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People put off creating an estate plan because the topic can be difficult to think about. What will happen when you die? What happens if you're in a serious car accident? Who will care for my children? Further, it can also be easy to put off because we all lead busy lives and preparing a comprehensive plan takes effort and time on your part. Setting up the consultation is the first step. To help make the rest of the estate planning process as smooth, quick, and painless as possible, here are the next steps you should take.

### **Step One: Fill out your attorney's intake questionnaire**

When you schedule your initial estate planning appointment, your attorney will send you a confidential estate planning questionnaire that provides the attorney with a general understanding of your family and financial situation. It is designed to make the most efficient use of your time with your estate planning lawyer (and your money), so don't waste it having them fill out the names of your family members, addresses, and contact numbers. Further, taking time at home to fill out all of the financial data requested (instead of doing it off the top of your head as part of a 1-hour meeting) will help ensure that nothing is missed. Keep in mind that your lawyer will be relying on the information you provide in your financial planning and estate planning – if that information is inaccurate or incomplete, their recommendations (and your documents) may not be appropriate.

### **Step 2: Gather your financial documents**

Although not required for the initial consultation, providing your attorney with the following will assist in completing a comprehensive estate plan:

- Financial statements. Provide the first page of your most recent bank and investment account statements (checking, savings, money market, brokerage, pension, IRA, etc.) that show who owns each account, the account numbers, and the balances. This should be your monthly statement, not a printout of your online transactions.
- Business agreements. If you own a company or have an interest in a partnership, your attorney will need to see a copy of your business agreements, including leases and buy-sell agreements.

- Deeds for your real estate. In order to transfer your real property into your trust, your attorney will need to know how the title is currently held and the legal description of the property. To ensure the attorney has this information, provide a copy of the entire recorded deed (typically one to two pages in length). If you cannot find your recorded deed, contact the county's land record's office to obtain one.
- Trademark, patent and copyright registration certificates. Your intellectual property should be assigned to your trust, either directly through the United States Patent and Trademark Office (USPTO) or through a separate assignment.
- Stock certificates. Your attorney will need copies of your stock certificates in order to transfer your stock to your trust.
- Life Insurance policy information. Make sure to present copies of your insurance binders. An insurance binder is typically a one-page document that lists the owner of the policy, the policy number, and the death benefit.

**Step 3: Collect and bring copies of your current estate plan documents and any divorce agreements, premarital agreements, and other relevant contracts.**

If you have previously executed a Will, Trust, Durable Power of Attorney, Healthcare Power of Attorney and/or Advance Health Care Directive, don't forget to bring them with you to your appointment.

Your estate plan should comply with any divorce and premarital agreements. It should also abide by the terms of any other contract you may have signed promising to leave assets to someone in your will.

**Step 4: Choose your fiduciaries**

Your attorney will ask you who you would like to manage your finances and carry out your estate plan should you become incapacitated or pass away. Be careful to select a responsible, honest individual, who manages their own finances well and ideally is local. Select one or two alternates as well. You should also consider who will make your health care decisions for you when you can no longer do so.

**Step 5: Think about how you want your assets to be distributed**

Consider which person or charity should inherit upon your death, in what amounts or which assets. Think about your financial assets and tangible personal property (like cars, boats, collectibles, jewelry, etc.). Also consider alternate beneficiaries as

well, in case your first choice is no longer around at your death. Do not forget about your pets and whether you want to name a guardian for them or leave them to a particular person or institution.

**Step 6: Stick to your appointments!**

Although not a topic many like to think about, procrastination is not your friend when it comes to estate planning. Even if you do not have all the information noted above, that is ok. It is a process that you and your attorney can work through together.