

Client Worksheet for Estate Planning

This document is for your use in preparation for an estate planning consultation. It will help you locate documents you may need to prepare your estate plan, and should help you clarify some of your thoughts on what you want your estate plan to achieve. It may also raise additional issues that you will want to discuss with me. I will use a similar document during your planning interview. While many of these questions relate directly to the preparation of a will, others are to help determine whether additional documents should be completed, or other legal action taken. If you return this document, or make a copy for me, it will be held in the utmost confidence.

Completing this document ensures that you don't overlook anything you'll be asked in your planning interview. Please take some time to go over the form, so you have a sense of what you'll need to know. This will allow you to formulate any questions you may have about the process or the plan. And, if you're married or partnered, it should start the dialog with your partner about your respective and collective wishes before your planning interview.

If you don't understand any of the questions on the worksheet, don't worry. Make a note to yourself, and ask questions in the interview. The most important goal here is to get a handle on what you have and what you want to do with it, as well as to begin to understand some of the broader issues that affect your estate plan.

Please use additional sheets when this form does not leave you enough room, or make notes on the backs of these sheets. While it may seem redundant, each spouse or partner should complete a separate worksheet if you find that one or both of you owns significant assets in just one name. If you have not already done so, you should also complete a New Client Intake Questionnaire.

General Information

Today's Date:	<input type="text" value="MM/DD/YYYY"/>			
Full Name:	<input type="text" value="LAST"/>	<input type="text" value="First"/>	<input type="text" value="Stewart"/>	<input type="text" value="Sr. Jr. II III IV"/>
Date of Birth:	<input type="text" value="MM/DD/YYYY"/>	Legal Gender:	<input type="checkbox"/> M	<input type="checkbox"/> F
Social Security #:	<input type="text" value="000 - 00 - 0000"/>	Birth Gender:	<input type="checkbox"/> M	<input type="checkbox"/> F
County of Residence:	<input type="text"/>			

Citizenship: US Legal Resident of U.S. Other:

Have you ever executed a will in the past? No Yes (If yes, bring a copy with you.)

Do you currently have a Health Care Power of Attorney? No Yes Unsure

Do you currently have a Living Will or similar document? No Yes Unsure

Does anyone currently hold a general power of attorney for you? No Yes Unsure

To the best of your knowledge, do you currently suffer from any chronic, degenerative, or terminal illness, condition, or syndrome that may be cause for:

No Yes Urgency in the preparation and/or execution of your will?

No Yes Questions about your mental state? (E.g., Alzheimer's, Memory Loss)

Marital Status

Check all that apply. Fill any relevant blanks.

- I have been married. I have been married more than once.
 I am currently married.

This is my

1st 2nd 3rd

 marriage.

Location of marriage:

State, Country

 Spouse's Gender: M F

Date of marriage:

MM/DD/YYYY

Spouse's Name:

LAST	First	Middle
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- My spouse and I live together. (If married living separately, explain.)
 I have a copy of the marriage certificate.
 I am anticipating divorce.
 My current marriage is subject to a prenuptial agreement or separation agreement.

- I am currently in a domestic partnership or civil union.

Partner's Name:

LAST	First	Middle
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Social Security #:

000 - 00 - 0000

We consider the date

MM/DD/YYYY

 to be the "start" of our relationship.

This is my

1 st 2 nd 3 rd

 partnership.

The partnership is formalized by the state of

State, Country

Date of registry:

MM/DD/YYYY

 Partner's Gender: M F

- I have a copy of the certificate.

- I have been divorced. I have been divorced more than once.

Location where granted:

State, Country

 Date:

MM/DD/YYYY

- I am a widow(er) My spouse died on

MM/DD/YYYY

Veteran Status

- I am on active duty. I have served in the military in the past.

- Discharge Status: Court Martial
 Honorable
 Bad Conduct
 Dishonorable

- Administrative Separation
 Honorable
 General Under Honorable
 Other Than Honorable

Active Date:

MM/DD/YYYY

Separation Date:

MM/DD/YYYY

Branch:

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Highest Rank:

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Asset Information

Real Estate

I own no real estate.

If you own real estate, list the address in the appropriate space(s) below. Indicate how it's owned, if you know (Sole Owner, Joint Tenant, Tenant in Common, Tenant By the Entirety, etc.). Please bring a copy of the deed, if you have it. Please let me know if you don't have it. Include any property in which you may have an interest, even if you are not the primary owner. This includes life estates, remainders, conservatorships, trusts, tenancies in common, etc.

Primary Residence

Address	City	County	State	Owned As	Mkt. Value
Address	City	County	ST	SO JT TIC TBE	\$000,000

Vacation/Recreation

Address	City	County	ST	SO JT TIC TBE	\$000,000
Address	City	County	ST	SO JT TIC TBE	\$000,000

Burial Plot(s)

Address	City	County	ST	SO JT TIC TBE	\$000,000
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Other Real Estate

Address	City	County	ST	SO JT TIC TBE	\$000,000
Address	City	County	ST	SO JT TIC TBE	\$000,000

Bank Accounts

I hold no bank accounts.

List here all bank accounts in your name, indicating whether they are 'Held As' a Single name, Joint accounts, "in Trust for," or Custodial accounts. If you don't know which kind it is, make a copy of the first page of your last statement, and this may help me figure it out. All accounts should be listed, including those held jointly with a spouse, a child, grandchild, sibling, or other person. If the account is a certificate of deposit, please note "CD" next to the listing. Not all assets are considered part of your estate, but you should list them here so that we may review them. If you wish, I can research how the accounts are held. In this case, you will need to provide the bank name and account number, and at least one name on the account. Otherwise, I do not need the account number.

Think about how you want funds to be passed, and whether you want someone else to have access before you die.

Name of Bank	Acct. No. (If Needed)	Names on Acct.	Held As	Survivor Acct.?
Bank	Account	Holder	S J T C	Y / N
Bank	Account	Holder	S J T C	Y / N
Bank	Account	Holder	S J T C	Y / N

Stocks, Bonds & Mutual Funds

I own no stocks or bonds.

List all stocks, bonds, mutual funds, and savings bonds you own. If you own stocks or bonds, do you hold the certificates, or are they held in a brokerage account? If you hold individual certificates, consider looking into a "street" or "brokerage" account, which will allow the stocks to be more easily transferred. The "street account" simply combines the individual certificates into one account.

Company / Fund	# of Shares	Price Paid	Current Value	Name on Certificate
Company	0,000	\$000,000	\$000,000	Certificate Name
Company	0,000	\$000,000	\$000,000	Certificate Name
Company	0,000	\$000,000	\$000,000	Certificate Name

Annuities

I own no annuities.

List any annuities you hold, including pensions that will pay a fixed monthly amount over time. If you don't know, find out if the annuity guarantees a minimum number of payments if you should die soon after it starts paying.

Company	Original Amt. or Current Value	When It Began Paying	Monthly Payment Amt.	Beneficiary
Company	\$000,000	MM/DD/YYYY	\$000,000	First LAST

Retirement Accounts

I own no retirement accounts.

Please list all IRAs (Individual Retirement Accounts), Keogh Plans, or other retirement accounts over which you have access to the principal.

Name of Bank / Custodian	Account No.	Whose Acct?	Balance	Benefit Upon Death
			\$000,000	
			\$000,000	

Life Insurance

There is no insurance on my life.

Name of Co.	Name of Insured	Policy #	Death/Face Value	Cash Value	Beneficiary
			\$000,000	\$000,000	
			\$000,000	\$000,000	

Motor Vehicles

I own no motor vehicles.

Indicate here whether you own any motor vehicle(s).

Make/Model/Year	Registered To	Est. Value	Paid Off
Make / Model / Year	First LAST	\$00,000	Y / N
Make / Model / Year	First LAST	\$00,000	Y / N

Personal Property

I own no property worth over \$1,000.

List valuable items, such as jewelry, antiques, or collectibles. It is not necessary to list ordinary household items. You may wish to list smaller items if you want to leave them to someone specific in your will.

Description of item	Estimated Value	Intended Beneficiary
Description	\$000,000	First LAST
Description	\$000,000	First LAST
Description	\$000,000	First LAST
Description	\$000,000	First LAST
Description	\$000,000	First LAST
Description	\$000,000	First LAST

Business Interests

I do not own an interest in any business.

Do you have an ownership interest in an ongoing business? For each business, list:

- Do you own stock in the business?
- Do you receive a salary or other benefits? How much is the salary?
- Does this interest entitle you to other benefits (*i.e.*, medical, life, or disability insurance)?
- Is the business currently being run by family members?
- What is the value of the business, particularly your interest, if known?

Safe Deposit Boxes

I do not have a safe deposit box.

Bank	In whose name?	Other Agent	Contents & Est. Value
	First LAST	First LAST	\$000,000

Money Owed to Me

No money is owed to me at this time.

Do you currently hold a mortgage to property you sold to someone else? Do you have any other outstanding loans owed to you? Are they secured against property?

Is the party who owes the money to you also a beneficiary under the will that you want to prepare? If so, do you want that individual to repay the bill, or should the bill be forgiven?

Debtor	Description	Security / Property	Balance Due
			\$000,000
			\$000,000

Money Owed by Me; Debts Over \$500

I owe only small, routine bills.

If there is a mortgage on your home or other real estate you own when you die, would you want it to be paid-off out of the estate, before the property goes to the beneficiaries, rather than have the beneficiaries inherit the property subject to the mortgage? (Unless you request it, the mortgage will not be paid out of the estate.)

Bank Name	Account No.	Property Mortgaged	Balance Due
			\$000,000
			\$000,000

Trusts

I am not a beneficiary of any trusts.

Are you the beneficiary of any Trust? If so, describe on a separate sheet.

Anticipated Inheritances

I do not expect to inherit from anyone.

If you expect to receive an inheritance or gift from any source, explain the source and make your best estimate of the value. If you think it will be substantial, but don't really know how much, consider asking the person who has indicated you will inherit. Knowing with some degree of certainty can help to anticipate whether your estate, by the time you die, will be large enough to require estate tax planning.

Executor or Personal Representative

The executor (also called personal representative) is the person who is responsible for making sure that the wishes expressed in your will are carried out according to the law. This person must be: over 18, legally able to sign a contract, and not a convicted felon. While the executor does not need to be a resident of North Carolina, it is helpful if the executor is in-state and reasonably close to the county where you live, as an out-of-state executor may be required to post a bond and establish an in-state agent. It is important to specify an alternate executor, especially if your first choice is your spouse or someone older than you, since they may not be available at the time your estate is probated. If you do not specify an executor, the court will appoint one for you, typically a family member (child or sibling) for whom it is most convenient, or an attorney who routinely handles estates.

Executor:

Name:

First Middle LAST

Relationship to you:

County of Residence
(City & State, if not NC):

Alternate Executor:

Name:

First Middle LAST

Relationship to you:

County of Residence
(City & State, if not NC):

Disposition of Property

Types of Gifts

For any gifts you wish to specify in the will, including the valuable personal property that is listed above, think about any gifts you wish to leave in your will, however small. Gifts may be specific or general.

- **Specific:** A specific gift is a gift of a thing (or property) that is clearly identified, such as “my turquoise pendant necklace and matching earrings” or “all of the AT&T stock I inherited from Grandpa Joe.” For any specific gifts you designate, consider what the executor should do if the item cannot be found, or if you no longer own it when you die. Should the gift be replaced with something else specific? Should a monetary sum be substituted? Should the gift be ignored if it can’t be found?
- **General:** A general gift is most often given by value, *i.e.*, money, or something easily valued or replaced by money, such as a bank account, or a share of a bank account. If a monetary gift is specified by something other than a sum (“To Bobby, \$1,000”), such as “To Mary, \$100 from my savings account at First National Bank,” again, you should specify what to do if substitution is necessary, or if there are insufficient resources. Should gifts be satisfied in order until the money runs out, or should they all be reduced by proportions (or by some other formula)?

Guidance for the Executor

If you leave a **major gift**, such as your home, to a group of people, will the executor have discretion in how to divide it? Suppose you leave your vacation home to your children, who are feuding, and they can’t agree on who can use it when. Can the executor sell the property and split up the money? For any shared gifts, be sure to specify whether division should be equal. If a gift is sizeable and the beneficiary lives away from you, should your estate pay the **costs of shipping or delivering** the gift?

Do you wish to leave **gifts to charity**? How will charitable gifts be prioritized? What if your charity no longer exists, has been merged with another, or has split in two? Any guidance you can give to the executor for “solving puzzles” and making sense of **what you want to accomplish** can be useful.

If you leave a gift to **someone who dies before you**, should the gift go to her estate and be divided among her heirs? Should someone else be substituted?

If you leave **your house (or other real estate) with a mortgage** owing on it, should the estate pay off the mortgage before giving the house? Should the beneficiary get the value of the house if he doesn’t want to assume the mortgage or doesn’t need the house? Can the executor decide? Should all real estate be sold? What about real estate you may buy after you write this will; should it be sold, or given to the “residuary” (“Everything else to...”) beneficiary?

What do you want the executor to do **if someone refuses a gift**? Should it go to someone else, be divided, donated to charity, or something else?

The law provides for certain situations where you must leave a minimum amount to your spouse. What should the executor do if what you leave is below this amount? What if your **spouse rejects (“dissents from”) the will**?

What should the executor do if someone says his share is unfair, or **challenges** your will? What if a recipient is a minor; **should the gift be put in a trust**?

Miscellaneous Matters

Anticipating a Will Challenge

Leaving someone out of your will who would normally inherit from you, or removing someone from your will who was in a previous will is called “disinheriting.” This is the most common reason for someone challenging your will, and trying to get the court to throw the will out, and replace it with a previous will, or the default inheritance rules. If you can answer “Yes” to any of the following questions, please write who the question applies to, and an explanation of why you’ve made your decision, on the back of this sheet.

- Is there anyone who you think would normally “expect” to be included in your will, but isn’t?
- Is there anyone who would inherit from you if you didn’t have a will (“natural heirs,” such as a child, spouse, or other close relative), but whom you’ve chosen to leave out of your will?
- Is there anyone whom you’ve named as a beneficiary in a previous will, but whom you’ve removed from this will?
- Have you ever orally promised someone that you would include them in your will?
- Have you ever promised anyone in writing that you would include them in your will?
- Have you ever promised someone that you would include her in your will if she did something in exchange (for instance, include you in hers)?
- Are you leaving anything – especially something very valuable – to someone who is not closely related to you, and who someone else might think influenced you unfairly, or forced you to do so?

Forgiveness of Debts

If one or more of your children, or another heir who will be named in your will, owes you money at the time of your death, would you want that debt to be forgiven and cancelled, or would you want it counted against any potential inheritance? If your answer differs for different people, list them on the back.

Check only one box, or list names on the back and specify (1), (2), or (3) for each.

- (1) Debts should be forgiven without regard to inheritance.
- (2) Debts should be deducted from any potential inheritance; if the debt is greater, the remainder is forgiven.
- (3) Debts should be deducted from any potential inheritance; if the debt is greater, the remainder is owed to my estate.

Burial, Cremation, or Other Disposition of Remains

- I wish to be buried.
- I wish to be cremated.
- I leave that decision to my executor.
- I already have a burial plot, crypt, niche, or vault at
- I have already paid for my funeral and burial with

Name of Cemetery or Mausoleum

Name of Funeral Home

Health Care

Since health care costs can be a factor in estate planning, you will need to consider the following questions. These issues can influence whether there are likely to be Medicare claims against your estate, or a need to put someone's inheritance (including a spouse's) into a Special Needs Trust.

- Do you currently receive Medicare? Part "A" Part "B"
- Do you have supplemental insurance ("Medigap" or Medicare supplement)?
 No Yes Unsure
- Do you have long-term care insurance (specifically for nursing home or rest home care)?
 No Yes Unsure
- Do you or any member of your family have any illness or disability that should be considered in planning this estate (e.g., terminal or progressive illness, significant disability, lack of mental capacity)?
 No Yes Unsure

Organ Donation

Although this does not need to be part of the will, it can be. It can also be included in a Health Care Power of Attorney or Living Will, but these documents should not contradict each other. Please note that while you may place some constraints on what is donated, and to what institution, you may NOT restrict the donation to a specific person or class of people (e.g., your children or relatives).

- I do NOT wish to donate any organs, tissues, or body parts at death.
- I wish to donate any eligible organs, tissues, or body parts at death to

Institution

- I have specified my wishes in my Living Will or Health Care Power of Attorney.
- I have specific organs, tissues, or body parts that I'd like to donate. (List on back.)

Planning For the Possibility That a Beneficiary Will Be Disabled

You should plan for the possibility that someone you name in your will as a beneficiary might be disabled when you die. We will normally allow for this as a matter of course. If you know *in advance* that a named beneficiary has special needs, however, it may be advisable to make specific adjustments for that fact. Please make a note of any potential beneficiaries (spouse, children, parents, etc.) for whom you believe special arrangements will need to be made.

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Personal Statement or "Ethical Will"

Some people wish to leave a personal statement to their heirs, especially if their heirs are young children. This might take the form of a videotape in which you speak to your child(ren) at a certain age, when a life event occurs (graduation, remarriage of a parent, etc.), or in personal letters held for a child or other heir, and distributed at your death or some time thereafter. While such a document is not, strictly speaking, part of your will, and will not have any legal bearing on your will, you may wish to make mention in your will of the existence of such a statement, indicating who holds the message(s) for

safekeeping, when to go seeking them, etc. If you wish to include reference to such a document, please make a note of it.

Post-Mortem Housekeeping

Are there personal matters that don't relate directly to your probate that you'd like a trusted friend to take care of? Who will contact and notify the designated party? Who will grant access to the resources they may need to take care of the "closure" you need handled?

Your Digital Legacy, Generally

While you may not have given it much thought, it has become increasingly common for all of us to have a digital "presence." Whether that's an e-mail account (or several), a Facebook page, a blog, a personal or professional website, or a Twitter account, you should keep in mind that these digital assets may very well outlive you. (This is especially true when incompetency or death is untimely and unanticipated.) This digital ghost you leave behind raises several questions. Consider whether you want to name someone other than your executor to handle these matters.

Accounts

We all create lots of "accounts" for lots of purposes. I can pay my gas and electricity bills on-line, through an account I create with my vendor. I have accounts for e-mail, for editing my website, my blog, my Facebook page, and many others. I have accounts for research services, professional associations, etc. Access to these accounts – even the very knowledge of their existence – can be very useful to an executor or personal administrator, for tracking down creditor contact information, account balances, and other useful guidance.

Who will know where to look for your accounts? How will they find them? Do you want someone to notify your contact lists about the change in your status? To respond to open inquiries that may have arrived in your e-mail account after you last dealt with it, and before it's closed out? Do you have aliases or pseudonyms on-line that you'd like to extinguish when you are no longer able to manage them? (Recognizing that people may have accounts with, for example, dating sites, some of these accounts may contain very intimate personal information or conversations, so you may wish to identify more than one person to handle these matters.)

In addition to the value of these accounts in assisting in handling your personal matters (whether in incompetency or after your death), you may wish to ensure that these accounts are closed or secured appropriately after you can no longer make use of them, to ensure that they aren't abused to exploit your estate or impersonate you or perpetrate identity theft.

Passwords

All, or nearly all, of your digital resources are password protected – and they probably should be. These passwords can pose challenges in the case of both temporary and permanent incompetency. In fact, I have to keep a rather lengthy, detailed "secret decoder ring" that provides hints in case I should forget a password. Do you have a password cache? Who has access? Where can it be found?