone other than you or your spouse?	Yes _____ No _____	Yes _____ No _____
Did you have a spouse who died after 12-31-10?	Yes _____ No _____	Yes _____ No _____
If yes, was an estate tax return filed?	Yes _____ No _____	Yes _____ No _____
Have you lived in a community property state ¹ during your marriage?	Yes _____ No _____	
Do you have a prenuptial agreement?	Yes _____ No _____	

¹ Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington or Wisconsin

Plan Structure

Your estate plan can be structured with either traditional wills or a revocable trust (aka living trust). Visit our estate planning website (www.durrell.com) to learn more about the use of a revocable trust or ask us to send you a brochure describing the use and benefits of a revocable trust. Would you prefer:

Wills _____ Revocable Trust _____ Unsure _____

Fiduciaries

1. **Personal Representative:** The Personal Representative (and successor trustee of your Revocable Trust) is the individual or corporate fiduciary² designated to gather assets of your estate, pay claims, expenses and obligations of the estate, settle the tax liability and distribute the estate as provided in the Will (or Revocable Trust). The Personal Representative will work with an attorney and usually a CPA, life insurance agent and other professionals. A Spouse often serves as the primary Personal Representative, and another individual generally serves as the successor. If possible, we recommend naming a Personal Representative who lives nearby for efficient estate administration. Occasionally, a corporate fiduciary will serve as the successor Personal Representative.

	<u>Husband</u>	<u>Wife</u>
Primary	_____	_____
First Successor	_____	_____
Second Successor	_____	_____

2. **Trustee:** The Trustee is the individual or corporate fiduciary designated to hold, manage and distribute assets placed in any trusts established in the Will or Revocable Trust. Trusts that may be established include credit shelter trusts (to save estate taxes), marital trusts (to hold assets for a surviving spouse) and descendants trusts (trusts established to hold assets for children or more remote descendants). The role of trustee includes authority over investment, distributions and administration. In some cases, a beneficiary may serve as the trustee or more than one trustee may serve. If more than one trustee serves, the role of each trustee must be specified.

	<u>Husband</u>	<u>Wife</u>
Trustee	_____	_____
First Successor Trustee	_____	_____
Second Successor Trustee	_____	_____

3. **Guardian:** The guardian is the individual or individuals who will take custody of your minor children (i.e., children under age 18) when there is no surviving parent. The guardian's role is parental in nature. A child's guardian and the trustee of a child's trust need not be the same person.

Guardian	_____
Successor Guardian	_____

² Corporate Fiduciaries available in Alaska: Peak Trust Company; First National Bank Alaska; and Allen Trust Company.

Dispositive Provisions

1. **Spouse Surviving.** If your spouse survives you, do you desire that your estate passes to your surviving spouse? _____ (yes/no). If no, skip to item 2 below (and we will discuss the legal right a surviving spouse has to a share of your estate).

If yes, do you desire that your assets pass outright or in trust to your surviving spouse?

Outright _____ In Trust _____

If in trust, do you prefer that the spouse or a third party serves as trustee? _____

2. **No Spouse, but Children Surviving.** If you leave no surviving spouse (or to the extent you do not want your spouse to receive your estate), do you desire that your estate passes to your children? _____ (yes/no). If no, skip to item 3 below.

In the case of children who are minors or young adults, a trust is generally established in a Will (or Revocable Trust) to hold wealth for the benefit of the children (or more remote descendants). In the case of mature, adult children, a child's share may be distributed outright (i.e., free of trust) to the child. However, wealth distributed outright would be subject to the risks of a divorcing spouse or other creditors, and may be subject to estate tax at the child's death. So, even in the case of mature, adult children, trusts are frequently established for the benefit of children.

Do you think that a trust for your children might be advisable? _____ (yes/no)

In the case of adult children, each child's share is generally distributed into a separate trust for the child. In the case of young children, a common "pot" trust is frequently established for the collective benefit of the children, which at a specified point in time would splinter into separate trusts for the children. Typical points in time to divide a common trust into separate trusts would be when the oldest child attains age 18 or the youngest child graduates from college or attains age 22.

Would a common trust or separate trusts be advisable? _____ (common/separate)

If a common trust, when should it be divided into separate trusts? _____

A trust (whether common or separate) generally allows the Trustee to make distributions for the health, education, maintenance and support (HEMS) of the children in the Trustee's discretion. Occasionally, a parent wants to establish other guidelines under which the trustee may make distributions to a child. Do you prefer to use a HEMS distribution standard or would you like to specify other guidelines under which the trustee would make distributions?

You may provide for a child's trust to be distributed outright (i.e., free of trust) at specified ages, continue for a child's lifetime with a third party trustee, or continue for a child's lifetime with the child as the trustee at a specified age. If you decide the trust should not continue for the child's lifetime, distributions should be made at the age or ages at which the child can be expected to be able to manage the funds for the child's own benefit and use (for example, one-third at age 25, one-third at age 30, and the balance at age 35). If you decide that the trust should continue for the child's lifetime, the child generally would become trustee of his or her trust at a similar age (e.g., 25 to 35 years old).

Do you prefer that the trust terminates or continues for the child's lifetime? _____

If you prefer that it terminates, at what ages should distributions be made? _____

If you prefer that the trust continues for the child's lifetime, should the child become trustee of his or her own trust? _____ (yes/no). If yes, then at what age? _____

3. **No Spouse and no Children Surviving.** If neither your spouse, nor any of your children or other descendants survives until the complete distribution of your estate (or to the extent you do not want them to receive your estate), please identify below the individuals, or perhaps charitable organizations, to whom your estate should pass and the percentage to be distributed to each beneficiary. If you do not specify a beneficiary, your estate would pass to your nearest living relative as provided under Alaska's intestacy laws. If that is fine, you may skip the balance of this Item 3.

If a specified beneficiary fails to survive you, the share typically would lapse and be added to the share of the survivors. Alternatively, you may prefer that the share pass to the beneficiary's descendants or some other beneficiary. For each beneficiary, reflect whether the share should lapse or be distributed to the beneficiary's descendants or some other person if the beneficiary fails to survive.

Beneficiary	Percentage	Lapse/Descendants/Other Person

4. **Specific Bequests.** The disposition of specific items of tangible personal property (such as jewelry, artwork, antiques, family heirlooms, guns and collections) will be dealt with in a separate written statement. Apart from items of tangible personal property, would you like to make any specific bequests (such as cash, real estate, business interests, or other assets) that would be an exception to the overall distribution of your estate as described in Items 1-3 above? _____ (yes/no).

If yes, please identify below the individuals, or perhaps charitable organizations, to receive the bequest, the item or amount of cash that is the subject of the bequest, whether the bequest should lapse or be distributed to descendants or other individuals in the event the beneficiary fails to survive, and whether the bequest is to be made even if you leave a surviving spouse.

Beneficiary	Item/Cash	Lapse/Descendants/Other	Even if Spouse Survives?

Funeral and Burial/Cremation Instructions

You may wish to include as part of your estate plan specific written instructions regarding your funeral and burial/cremation wishes addressed to your family members. We will provide a separate document for you to handwrite any instructions you may want to leave.

Advance Health Care Directive

We generally prepare advance health care directives for our estate planning clients. An advance health care directive is a directive to physicians regarding the appointment of a health care agent and certain end-of-life decisions. Would you like us to prepare advance health care directives?

Yes _____ No _____

If yes, who should be identified as the health care agent?

Husband

Wife

First Choice:	_____	_____
Second Choice:	_____	_____
Third Choice:	_____	_____

Durable Power of Attorney

In order to address a possible disability circumstance, we generally prepare durable powers of attorney running between the spouses that "spring" into effect in the event of a legal disability. Would you like us to prepare durable powers of attorney for you?

Yes _____ No _____

If yes, who should be identified as the attorney-in-fact?

Husband

Wife

First Choice:	_____	_____
Second Choice:	_____	_____
Third Choice:	_____	_____

Should the attorney-in-fact have the power to make gifts of your assets? Yes____ No____

If yes, should the power be limited to be consistent with your prior giving patterns? Yes____ No____

Advisors (Name and telephone number)

Investments: _____

Accountant: _____

Life Insurance: _____

Other: _____

FINANCIAL INFORMATION

Personal Residence/Recreation Property

Description	Owner Code*	Market Value \$	Liability \$	Equity \$

Other Real Property

Description	Owner Code*	Market Value \$	Liability \$	Equity \$

Cash (Checking, Savings, CD's, Money Market Accounts, Treasury Bills)

Description	Owner Code*	Market Value \$	Liability \$	Equity \$

Marketable Securities (Stocks, Corporate Bonds, Municipal Bonds, Mutual Funds)

Description	Owner Code*	Market Value \$	Liability \$	Equity \$

Business Interests (Closely-held Business, Investment Partnership)

Description	Owner Code*	Market Value \$	Liability \$	Equity \$

Annuities (Tax Sheltered Annuities)

Description	Owner Code*	Market Value \$	Liability \$	Equity \$

Notes Receivable (Escrow Accounts, debts owed to you)

Description	Owner Code*	Market Value \$	Liability \$	Equity \$

Tangible Personal Property (List specific items of significant value, e.g., automobiles, coin collections, artwork, antiques, grand piano, jewelry)

Description	Owner Code*	Market Value \$	Liability \$	Equity \$

Debts (List any debts you owe not reflected above)

Description	Obligor (Husband, Wife or Both)	Amount \$

Owner Codes:

H = Husband

W = Wife

JWROS = Joint (with right of survivorship)

JWOROS = Joint (without right of survivorship)

CP = Community Property

TIC = Tenants in Common (no right of survivorship)

TBE = Tenants by Entirety

O=Other

Life Insurance

- (1) Insured Codes H=Husband W=Wife 1=1st to Die 2=2nd to Die O=Other
- (2) Owner Codes H=Husband W=Wife J=Joint G=Group Ins. T=Trust O=Other
- (3) Primary Beneficiary H=Husband W=Wife C=Children E=Estate T=Trust O=Other
- (4) Secondary Beneficiary H=Husband W=Wife C=Children E=Estate T=Trust O=Other
- (5) Policy Types G=Group P=Personal U=Universal W=Whole Life T=Term O=Other

Insurance Company	(1) Insured	(2) Owner	Beneficiary		(5) Policy Type	Annual Premium	Current Cash Value	Death Benefit
			(3) Primary	(4) Secondary				
a.								
b.								
c.								
d.								
e.								
f.								

Retirement Benefits

- (1) Plan Type PS= Profit Sharing P=Pension B=403(b) I=IRA K=401(K) O=Other
- (2) Plan Participant H=Husband W=Wife C=Community Property
- (3) Primary Beneficiary H=Husband W=Wife C=Children T=Trust O=Other
- (4) Secondary Beneficiary H=Husband W=Wife C=Children T=Trust O=Other

Plan Administrator or Custodian	(1) Plan Type	(2) Plan Participant	Beneficiary		Account Balance
			(3) Primary	(4) Secondary	
a.					
b.					
c.					
d.					
e.					
f.					

DOCUMENT CHECKLIST

Please provide the following documents along with the completed estate planning organizer:

- ❑ A list of (or be prepared to discuss) your goals and objectives.
- ❑ Copies of any prior gift tax returns.
- ❑ Copies of currently effective wills.
- ❑ Copies of any trust agreements for which you are a trustor, trustee or beneficiary.
- ❑ Copy of any currently effective power of attorney (over your personal affairs).
- ❑ Copy of any relevant pre-nuptial or post-nuptial agreement.
- ❑ Copy of any divorce decree that restricts how you dispose of property by will.
- ❑ Copy of most recent financial statement of any closely-held business.
- ❑ Copy of any business buy-sell agreement.