

CONFIDENTIAL
ESTATE PLANNING QUESTIONNAIRE

Please complete this form to the best of your ability and return it to me with the documents listed below, if relevant. If you are uncertain as to how to respond to a particular question, simply note that fact. All of your answers will be reviewed and we will have the opportunity to discuss any questions before signing your will. We look forward to working with you to help you achieve your estate planning goals.

Although this form requests information regarding both spouses, and other family members, this is not meant to imply that an attorney should or can, in all situations provide such services for both spouses, or for other family members. Each situation must be considered individually. However, even when representing one spouse, information regarding the overall family situation is important so that the questionnaire should still be completed to the extent possible. Any information you provide will be confidential and used solely for the purpose of provided legal services to you. Provided, however, in the event that we are doing estate planning for both spouses, any information you give us may be shared with your spouse unless you specifically instruct us to keep the information confidential from your spouse. In this event, we will discuss the matter with you further and we may be required to decline representation of either one or both spouses.

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I. DOCUMENTS TO RETURN WITH THIS QUESTIONNAIRE

Please check documents that are relevant to either of you, and provide us with a copy, if possible:

Husband Wife

1. Existing wills or trusts, including "Living Wills" or "Living Trusts."
2. Federal gift tax returns or information regarding gifts made (outright or in trust) exceeding \$10,000 per year to any person.
3. Divorce decree or marital property agreement.
4. Will or trust created by someone else under which you are a beneficiary or have a power of appointment.
5. Buy-sell agreement, stock option plan, salary continuation plan or other deferred compensation plan (other than qualified plans) to which you are a party, including beneficiary designations.
6. Powers of Attorney for management of property or health care.
7. Ownership and beneficiary designations for life insurance policies, IRAs and qualified plan benefits (pension, 401(k), Keogh,).
8. Ownership and beneficiary designations of any bank accounts, annuities, certificates of deposit or stock brokerage accounts.
9. Any deed to property owned by you located outside the State of Texas.

II. GENERAL INFORMATION

A. Husband

Name (First, Middle, Last)	
Other Names Used	
Home Address	
County of Residence	
Home Phone Number	
Work Phone Number	
Mobile Phone Number	
Email Address	
Date of Birth/ Age	
Social Security Number	
Do you have any physical or mental disabilities?	
Marital Status (include current and prior)	

B. Wife

Name (First, Middle, Last)	
Other Names Used	
Home Address	
County of Residence	
Home Phone Number	
Work Phone Number	
Mobile Phone Number	
Email Address	
Date of Birth/ Age	
Social Security Number	
Do you have any physical or mental disabilities?	
Marital Status (include current and prior)	

C. Children - Husband

Name(s)	Age	Is This a Child of <u>Current</u> or <u>Prior</u> Marriage?	Is this Child Disabled? <u>Yes</u> or <u>No</u>

D. Children - Wife

Name(s)	Age	Is This a Child of <u>Current</u> or <u>Prior</u> Marriage?	Is this Child Disabled? <u>Yes</u> or <u>No</u>

E. Additional General Information

1. ____ Please furnish details for children with any special needs or disabilities.

2. ____ Does a child have creditor problems, problems managing finances or marital issues that might benefit from establishing a trust? If so, please describe.

III. FINANCIAL INFORMATION

A. Assets. Please estimate current values of assets. Write the value of the asset in the column that correctly classifies the property as either “Separate” or “Community”. (Separate Property includes all property identified as separate property in a marital property agreement, and, absent agreement, all property acquired before marriage or acquired during marriage by gift or inheritance. Community property is all property that is not separate property.) If you prefer, you may attach a personal financial statement.

	Community Property Value (\$)	Husband’s Separate Property Value (\$)	Wife’s Separate Property Value (\$)
Residence			
Second Home			
Investment Real Estate and/or Mineral Interests in Texas			
Investment Real Estate and/or Mineral Interests Outside of Texas			
Cash, Bank Accounts, Certificates of Deposit			
Bonds and Bond Funds			
Stocks and Mutual Funds			
Partnerships			
Professions or Business in which you are active			
Retirement Plans (and IRAs) (See supplemental request on next page)			
Annuities			
Life Insurance (See supplemental request on next page)			
Interests in Estates or Trusts			
Other Personal Property (household goods, jewelry, cars, collections, i.e. artwork, etc.)			
SUB-TOTALS			

TOTAL ASSETS \$ _____

B. Retirement Plan Information

	Participant/Owner	Present Value	Beneficiary	Alternate Beneficiary
IRAs				
Keogh				
Pension				
Profit Sharing				

C. Life Insurance Information

Policy Owner	Company and Policy Number	Insured	Death Benefit Amount	Beneficiary and Alternate Beneficiary

D. Liabilities

	Brief Description of Collateral	Estimate of Total \$ Amount of Liability
Debts secured by mortgage on real estate		
Other debts secured by lien on personal property (i.e. auto loan, etc.)		
Unsecured debts (i.e. credit card, etc.)	No description needed	
Guarantees		

TOTAL LIABILITIES \$ _____

_____ Do you or your spouse expect a significant inheritance? If so, how much?
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IV. DISTRIBUTION OF ESTATE

A. Husband's Distribution Bequests

Specific Bequests:

_____ I want to make specific gifts of real or personal property to a specific person(s).
Please describe:

_____ I want to make specific gifts of money to a specific person(s). Please describe:

_____ I want to make gifts to charity(s). Please describe:

Residuary Estate: (The Residuary Estate is the property remaining in your estate after all debts, funeral expenses, administration expenses, taxes and specific bequests have been paid.)

_____ Provide name(s), relationship and share of each beneficiary of your residuary estate: For Example, I leave all my residuary estate to my spouse.

_____ Provide name(s), relationship and share of each alternate beneficiary of your residuary estate: For example, "If my spouse fails to survive me. I leave my residuary estate to my children, Mary Smith and John Smith.

_____ Provide name(s), relationship and share of each second alternate beneficiary of your residuary estate: For example, "If my spouse and children fail to survive me. I leave my residuary estate to my favorite charity.

B. Wife's Distribution Requests

Specific Bequests:

_____ I want to make specific gifts of real or personal property to a specific person(s).
Please describe:

_____ I want to make specific gifts of money to a specific person(s). Please describe:

_____ I want to make gifts to charity(s). Please describe:

Residuary Estate: (The Residuary Estate is the property remaining in your estate after all debts, funeral expenses, administration expenses, taxes and specific bequests have been paid.)

_____ Provide name(s), relationship and share of each beneficiary of your residuary estate: For Example, I leave all my residuary estate to my spouse.

_____ Provide name(s), relationship and share of each alternate beneficiary of your residuary estate: For example, "If my spouse fails to survive me. I leave my residuary estate to my children, Mary Smith and John Smith.

_____ Provide name(s), relationship and share of each second alternate beneficiary of your residuary estate: For example, "If my spouse and children fail to survive me. I leave my residuary estate to my favorite charity.

C. Trusts

There are many reasons why one might choose to create a trust for the benefit of an intended beneficiary. The following are some examples of instances in which we recommend that a trust be included in your will or in a separate trust agreement instead of making a gift directly to a beneficiary:

- Gifts to minors should be made in trust.

- Certain trusts may be appropriate for estate planning purposes. Estates valued more than \$11 million dollars may be subjected to estate tax under current law. Trusts may minimize the amount of estate tax owed or may defer the time when payment of the tax would be owed.
- We recommend gifts to incapacitated persons be made in trust. This may include a special needs trust if a beneficiary is receiving governmental benefits.
- We recommend gifts to trusts to provide asset protection to beneficiaries. For example, a trust could protect your child's inheritance in the event of divorce or financial problems.
- We recommend making gifts to trust if you desire to direct who receives the remaining trust property upon the death of the initial beneficiary. For example, if you have a blended family, you may wish to make your surviving spouse beneficiary of the trust for his or her life with the remaining trust estate passing to your children upon the death of a surviving spouse.
- We recommend trusts for asset management for persons who may need help managing assets or paying bills.

Specific Questions Related to Trusts

1. ____ Does either spouse want to control the way his or her assets pass in trust? If so, who do you want to name as beneficiary of the trust?

Upon the death of the beneficiary, who do you want to receive the remaining trust estate?

2. ____ To what extent and for what purposes should the Trustee be allowed to make distributions to the beneficiary? (It is customary to give the Trustee the power to make distributions for the health, education, maintenance and support of the beneficiary.)

3. ____ When do you want the trust to terminate?.

An example is to provide that the trust terminates upon the death of a child. Another example would be for the trust to terminate when the child attains age 30.

You can also provide that the property will be held in Trust for the benefit of a child's lifetime and then pass to their children or designated beneficiaries

4. ____ If a trust terminates upon the death of a beneficiary, do you want the child to be able to designate the beneficiary of his or her remaining trust estate?

V. FIDUCIARIES

A. Guardian of Minor Child

Guardian of person: _____

First Alternate Guardian: _____

Second Alternate Guardian: _____

Guardian of Estate: _____

First Alternate Guardian: _____

Second Alternate Guardian: _____

B. Executors

Husband's Executor: _____

Husband's First Alternate Executor: _____

Husband's Second Alternate Executor: _____

Wife's Executor: _____

Wife's First Alternate Executor: _____

Wife's Second Alternate Executor: _____

C. Trustee

Husband's Trustee: _____

Husband's First Alternate Trustee: _____

Husband's Second Alternate Trustee: _____

Wife's Trustee: _____

Wife's First Alternate Trustee: _____

Wife's Second Alternate Trustee: _____

D. Husband's Powers of Attorney

Health Care Power of Attorney (medical decisions)	
Name of Agent Address Phone Number	
First Alternate Address Phone Number	
Second Alternate Address Phone	
Statutory Durable Power of Attorney (financial decisions)	
Name of Agent Address Phone Number	
First Alternate Address Phone Number	
Second Alternate Address Phone	

E. Wife's Powers of Attorney

Health Care Power of Attorney (medical decisions)	
Name of Agent Address Phone Number	
First Alternate Address Phone Number	
Second Alternate Address Phone Number	
Statutory Durable Power of Attorney (financial decisions)	
Name of Agent Address Phone Number	
First Alternate Address Phone Number	
Second Alternate Address Phone Number	

VI. Other Relevant Matters / Comments / Questions