

## **ESTATE PLANNING QUESTIONNAIRE**

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**FAMILY AND PERSONAL INFORMATION**

**General Personal Information**

	<u>Husband</u>	<u>Wife</u>
Full legal name:	_____	_____
Preferred name:	_____	_____
Home address:	Street: _____	
	County: _____	
	City, State & Zip: _____	
	Telephone: (    )       - _____	
	Home fax: (    )       - _____	
	Home e-mail: _____	
Preferred mailing address (circle one):    Home, Home e-mail, Business or Business e-mail		
Birth date (& age):	_____	_____
Soc. Sec. No.:	_____	_____
Citizenship:	_____	_____
Date of marriage:	_____	_____
How long have you lived in Texas?	_____	_____
Occupation:	_____	_____
Employer:	_____	_____
Business address:	_____	_____
	_____	_____
	Bus. Phone: (    )       - _____	Bus. Phone: (    )       - _____
	Bus. Fax: (    )       - _____	Bus. Fax: (    )       - _____
	Bus. e-mail: _____	Bus. e-mail: _____

**Children**

If you or your spouse have children, please list their names and other information below, including whether each child is the husband's only (H), the wife's only (W), or a child of both (B), and whether any child is adopted (A).

<u>Name, Address &amp; Occupation</u>	<u>Gender</u>	<u>Birth Date</u>	<u>H/W/B/A</u>	<u>Net Worth</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Are additional children in the future (including adopted children) even *remotely* possible? \_\_\_\_\_ (Y/N)

**Other Family Members and Dependents**

**Parents:**

You:

<u>Name</u>	<u>Age</u>	<u>Spouse</u>	<u>Address</u>
_____	_____	_____	_____
_____	_____	_____	_____

Your Spouse:

<u>Name</u>	<u>Age</u>	<u>Spouse</u>	<u>Address</u>
_____	_____	_____	_____
_____	_____	_____	_____

**Brothers and Sisters:**

You:

<u>Name</u>	<u>Age</u>	<u>Spouse</u>	<u>Address</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Your Spouse:

<u>Name</u>	<u>Age</u>	<u>Spouse</u>	<u>Address</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Other Dependents:**

<u>Name</u>	<u>Age</u>	<u>Spouse</u>	<u>Address</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Other Advisors**

	<u>Name</u>	<u>Address</u>	<u>Telephone</u>
<b>Accountant:</b>	_____	_____	_____
<b>Broker:</b>	_____	_____	_____
<b>Life Ins.:</b>	_____	_____	_____
<b>Casualty Ins.:</b>	_____	_____	_____
<b>Banker:</b>	_____	_____	_____
<b>Attorney:</b>	_____	_____	_____
<b>Other:</b>	_____	_____	_____

**FINANCIAL STATEMENT**

<u>Assets</u>	<u>Designated Beneficiary</u>	<u>How Titled</u>	<u>Approx. Value</u>
Your home			
Other real estate <sup>1</sup>			
Oil, gas, and other mineral interests <sup>1</sup>			
Stocks, bonds, mutual funds, and other investments (other than retirement assets)			
Cash, CDs, money market accounts			
Automobiles and other vehicles			
Valuable collections/collectibles/heirlooms			
Other household furnishings/personal effects			
Retirement assets, such as 401(k) plans, profit sharing plans, pension plans, IRAs, etc.			
Life insurance (identify insured and show both death benefit <u>and</u> cash value, if any)			
Closely held business interests (describe)			
Other miscellaneous assets (describe)			
<b>Total Assets</b>			

<u>Liabilities (Debts)</u>	<u>Current Balance</u>
Mortgage on home	
Other real estate mortgages	
Personal debt (credit cards, car notes, etc.)	
Accrued taxes	
Other debts	
<b>Total Liabilities</b>	

<b>Net worth</b> for estate planning purposes (Total Assets minus Total Liabilities)	
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<sup>1</sup>Please provide state and county of location.

## SPECIFIC FIDUCIARY APPOINTMENTS

### **Guardian:**

If you have minor children, whom would you want to serve as their personal guardian (to reside with, select schools for, etc.) in the event of the deaths of both you and your spouse? Please list in order of preference.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

When naming couples, consider consequences of death of one or divorce.

### **Executor:**

The executor is the person or entity appointed in your will to represent and administer your estate. Whom would you want to serve as the executor of your estates? List in order of preference.

You:

Your Spouse:

- |          |       |
|----------|-------|
| 1. _____ | _____ |
| 2. _____ | _____ |
| 3. _____ | _____ |

### **Trustee:**

The trustee is the person or entity appointed in your will or trust instrument to manage the assets transferred to a trust for the benefit of its beneficiaries. If a trust is appropriate to your estate plan, whom would you want to serve as the trustee of any trusts? List in order of preference.

You:

Your Spouse:

- |          |       |
|----------|-------|
| 1. _____ | _____ |
| 2. _____ | _____ |
| 3. _____ | _____ |

### **Statutory Durable Power of Attorney:**

A statutory durable power of attorney is a written instrument granting an appointed agent the authority to perform certain specified acts on your behalf. Since a power of attorney confers a great degree of authority and discretion, the agent must be completely trusted. If a power of attorney is appropriate, whom would you want to serve as your agent, including yourselves? List in order of preference.

You:

Your Spouse:

- |          |       |
|----------|-------|
| 1. _____ | _____ |
| 2. _____ | _____ |
| 3. _____ | _____ |

**Medical Power of Attorney:**

A medical power of attorney is a written instrument appointing an agent to make health care decisions when you are incapable of making or communicating such decisions. If a medical power of attorney is appropriate, whom would you want to serve as your agent, including yourselves? List in order of preference.

You:

Your Spouse:

- |    |       |       |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |

**Directive to Physicians:**

A directive to physicians (or living will) is a written instrument requesting your physician not to artificially prolong your life when death is imminent. The directive may also designate an individual to make a treatment decision if you are incapable of making or communicating such a decision. If a directive to physicians is appropriate, whom would you want to make such a treatment decision, including yourselves? List in order of preference.

You:

Your Spouse:

- |    |       |       |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |

**Designation Of Guardian:**

A designation of guardian is a written instrument designating an individual to serve as guardian of your person or estate in the event of your incompetency. Since the guardian of the person would manage your personal care and the guardian of the estate would manage your financial affairs, you may wish to appoint different persons to serve in these capacities. If a designation of guardian is appropriate, whom would you want to serve as your guardian, including yourselves? List in order of preference.

You:

Your Spouse:

- |    |       |       |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |

**FREQUENTLY ASKED QUESTIONS  
ABOUT  
GETTING STARTED WITH YOUR ESTATE PLAN**

***What is the first step in the estate planning process?***

The first step in the estate planning process is to schedule an appointment with an estate planning attorney to discuss your particular situation. The initial estate planning conference provides an opportunity for your attorney to obtain information about you, your family, your assets and your goals and to make some recommendations to you regarding an appropriate estate plan. The meeting will last approximately one hour. At the conclusion of the meeting, the attorney will make recommendations about which estate planning techniques best suit your needs, and will advise you of the fees for implementing these techniques.

***What should I bring with me to the initial conference?***

Please bring the following items:

- A completed financial statement listing your major assets and liabilities (debts), with approximate values. See attached form. **Note:** Be sure to indicate separately “pre-tax” assets (like IRAs and qualified retirement plans) versus “after-tax” assets (like regular investment accounts, money market accounts, etc.).
- A completed personal information sheet. See attached form.
- Copies of your current estate planning documents.
- Copies of documentation relating to any business you own, such as organizational documents and any buy-sell agreement.
- A copy of any will or trust of which you are the beneficiary.
- If you have ever been divorced, a copy of the divorce decree or property settlement agreement.
- Any premarital agreement or other marital property contract.

***What should I think about before meeting with my estate planning attorney?***

The two most basic questions are:

- To whom do you want to leave your assets, and
- Who do you want to name in various positions of responsibility?

With respect to the bulk of your estate, the answer to the first question is often very standard. Most married couples wish to provide first for their spouse and then for their children. Single people with children usually leave the bulk of their estate to their children in equal shares. Unmarried individuals without children should make a list of persons (or charities) they wish to benefit and the percentage share to each.

The answer to the second question can sometimes be more difficult. Usually, spouses name each other first in all positions of responsibility (except as guardian for minor children, which is automatic in most cases). The executors, trustees, agents, and guardians that you name in your estate planning documents should be trustworthy, responsible people (collectively called “fiduciaries”). In some cases, a professional (such as a bank having trust powers or a private trust company) can be named as a fiduciary. You do not need to know exactly who you will name in every position before meeting with your attorney. Your attorney will help advise you in regard to these matters. Preparation of your documents, however, will be advanced if you at least bring with you to the meeting the names, addresses, and phone numbers of all persons who *might* be involved in your estate plan.

***What else should I think about in preparation for the meeting?***

The following issues should be considered and discussed:

- Any particular issues or concerns, such as disposition of your business in the event of your death, or providing for an adult disabled child who is receiving government benefits.
- If either you or your spouse are not a U.S. citizen and if you have lived outside Texas during the period of your marriage.
- If you or your spouse have inherited any assets from someone, and the specific amount and type of assets.
- The current beneficiaries that you have named for your life insurance policies, IRAs and qualified retirement plans.
- If you wish to make relatively large cash gifts or gifts of other valuable assets, a list of those persons and the amount or items that you are considering leaving to them.