**Estate Plan Questionnaire**

This document is provided as a courtesy to help you organize relevant information concerning your estate plan. It is only a starting point, and we will thoroughly discuss all topics in person before preparing any estate plan. The information provided in this form will be kept strictly confidential. However, no attorney-client relationship can be created by filling out this form. Brian Hedberg, Hedberg Law Firm, LLC, nor any attorney associated with our firm, will be your attorney unless a written Engagement Letter is executed by both parties. Finally, nothing in this questionnaire constitutes legal or other “advice”. Under no circumstances should anyone attempt to create their own estate plan based on the information contained in this document or anywhere on our website.

Please note the following points before beginning:

**Payment of Estate Expenses.** Whether you base your plan around a trust or a Will, the expenses of your final illness, funeral and all other creditors will first be paid out of the estate. Any distributions you make will be made after those expenses are paid. If you are concerned about creditors, please let us know.

**Rights of Spouses and Children.** Generally speaking, though with some exceptions, when the first of you passes away, the estate will go by operation of law to the other spouse. This is modified if you have children from before the current marriage. We will discuss this topic in detail at our first in-person meeting if it applies to you. The purpose of the questions below is primarily to establish what you would like to happen to your assets after you **both** pass away.

## **Part One**

# *BACKGROUND INFORMATION*

1. Full Legal Name of Husband:
2. Date, city, and state of birth:
3. Any prior last names:
4. Any nicknames, or names you’ve owned property in:
5. Best Phone Number for Husband:
6. Best Email for Husband:
7. Full Legal Name of Wife:
8. Date, city, and state of birth:
9. Maiden Name or any prior last names:
10. Any nicknames, or names you’ve owned property in:
11. Best Phone Number for Wife:
12. Best Email for Wife:
13. Address of Personal Residence:
14. County of your personal residence:

**CHILDREN**

[ ] Husband has no children now living.

[ ] Wife has no children now living.

[ ] We have children of this marriage now living (our “Child” or “Children”). Their

names and dates of birth are listed below:



[ ] Wife has children outside of the current marriage. Their names and dates of

birth are listed below:



[ ] Husband has children outside of the current marriage. Their names and

dates of birth are listed below:



## **Part Two**

# *NOMINATION OF FIDUCIARIES*

***As you complete the remainder of this document please keep in mind that you only need to provide the contact information for an individual one time. If you nominate that person for more than one role, you do not need to re-write their contact information.***

P**ersonal Representative and/or Trustee**. The Personal Representative is the individual who guides your estate through the probate and estate administration process (you may be more familiar with the term “Executor”). The Trustee is the long-term financial agent who oversees any Trust created. It is important to choose a responsible, trustworthy figure. The spouse will act as the first Personal Representative of the other’s Will, and both Spouses will act as the initial co-Trustees. The nominations below are in the event that you outlive your spouse. Spouses need to nominate the same Personal Representatives if possible, and must nominate the same successor Trustees.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Personal Representative and/or Trustee | | | | |
|  | Full Legal Name | Address | Best Phone | Email |
| 1st Choice |  |  |  |  |
| 2nd Choice |  |  |  |  |
| 3rd Choice |  |  |  |  |

**Guardianship**. If you have children under the age of 18, who would you want to be the guardian of those children if you and the other parent pass away? You need to name at least one first choice and one alternate choice. If you are naming a couple as the guardian, it is generally best to select either the husband or wife as the actual legal guardian, rather than naming both as joint guardians. It is fine to pick one spouse as the first guardian, and the other as the alternate if you so desire. If you are married, each spouse’s selections need to be identical. (If you have already filled in the address, phone, and email for these individuals in a previous section, you do not need to fill in that information again.)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Guardianship | | | | |
|  | Full Legal Name | Address | Best Phone | Email |
| 1st Choice |  |  |  |  |
| 2nd Choice |  |  |  |  |
| 3rd Choice |  |  |  |  |

**3. H. Real Estate.**

Many people will want to leave all of their major assets to a group of people in the same proportions. For example, a couple may say, “Give everything equally to my three kids” or “Give everything to this charity”. If you are in such a position where the beneficiaries are the same for each piece of real estate, do not fill obligated to fill in the beneficiaries each time.

**Real Estate**

Description of Real Estate: Beneficiaries (or please just write “sell” if you prefer the real estate be sold and the profits added to the cash of the estate):

Address:

Name(s) on Title:

Address:

Name(s) on Title:

Address:

Name(s) on Title:

Address:

Name(s) on Title:

**Financial Accounts.** Please describe the *approximate* balance of your financial accounts below. We do not need specifics such as account numbers or financial institutions.

|  |  |
| --- | --- |
|  | Approximate Balance/Value |
| Retirement Accounts (401k’s, IRA’s, Roth IRA’s and similar) |  |
| Bank, credit union, or other “cash” accounts |  |
| Stocks, Bonds, Investment Accounts |  |
| Life Insurance Policies |  |
| Other financial accounts or assets (including gold, silver, etc.) |  |

Please describe any other assets not yet listed (possibly mineral, farm, or small business interests). Please also describe any tangible personal property items that are meaningful to you.

Generally speaking, how do you want the bulk of your assets to be distributed?

Please list any other notes or issues not covered elsewhere

***Please note, for ethical reasons, we will not draft any documents leaving funds to Planned Parenthood or other abortion groups. If this is something you wish to do, our firm will not be able to accommodate you.***

## **Part Four**

# *MEDICAL AND DISABILITY DOCUMENTS*

Like the preceding section, Part Four requires with very personal and intimate decision making. Do not feel obligated to answer all of the questions below. We can discuss these matters in depth. As much as anything, it is important to simply spend some time considering them.

1. If you are unable to communicate your wishes regarding your personal medical care (because of illness, injury, dementia, or other) do you wish to nominate someone to speak on your behalf? If so, who?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Husband's Medical Power of Attorney | | | | |
|  | Full Legal Name | Address | Best Phone | Email |
| 1st Choice |  |  |  |  |
| 2nd Choice |  |  |  |  |
| 3rd Choice |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Wife's Medical Power of Attorney | | | | |
|  | Full Legal Name | Address | Best Phone | Email |
| 1st Choice |  |  |  |  |
| 2nd Choice |  |  |  |  |
| 3rd Choice |  |  |  |  |

**financial incapacity/decision makers**

If you are still living, but unable to manage your personal finances (because of illness, injury, dementia, or other) do you wish to nominate someone to act on your behalf? If so, who? Please note, the first choice will be the other spouse. The financial agents selected by the Husband and Wife need to be the same if at all possible.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Financial Power of Attorney | | | | |
|  | Full Legal Name | Address | Best Phone | Email |
| 1st Choice |  |  |  |  |
| 2nd Choice |  |  |  |  |
| 3rd Choice |  |  |  |  |