

LAW OFFICE OF ROBERT MANSOUR

ESTATE PLANNING QUESTIONNAIRE – INTRODUCTION

The following form is very important. At first, you may find it difficult and tedious to assemble the information. However, the more information you can provide, the more productive our meeting will be. All information you provide remains confidential.

To facilitate matters, please provide me with the information a few days prior to our appointment.

Feel free to add additional pages if you need more room.

***IMPORTANT:** *Some of the requested information may not apply to your particular situation. Please mark these sections "N/A" so that we know they were not missed.*

A. PERSONAL INFORMATION

Today's Date: _____ How you learned of my office? _____

Your Full Legal Name *(this is the name that will be used in all the documents. It needs to be your legal name, not a nick name or otherwise. You don't need a middle name or initial unless you wish to include it. The same rule applies to all other names provided in this questionnaire):*

Birth Date: _____

Spouse's Full Legal Name: _____

Spouse's Birth Date: _____

Your Full Address: _____

Home Phone: _____ Work Phone: _____

E-mail Address (if you check it regularly): _____

Are either of you widowed? If so, who? _____ Date of death: _____

Are either of you divorced? If so, who? _____ Date of divorce: _____

Are you a United States Citizens? Yes / No Do you own more than one home? Yes No

How much do you owe on your home? _____ What is it worth? _____

Do you have any prior estate planning documents? Please check all that apply:

Living Trust Wills Health Care Directives Power of Attorney

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B. CHILDREN (if applicable)		
First, list all children you have from your <i>present</i> marriage.		
Child's Legal Name	Phone/Address if different from yours	Date of Birth

Now list any children either of you have from prior marriages or relationships.

Children from prior marriages or relationships (if applicable)		
<u>Please indicate which of you is the natural or adoptive parent</u> of these children		
Child's Legal Name	Phone/Address if different from yours	Date of Birth

Please list additional children on a separate sheet and indicate if they are from the present marriage or a prior relationship.

Do you have any deceased children? Yes No

If yes, indicate name(s) _____

Are all your children in good health? Yes No

If no, indicate name(s) _____

Are any of your children disabled? Yes No

If yes, indicate name(s) _____

Do you wish to disinherit anyone? Yes No

If yes, indicate name and relationship to you _____

Are any of your children receiving SSI or other governmental entitlement? Yes No

If yes, indicate name(s) _____

Do any of your family members have problems with: (circle any that apply)

Aids Drug Addiction Alcoholism Spendthrift (i.e., trouble handling money)

Should **step-children** be included in your estate plan? Yes No

In the event one of your children dies before you, do you want that child's children (*your grandchildren*) to receive that distribution? (Even if your children don't currently have any children, answer "yes" or "no" since they may in the future.) Yes No

Do you want your children to get **distributions right away** if you both pass away? Yes No

Do you wish to give **assets to your children in stages** (i.e., specified ages)? Yes No

If "Yes," please choose one of these common age-based distribution options:

- | | |
|---|--|
| <input type="checkbox"/> All at 23 | <input type="checkbox"/> ½ at 25, remainder at 30 |
| <input type="checkbox"/> All at 25 | <input type="checkbox"/> 1/3 at 23, ½ remainder at 25, balance at 30 |
| <input type="checkbox"/> All at 30 | <input type="checkbox"/> 1/3 at 25, ½ remainder at 30, balance at 35 |
| <input type="checkbox"/> ½ at 23, remainder at 25 | <input type="checkbox"/> Other? Please propose here: |

If you have young children, and you don't want them to receive their inheritance outright, do you want to include a "**college incentive clause**" whereby your children would receive a percentage (typically 10%) of their inheritance upon completing college? Yes No

If your estate should pass to one or more of your grandchildren, should the grandchildren be subject to the same restrictions as your children? Yes Not necessary

If you and/or your spouse have **children from prior relationships**, do you both consider them all to be your own children, even if they are from prior relationships? Yes No

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C. OTHER BENEFICIARIES THAT WILL RECEIVE A PERCENTAGE OF YOUR ESTATE?

*Please note your living trust will allow you to give specific gifts of personal property. This section applies **only if you wish to give a percentage of your estate to someone other than your children.** This can be another person or entity such as a charity. For example, 20% to Goodill or 10% to my sister Kate...*

Beneficiary:	Phone/Address: (if not already provided)	% of Estate

D. YOUR INTENTIONS REGARDING YOUR ESTATE

Children: If you have children, do you want to treat them equally? Yes No

If not, please explain: _____

Outright Gifts? If the wife passes away first, will there be any gifts made to any heirs at that time? Yes No

If so, please indicate here (*If "No," wife's estate passes to husband*):

If the husband passes away first, will there be gifts made to any heirs at that time? Yes No

If so, please indicate here (*If "No," husband's estate passes to wife*):

In the unlikely event **ALL your named beneficiaries** pass away before you do (if married, after *both* of you pass away), then where would you like your estate to go? This is a "backup" clause.

One or more specific charities: _____

One or more charities of the Trustee's choosing (*most popular choice*)

Other: (For example, 25% to John Smith, 25% to Marge Johnson, and 50% to St. Luke's Church)

E. TRUSTEE INFORMATION

A trustee is the person who manages the assets of the trust. You may act as the trustee (a very popular option which I recommend unless there is a good reason not to do so). Married couples are often the initial trustees.

A “successor trustee” will manage your assets if you are unable to do so, or upon your incapacity, illness or death. This should be a person you trust to carry out your wishes and manage your trust assets responsibly. Age, proximity, health, etc. of the trustee should be considered.

It’s like choosing a “vice-president” who will be able to handle matters if you cannot. Whom do you want to serve as your initial trustee and successor trustee?

Initial Trustee: Yourself (both if married)? Yes No

If you are NOT going to serve as initial trustee, please indicate name, address and phone number of person who will be serving as your initial trustee:

Now please list, in order of service, those you wish to have as **successor trustees.** It is usually best not to choose “co-trustees” unless you really think it is necessary.

Remember that you are choosing people who can manage your affairs/assets in the event you are unable to do so due to death, incapacity or other reasons.

It is good to have two or three choices since one or more of your choices may be unable to serve for one reason or another. The person at the top of your list will serve first.

Successor Trustees in order:	Phone/Address: (if not already provided)	Relationship:

E. EXECUTOR INFORMATION

As with most life events, there are no guarantees. There is always a slight chance something may have to go through the court system for one reason or another. In that event, an executor is the person who assists with the administration of your estate via your will in the event of your death. Who do you wish to serve as your executor? This person can be different from your trustee. Remember that age, proximity, health, etc. of the executor should be considered. Your spouse is often first choice. It is good to have two or three choices since one or more of your choices may be unable to serve for one reason or another.

Husband's Executors in order:	Phone/Address: (if not already provided)	Relationship:

Wife's Executors in order:	Phone/Address: (if not already provided)	Relationship:

G. GUARDIAN INFORMATION

This person will be in charge of raising your minor children if you cannot. It's not an easy thing to consider, and there may be no "perfect" choice. If a court ever needs to step in and appoint a guardian, the judge will usually appoint the person you nominated. If you don't name a guardian, anyone who is interested can ask for the position. The judge then must decide, without the benefit of your opinion, who will do the best job of raising your kids. It is best to name one person, even if they are married. For example, Ann Smith is better than Ann & Joe Smith.

Guardians in order:	Phone/Address: (if not already provided)	Relationship:

H. ADVANCE HEALTH CARE DIRECTIVE

An "Advance Health Care Directive" lets your physician, family and friends know your health care preferences, including types of special treatment you want or don't want at the end of life, your desire for diagnostic testing, surgical procedures, cardiopulmonary resuscitation and organ donation. You can ensure the quality of life that is important to you and avoid having your family "guess" your wishes or having to make critical medical care decisions for you under stress. Appointing someone may reduce family squabbles over your health care. The person who serves in this capacity is known as your "agent." Again, consider proximity, age, willingness to serve, etc. when choosing someone. Please designate your choices here. (your spouse can be among your choices and is often first choice for many clients):

Husband's agents in order:	Phone/Address: (if not already provided)	Relationship:
Wife's agents in order:	Phone/Address: (if not already provided)	Relationship:

Typically, I will draft the Advance Health Care Directive to be effective immediately. *Your agent will not know this unless you tell them, but it makes things easier if health decisions need to be made right away. Some clients would rather be found "incapacitated" by a court or a doctor before the power goes into effect. The practical problem may be finding a doctor willing to declare your incapacity, and going to court will take a long time. As a practical matter, doctors check with the patient first before any major decisions are made. Please let me know if you wish to discuss this further.*

Location of Care? Some clients prefer to have language in their Advance Health Care Directive that expresses intent to remain at home, despite any worsening medical condition, for as long as possible. Typically, that can be quite costly but some clients prefer it for a variety of reasons. Do you wish to have this language in your Health Directive:

- Wife's preference? Yes, please include such language Not necessary
- Husband's preference? Yes, please include such language Not necessary

Please put a checkmark next to the statement that *best* describes how you feel:

1) I want my life to be prolonged as long possible, within generally accepted health care standards, even if I have an incurable condition. Wife Husband

2) I don't want any extraordinary measures taken, especially if I have an incurable or irreversible condition that will result in my death within a relatively short time, become unconscious and, to a degree of medical certainty, I will not regain consciousness, or the likely risks and burdens of treatment outweigh the expected benefits. Wife Husband

3) Check here if you also want nutrition/hydration, medication and/or treatment for alleviation of pain or discomfort. Wife Husband

4) With respect to any **post-death arrangements**, what would you like to indicate? If you leave this blank or have no preference, the decision will be left to your agent's discretion.

Wife: Cremation Traditional burial Other: _____

Husband: Cremation Traditional burial Other: _____

Anything else you wish to include in your health care directives?

I. POWER OF ATTORNEY

Making a durable power of attorney ensures that someone you trust will be on hand to manage the many practical, financial tasks that will arise if you become ill or incapacitated. For example, bills must be paid, bank deposits must be made and insurance and benefits paperwork must be handled. Many other matters may need attention as well, from property repairs to managing investments or a small business. A durable power of attorney for finances is often the best way to handle tasks like these. Many companies, institutions, and other entities will not deal with your friends/relatives unless they have this power. This power ends at your death. The person who serves in this capacity is also known as your “agent.” Again, consider proximity, age, willingness to serve, etc. when choosing someone.

Please designate your choices here (*Your spouse can be among your choices and is often first*):

Husband’s agents in order:	Phone/Address: (if not already provided)	Relationship:
Wife’s agents in order:	Phone/Address: (if not already provided)	Relationship:

Typically, I will also draft the Durable Power of Attorney to be effective immediately. Your agent will not know this unless you tell them, but it makes things easier if financial decisions need to be made right away. Some clients would rather be found “incapacitated” by a court or a doctor before the power goes into effect. The practical problem may be finding a doctor willing to declare your incapacity, and going to court will take a long time.

J. MISCELLANEOUS MATTERS

Do you have any other significant legal issues I should be aware of? Yes No

If “Yes,” please explain: _____

Do you have a safe deposit box? Yes No

If "Yes," please indicate name and address of the location:

Have you made any gifts to any one person in excess of \$15,000 in any one year? Yes No

Have you ever filed a "Federal Gift Return?" Yes No

Since your plan is unique, take some time to think about your estate planning goals: Please circle matters that concern you most. If you're not sure, just skip this section:

- Minimize estate taxes
- Avoid probate
- Provide for children of previous marriage
- Plan for my possible disability
- Provide for charitable causes
- Disinherit a natural heir
- Make gifts to people during my life
- Provide for a disabled person
- Protect heirs from losing their inheritance
- Avoid costly estate planning costs
- Get personal items to certain heirs
- Keep my affairs private
- Save my heirs time/expense of probate
- Provide guardians for minor children
- Avoid family quarrels over the estate
- Protect heirs from spendthrift tendencies
- Provide a smooth transition of my estate
- Provide for a grandchild

Other goals? Please list them here *(feel free to use a separate sheet if necessary)*:

K. FINANCIAL SUMMARY INFORMATION

Real Property: Deeds/Legal Descriptions/Property Tax Bills: Please provide me with copies of any deed to your home(s). Be sure a full copy of the legal description for each home is attached. Make sure you include deeds to any and all real property (homes etc.) you own. Copies of **property tax bills** are helpful. Please list below all property you own and Assessor Parcel Identification Numbers:

Example: 1234 Sander Street, Los Angeles, California 91346 (APN 2343-56-345)

Approximate Total Value: \$ _____

Bank and Credit Union Accounts: Please list all **bank account(s)** and any **credit union account(s)**. Please include the account number, how title is held on the account (i.e., joint tenants, sole owner, etc.), bank or credit union, and types (checking, savings, CD, etc.) – Please list below all accounts you own:

Example: Bank of America, joint checking account, approx \$50,000

Approximate Total Value: \$ _____

Life Insurance and Annuities: Policies/Beneficiary Designations: Please list below any life insurance policies you have, with which company and amount:

Example: AIG Life Insurance, \$250,000 policy (husband's policy)

Approximate Total Value: \$ _____

Retirement Accounts: Statements/Beneficiary Designations: Please list all retirement accounts including **pension plans, IRA's, 401(k)'s, 403(b)'s**, etc. Please list these accounts here, indicate company name, along with approximate values:

Example: Husband has 401K through work (approx \$50,000).
Wife has IRA with Chase Bank (approx \$35,000).

Approximate Total Value: \$ _____

Securities/ Brokerage Accounts: Please list **stocks, bonds, brokerage accounts**, how title is held. Please list your accounts here, along with company name, approximate value and account numbers:

Example: Husband has Schwab investment account – Approx \$50,000.
Wife has investment account at TD Ameritrade – Approx \$45,000

Approximate Total Value: \$ _____

Business Interests: Attach information regarding business interests such as **partnerships or corporations**.

Example: Husband has own business: ACME RENTAL, LLC. (owned with his brother Fred)

Approximate Total Value: \$ _____

Boats/Recreational Vehicles/Automobiles: Include year, make, model and how title is held.

Approximate Total Value: \$ _____

Artwork/Jewelry/Collections: On a separate sheet, please list any collection of artwork, jewelry, collectibles, etc. Please do so especially if there are items of significant value.

Promissory Notes: Does anyone owe you money that should be addressed if you pass away? Provide any information regarding promissory notes with the amount and who owes the money.

Approximate Total Value: \$ _____

Prior Agreements: Are you a party to any prior agreements such as pre/post-marital, property settlement, buy-sell, 529 plan, etc. (If so, please provide copies)?

Miscellaneous: Attach copies of any **U.S. Savings bonds, Treasury Bill** statements, and any other assets not already mentioned. Please include copies of any **prior wills or trusts, powers of attorney, or health care directives** you may already have.

Do you have a current financial advisor? If so, please provide name and contact information:

Do you have a current accountant/CPA? If so, please provide name and contact information:

Do you have a primary doctor? If so, please provide contact information:

Do you have an insurance agent? If so, please provide contact information:

Do you have Long Term Care Insurance? Yes No

Thank you for investing the time to fill out this questionnaire. Please mail this questionnaire to my office or fax it to (661) 414-7105. If you have questions, please call (661) 414-7100.