

## ESTATE PLANNING QUESTIONNAIRE

Estate planning has a lasting effect on you and your family. What you do now affects what they may have after you die. Your plan may include one or more of these: Will; Advance Medical Directive (A Living Will); Durable Power of Attorney; Life Insurance B especially beneficiary designations; maybe a trust B possibly in a Will; Trust; a Letter of Instruction, Springing Durable Power of Attorney, and an anatomical gift designation (often on your driver's license).

A properly executed Will leaves instructions to a probate court about your intended property distribution. It may provide simple instruction, or may contain a Trust. A Will is especially important for parents with young children. In this situation, you should name a guardian (and preferably an alternate) for your children in case the natural parent also dies while the children are minors. You should consider naming a Trustee to manage your property and properly invest on their behalf. Consider carefully who you trust with these important duties. You should also discuss your wishes with all of those named to ensure that they know that you named them, and what your desires are.

You must plan carefully and think about your situation, family, and desires.

This questionnaire will help organize the information that your attorney needs to advise you and prepare your estate plan.

**Getting started.** You and, if married, your spouse, should read the attached questionnaire. Please bring your completed questionnaire with you when you consult with your attorney.

1. PERSONAL INFORMATION

SELF

a.	Name (first, middle, last)			
b.	Social Security Number			
c.	Are you a U.S. citizen	Yes:		No:
d.	Home Phone	Area code:		
e.	Cell Phone	Area code:		
f.	Work Phone	Area code:		
g.	Email address			

SPOUSE

h.	Name (first, middle, last)			
i.	Social Security Number			
j.	Are you a U.S. citizen	Yes:		No:
k.	Home Phone	Area code:		
l.	Cell Phone	Area code:		
m.	Work Phone	Area code:		
n.	Email address			

2. MARITAL STATUS

Yes	No	
		Married once and spouse alive
		Presently married, and had prior marriage (previous spouse is deceased or divorced) no children
		Presently married and had prior marriage (previous spouse is deceased or divorced) with children
		Widow/Widower
		Divorced, not presently married
		Single, never married

3. CHILDREN

		How many children do you have (including adopted and stepchildren)?
Yes	No	
		If you have adopted children or stepchildren, do you wish to treat them as your natural children?
		Is any child a minor?
		Names (first, middle, last) and date of birth of children
		1.
		2.
		3.
		4.

#### 4. VALUE OF ESTATE

To determine what type of will is appropriate for you, you need to provide a rough estimate of the value of your estate. For this purpose, include the value of all of the property you own in your name, and if married, the value of your spouse's property.

If any of your property secures a debt (for example, a mortgage on your home), include your equity in the property. Also include the value of your life insurance policies (SGLI, VGLI, etc.). Note that life insurance ordinarily does **not** pass according to your will; it will go to the beneficiaries you designated on the insurance forms. However, the value of the insurance is typically included in determining whether estate taxes will apply in your case.

Approximate value of your estate (not including life insurance)	\$
Approximate value of your spouse's estate (not including life insurance)	\$
Value of life insurance (self and spouse)	\$
Total value of both you and your spouse's estates (including life insurance)	\$

NOTE: As of January 2006, estates over the threshold of \$2,000,000 (including taxable gifts) will be subject to Washington State estate taxes and will need estate-planning advice to prepare your will properly.

#### 5. FAMILY FARM/FAMILY-OWNED BUSINESS

Yes	No	Do you have a farm or a family-owned business?

#### 6. REAL ESTATE

Yes	No	Do you own real estate?
		If yes, how do you wish to give your real estate? All to my spouse?
		Different properties to different beneficiaries (below, please list each person, their relationship to you, and which piece of property they are to receive):
		1.
		2.
		3.
		4.
		To pass with the rest of my estate.
		My home to my spouse, and the rest of my real estate to pass with the rest of my estate.
		My home to my spouse for as long as my spouse lives there (life-estate) and then my home and the rest of my estate to pass with the rest of my estate.
		Other:

7. PERSONAL EFFECTS AND TANGIBLE PERSONAL PROPERTY

How do you wish to give your personal property?

	All to my spouse.
	Specific items are to go to specific individuals, with all items not listed passing to my spouse. (Please attach detailed list of items, beneficiaries and their relationship to you.)
	Specific items are to go to specific individuals, with all items not listed passing with the rest of my estate. (Please attach detailed lists of items, beneficiaries, and relationship to you.)
	To pass with the rest of my estate.
	Some other scenario not provided here (please explain).

NOTE: We will need the full legal description and addresses of any properties you wish to transfer through your will.

8. SPECIFIC BEQUESTS

You may elect to make specific gifts of cash, real estate, or personal property to specific people or charities in your will. However, these bequests will be distributed first and may deplete your estate. Also, specific bequests may complicate the probate of your estate if the property given cannot be found at your death. Therefore, if you make any specific bequests, you should only give property or amounts of cash that you are reasonably sure you will possess at the time of your death. If you make no specific bequests, all of your property will pass to your primary beneficiaries.

NOTE: You may leave a separate writing with your will, typically called a letter of instruction,<sup>@</sup> in which you give specific directions to your Personal Representative (Executor/Executrix) about funeral and burial arrangements, notifications to family and friends, upbringing of your children, etc. While this instruction is **not** legally binding in most states, your Personal Representative should try to comply with your desires.

Many states also allow you to make a personal memorandum,<sup>@</sup> in which you can give specific items of personal property to named beneficiaries in a separate writing. While in most states memorandum gifts are **not** legally binding, your personal representative will give these gifts as much weight as state law allows.

Yes	No	
		Do you wish to make any specific bequest in your Will?
		If yes, please list your specific bequest(s) (use back of form if necessary):

9. RESIDUARY ESTATE

The residuary estate is whatever property remains in your estate after debts, expenses of administration, and any specific bequests have been paid. Because many people do not make specific bequests, a residuary estate usually describes all the property that you will leave to your beneficiaries.

A. To whom do you want to leave your residuary estate?

	All to my spouse if he/she survives me, and if not, then to my child(ren) of issue.
	A minimum bequest to my spouse, disinheriting him/her to the fullest extent of the law, with the remainder going to some other person(s).
	All to one specific beneficiary other than my spouse.
	To more than one beneficiary

B. If you have more than one beneficiary, are they:

	Specific people who are to share equally.
	A group of people described as a class (e.g. "my brothers and sisters" who are to share equally.
	Some other unequal division between the beneficiaries (e.g. 50 percent (50%) to one beneficiary and 25 percent (25%) to two others).
	Some other arrangement (please explain):

C. If any of your beneficiaries is a minor, at what age do you want them to receive their gift?

	Eighteen (18)
	Twenty-one (21)
	Twenty-five (25)
	Some other age (please indicate age):

NOTE: Selecting an age greater than 21 will likely require the creation of a Trust, which will cause your estate to incur additional expenses for the administration of the Trust. These expenses would, therefore, diminish the amount of funds available for your beneficiaries.

10. PERSONAL REPRESENTATIVE/EXECUTOR:

The Executor/Executrix (or in Washington, a Personal Representative) is the person who makes sure your estate is settled upon your death. This ordinarily involves going through probate, which is a court-administered procedure for settling an estate.

Probate involves petitioning a court for letters of appointment called Letters of Testamentary, settling creditor claims, finding and distributing assets, and filing any necessary tax returns (state and/or federal). Any adult may serve as your Personal Representative, although many states have a preference for or require an Executor who is a legal resident of the state where probate is conducted. Therefore, if possible, you should select family members or responsible friends who are residents of the same state you claim as your legal residence or the state where you own real estate. It is also advisable to select an alternate, just in case the first person cannot perform in this capacity.

Whom do you wish to have as your Personal Representative?

	My spouse
	My spouse and co-Personal Representative*
	My spouse and successor Personal Representative**
	One Personal Representative other than my spouse
	Two co-Personal Representatives, neither of whom are my spouse
	One Personal Representative and a successor Personal Representative, neither of whom are my spouse**

\*This option is not usually recommended because conflicts can arise between the executors that will complicate the administration of your estate.

\*\* The successor will act only if your first choice is unable to act as your executor/personal representative. We recommend at least naming one successor personal representative.

Please specify name(s), addresses, and phone numbers:

11. GUARDIAN OF MINOR CHILD(REN)

If your child(ren) is/are minors at the time of your death, and if the other natural parent of the child(ren) is not alive or for any reason cannot act as guardian, the court will normally appoint the person(s) you name below to act as legal guardian(s) of the child(ren). The individual(s) named below will have physical control and custody of each child until the child reaches age 18.

If you are divorced, keep in mind the court will ordinarily appoint your former spouse to be the guardian (as the child(ren)=s other natural parent), notwithstanding your direction here. You should still select a guardian, however, in case your former spouse predeceases you or for any reason cannot act as the child(ren)=s guardian.

Do you wish to appoint:

	One guardian for any child when I die
	One guardian and successor guardian
	Two co-guardians
	No guardian is to be appointed under this will
	If you wish to appoint a guardian or guardians, whom do you wish to have named? (Please list name and relationship to you.)
1 <sup>st</sup>	
2 <sup>nd</sup>	
3 <sup>rd</sup> (optional)	

## 12. TRUST (OPTIONAL)

Instead of giving your estate directly to a beneficiary, you may elect to give your estate to a person designated as a Trustee, to hold IN TRUST for the benefit of your beneficiary/ies until he/she/they reach(es) the age you designate. The Trustee will manage the Trust under court supervision. Although the Trustee=s primary purpose is to safeguard the inheritance, the moneys can also be used for any beneficiary=s health, education, welfare, or maintenance, at the Trustee=s discretion. Also, you may create a Trust that Apools@ your estate. Through pooling, your estate and insurance proceeds remain in a single Trust until **all** the beneficiaries reach the age you choose. The Trustee may provide funds from the Trust to each beneficiary as needed. Thus, not all beneficiaries will receive equal amounts from the Trust. Such an arrangement is useful where some beneficiaries will likely need more financial assistance over a longer period of time than other beneficiaries will. A Trust is also advantageous where there is a need to protect assets of your estate from third- parties who may have claims to the assets of one of your beneficiaries.

Yes	No	Do you want a trust? (If Ano,@ skip to Item 13.)

If yes, would this be:

	One trust for the benefit of all beneficiaries
	Individual trusts for each of the beneficiaries
	At what age would you like the trust(s) to terminate?
	18
	21
	25
	Other (please designate age)

Whom do you wish to designate as Trustee (and alternates)? (Please list name and relationship)

1.	
2.	
3.	

Yes	No	Do you want the Trustee to have the power to dissolve the Trust if it becomes uneconomical to maintain it?

NOTE: Selecting “yes” means that the trust assets may be under the guardian’s control if the child(ren) is/are minor(s) when the trust is terminated.

Yes	No	Do you want the Trustee to exercise this power only if the trust is below a specific amount? If yes, what amount? \$

13. DISINHERITING SOMEONE

Yes	No	Do you wish to disinherit someone other than your spouse? If so, whom (please provide the name and their relationship to you)?
		Do you wish to disinherit anyone who contests your will?
		If you wish to disinherit your spouse, do you want your Personal Representative to have the authority to distribute your property, outright or in trust, to minimize any right of election your spouse might have under the laws of any jurisdiction?

14. DISTRIBUTION OF ESTATE TO CHILDREN

- a. With regard to minors who may inherit under your will, do you want their gifts to be:

	Paid at the election of the executor (the executor may pay the child some or all of the gift, at various times, as the executor sees fit, even though the child is a minor).
	Held in Trust until the child is no longer a minor

- b. Hypothetically speaking, if you were to have stepchildren or adopted children, would you want to:

	Expressly include them in your will (treat them the same as natural children).	
	Expressly exclude them from your will	
	Have the will remain silent as to stepchildren and adopted children.	
Yes	No	Is any child of yours in fact a stepchild or adopted child? If so, who? How do you want to treat him/her/them in your will?

15. CHILDREN

Please list your child(ren)'s name(s), date(s) of birth, and whether they are your biological, adopted, or stepchild(ren).

1.	
2.	
3.	
4.	
5.	

16. MILITARY STATUS:

I am:

	Active duty military
	Retired from the military
	Married to someone on active duty
	Married to a military retiree
	A dependent of someone on active duty
	A dependent of a military retiree
	Other (please specify)

If you are on active duty or are the spouse or dependant of an active duty military member, where are you, your spouse, or your sponsor stationed? \_\_\_\_\_

17. PRIMARY BENEFICIARIES

a. Whom do you want to receive all (or the majority) of your estate?

	My spouse, if he/she survives me, and if not, then my child(ren).
	Disinherit spouse (to the fullest extent permitted by law).
	My child(ren)
	My parents in equal shares, or if not, then my siblings in equal shares (please provide names and relationship).
	To these beneficiaries (list name(s), relationship, and percentage of estate to each of the beneficiaries):

18. SECONDARY BENEFICIARIES

If all of the primary beneficiaries you designated in Item 17 predeceases you, or die within 30 days of your death, to whom do you wish to leave your estate (please provide name, relationship, and percentage of inheritance or list of which item(s) are to go to which individuals)?

1.	
2.	

19. ADVANCE MEDICAL DIRECTIVE – LIVING WILL

An Advance Medical Directive or a Living Will is not part of your will at all! But this is a good time to consider whether you want a Living Will, which is more accurately called an Advance Medical Directive or Declaration. This document states that in the event you have a terminal, incurable, medical condition and your life is only being prolonged by means of artificially provided life support, and if you cannot communicate your desires at that point, the Living Will speaks for you so your doctors know and can act upon your desires regarding the termination of life support.

The conditions that trigger the Living Will, and the extent of the medical care to be withdrawn, vary from state to state. Therefore, you should carefully review the language of the Living Will for the state you have chosen and decide if it truly reflects your choice for discontinuing life support. Once executed, the document is effective until it is revoked, which you may do at any time by physically destroying the document, or in an emergency, by verbally revoking it before witnesses who can testify that you did in fact revoke it.

Yes	No	
		Do you want a Living Will?

20. FUNERAL ARRANGEMENTS

You may have a strong desire regarding funeral arrangements (for example, burial or cremation). As a practical matter, your funeral arrangements are likely to have been carried out already by the time your will is read. Finding out after the fact that the arrangements were contrary to your Will may cause some dismay to your survivors. Therefore, it is recommended that you communicate your desires to your next of kin at your earliest opportunity. If you wish, however, your preference may also be recorded in the Will or in a Letter of Instruction. You should tell the appropriate family members of your desires **NOW!**

At the time of my death, I prefer:

		To be cremated
		To have my body given for medical or scientific purposes
		To be buried at a specified gravesite or location at: _____
		Buried at sea
		Other
		I do not wish to express my desires concerning my remains in my will and leave this decision to those who survive me.
Yes	No	
		Do you wish to specify that you desire to donate your body organs for transplant upon death?
		If yes, are you also willing to donate organs and tissue for medical, educational, or scientific purposes?
		NOTE: Many state driver's licenses include a space for you to indicate organ donation. Did you do so on your driver's license?
		Do you wish to specify that, if possible and if it does not place an undue burden upon your family, you prefer to die at home rather than in a hospital?
		Do you wish for a military service?

Any other requests you might have: \_\_\_\_\_