



Affordable Legal Documents LLC
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Greetings,

Congratulations. You are taking “the” big first step by completing this questionnaire to start the preparation of your Trust and Estate Documents Package. You will feel a huge burden lifted when you finally sign your documents knowing that you have done the right thing to protect you, your family and your assets.

The attached following Questionnaire will prompt you for the information necessary to get started. It may appear overwhelming, but relax. Some pages are instructions and commentary. A lot of the information, particularly contact information, may be redundant and you only need to enter it once. For example, if any of your children are still living at home, you don’t have to enter their address, etc. because you have already entered it on page 1 with your information.

Some things to remember as you fill in the blanks:

1. Always use **FULL LEGAL NAMES** – These are legal documents and it is important to achieve absolute clarity so that when the time comes and you need them to work, there is no confusion about who is who
2. Fill in as much **CONTACT INFORMATION** as possible.
3. If someone appears **MORE THAN ONCE** in the Questionnaire, you only need to **enter it ONE TIME**. That will save you a lot of time.
4. * indicates vital information. The other information is important but * is essential
5. **LEGIBLE**. Write as legibly as possible so we won’t make mistakes.
6. When you come to the **ASSET AND LIABILITIES** section, understand that information is essential to evaluating your unique situation and designing Estate and Asset Protection System™ customized to your particular situation and needs.
7. **DO YOUR BEST**. Complete as much as you can. When you talk with one of our planning professionals, you will have an opportunity to ask questions. They will likely have some questions for you as well.

Thank you! for allowing Affordable Legal Documents to assist you in this important work. Now, prepare to enjoy confidence and peace of mind.

Gratefully,

Larry Mulcock, CFP, RIA
Affordable Legal Documents LLC

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

PERSONAL & FAMILY INFORMATION

HELP: “Settlers” means you, the people who are setting up your Trust. The Settlers “settle” the Trust meaning they are setting up the Trust.

Settlor / Husband Name _____

Citizenship _____ *Date of Birth _____

Prior Marriages _____

Prior Names _____

Health History _____

Employment _____

Work Phone _____ Fax _____

Cell Phone _____ *Home Phone _____

Email _____

YES / NO Current Estate Plan? If “Yes”, please describe _____

Settlor / Wife _____

Citizenship _____ Date of Birth _____

Prior Marriages _____

Prior Names _____

Health History _____

Employment _____

Work Phone _____ Fax _____

Cell Phone _____ *Home Phone _____

Email _____

YES / NO Current Estate Plan? If “Yes”, please describe _____

Home Address _____

City _____ County _____ State ____ Zip _____

Mailing Address (if different) _____

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

DOCUMENTS

NOTE: IT IS ONLY NECESSARY TO PROVIDE EACH PERSON'S CONTACT INFORMATION ONE TIME. For example, if your spouse is also your *Personal Representative*, then in the *Personal Representative* section under *Primary Personal Representative*, just fill in his/her name and leave the contact information blank.

REVOCABLE LIVING TRUST

HELP: For estate planning purposes, you, as the Settlor, are “settling” or setting up a “revocable trust”. The Trust is a contract (not an entity) in which the Settlor(s) (YOU) appoint the Trustee(s) (YOU) to manage assets that are transferred to the Trust for the benefit of the Beneficiaries (YOU).

HELP: Trust Name – Generally, the Trust bears the names of the Settlor(s), such as “The William Smith Family Trust”. However, you can name it anything you want.

Trust Name _____

TRUSTEES

HELP: *Trustee* – The Trustee is technically the owner of the trust property, but we often think of the owner as being the Trust, which is fine. The Trustee(s) is the party(s) to the Trust who manages the Trust assets and property as instructed by the Settlor(s) in the Trust contract.

HELP: *Successor Trustee* – If the Original Trustee(s) die the Successor Trustee(s) steps into the place of the Trustee(s) and takes over the management and distributions of the Trust assets to the new Beneficiaries.

If the Original Trustee(s) becomes incapacitated and are still alive but not able to perform the Trustee(s)' duties, the Successor Trustee steps in to manage the Trust until the Original Trustee(s) either regains their capacity or die. We suggest you have one or two backup Successor Trustee(s) in case one is not available or refuses to do the job.

NOTE: If there are trustworthiness concerns, you can have more than one Trustee or Successor Trustee at a time to provide a check and balance. It is better to have an odd number so that a disagreement cannot end in deadlock making the services of a judge necessary to resolve a conflict.

NOTE: It is good to have some back-ups named in case your first choice can't or is not willing to serve. We recommend two back-ups, but you may have more if you desire. Back-ups are not required. If there is no one specified in the Trust, the Beneficiaries can elect someone, but, if no one is appointed or they can't agree, a judge will need to pick a replacement.

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

YOU are the Original Trustees

1st Successor Trustee

Name _____ Relationship _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

2nd Successor Trustee

Name _____ Relationship _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

3rd Successor Trustee

Name _____ Relationship _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

_____ Check here if you want additional Successor Trustees and note them on page 7 under Notes.

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

DISTRIBUTION SCHEME FOR YOUR ESTATE

INSTRUCTIONS: To ensure that your documents will do what you want, it is important to know your options and be very clear. Read through the following information before you decide. We will discuss this with you before we start your documents until we are satisfied that both you and we are clear. Be sure to (1) always use full legal names and (2) Please provide as much contact information as possible.

HELP: “*Trust Estate*” means everything owned by your Trust.

HELP: “*per stirpes*” or “*by right of representation*” means your estate is to be divided into shares, equal or unequal, one share for each beneficiary. For example, if one of your children predeceases you, that child’s share of your estate would be split between that child’s children/your grandchildren. A deceased beneficiary’s share follows their bloodline, that is, to their children.

HELP: “*per capita*” means your estate is to be divided equally between the surviving beneficiaries. For example, if a one of your children dies before you, that child’s share would be split among their siblings, your surviving children, and nothing would go to their children, your grandchildren.

THINGS TO CONSIDER:

1. Division of the Trust Estate
 - a. Divide the Trust Estate equally between the children or do you want an UNEqual distribution?
 - b. Do you want to “disinherit” anyone?
 - c. Do you have special situations such as a handicapped child receiving government benefits?
2. What if a child dies before you do?
 - a. If a child predeceases me, divide that child’s share equally among that child’s children. This is called either a “per stirpes” distribution or distribution “*by right of representation*”.
 - b. If a child predeceases me, divide their share equally among their siblings – “per capita”.
3. When do you want them to get their share?
 - a. As soon as possible after you die?
 - b. When they reach a certain age, for example:
 - i. When each child turns 21
 - ii. After the youngest child turns 21
 - iii. 30% when they turn 21, 30% when they turn 25, the balance when they turn 28
 - iv. Hold the entire estate in trust for the benefit of all minor children. When the youngest child turns 21, divide what’s left equally per stirpes.
 - c. When they accomplish a certain task, such as a college degree, get married or by a house.
4. Do you want to leave anything to charities, such as Utah Youth Village or the University of Utah?
5. Do you want to leave anything to non-family members, such as a friend or a foster child?

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

ESTATE DISTRIBUTION:

LAST WILLS AND TESTAMENTS

INSTRUCTIONS: Be sure to (1) Always use full legal names and (2) provide as much contact information as possible.

HELP: A “pour-over will” means that your Last Will and Testament has a provision that leaves everything not in your Trust to your Trust. In other words, the Trust is the sole heir of your Will, that is to say that your Will “pours” everything “over” into your Trust.

PERSONAL REPRESENTATIVES

HELP: A “personal representative” (formerly known as an “executor”) represents your estate after you die. The Personal Representative takes care of distributing all your stuff you did not transfer to your Trust.

NOTE: Usually, the Personal Representative and Alternate Personal Representative s are the same people as the Successor Trustees. The Personal Representative deals with non-Trust assets and the Trustee deals with Trust assets. It makes it less complicated if only one person must sign and coordinate activities. A committee takes longer to get things done.

NOTE: If there are trustworthiness concerns, you can have more than one Personal Representative and Trustee at a time to provide a check and balance. It is better to have an odd number so that a disagreement cannot end in deadlock making the services of a probate judge necessary to resolve a conflict.

NOTE: It is good to have some back-ups named in case your first choice can’t or is not willing to serve.

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

HUSBAND

PERSONAL REPRESENTATIVES

Husband - Personal Representative (Usually your spouse)

Name _____ Relationship: _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

Husband - 1st Alternate Personal Representative

Name _____ Relationship _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

Husband - 2nd Alternate Personal Representative

Name _____ Relationship _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

Husband - 3rd Alternate Personal Representative

Name _____ Relationship _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

_____ Check here if you want additional Alternate PRs and enter their information below.

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

WIFE

PERSONAL REPRESENTATIVES

Wife - Personal Representative (Usually your spouse)

Name _____ Relationship: _____

Address _____

City _____ State _____ Zip _____

Work Phone _____ Home Phone _____

Cell Phone _____ email _____

Wife - 1st Alternate Personal Representative

*Name _____ Relationship _____

Address _____

City _____ State _____ Zip _____

Work Phone _____ Home Phone _____

Cell Phone _____ email _____

Wife - 2nd Alternate Personal Representative

Name _____ Relationship _____

Address _____

City _____ State _____ Zip _____

Work Phone _____ Home Phone _____

Cell Phone _____ email _____

_____ Check here if you want additional Alternate PRs and enter their information below.

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

DURABLE GENERAL POWER OF ATTORNEY

HELP: A “*Financial Agent*” appointed in your Durable General Power of Attorney is someone you authorize to manage your affairs in the event you become incapacitated. It is active until you either regain your capacity or die.

NOTE: The Financial Agent under your Durable General Power of Attorney and Alternate Financial Agents are usually the same people as the Successor Trustees in the same order. In the event of your incapacity, your Financial Agent manages your non-Trust assets and the Trustee manages your Trust assets. It makes it less complicated if only one person must sign and coordinate activities. A committee takes longer to get things done.

NOTE: It is good to have some back-ups named in case your first choice can’t or is not willing to serve.

HUSBAND

FINANCIAL AGENTS

Husband - Financial Agent (Usually your spouse)

Name _____ Relationship: _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

Husband - 1st Alternate Financial Agent

Name _____ Relationship _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

Husband - 2nd Alternate Financial Agent

Name _____ Relationship _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

_____ Check here if you want additional Alternate Financial Agents and enter their information below.

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

WIFE

FINANCIAL AGENTS

Wife - Financial Agent (Usually your spouse)

Name _____ Relationship: _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

Wife - 1st Alternate Financial Agent

Name _____ Relationship _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

Wife - 2nd Alternate Financial Agent

Name _____ Relationship _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

_____ Check here if you want additional Alternate Financial Agents and enter their information below.

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

HEALTH CARE POWER OF ATTORNEY

INSTRUCTIONS: Be sure to (1) Always use full legal names and (2) provide as much contact information as possible.

HELP: A “*Health Care Agent*” is a person appointed by you in your Health Care Power of Attorney, more technically known as a “Medical Directive”. You grant to this person your power to make medical and health care decisions for you if you, for whatever reason, cannot make them yourself. Each State legislature has approved its own version that usually incorporates the Living Will.

HELP: A “living will”, more technically known as a “Medical Directive to Physicians and Providers of Health Care” is a document in which you express your desires relative to ongoing medical and health care services in the event you are irrevocably in the process of dying. No person is appointed to act for you under this document. It is State-specific and usually combined with the Health Care Power of Attorney.

NOTE: Your Health Care Agent need not be the same as anyone already named in the previous documents. In fact, it is often not the same person. Some things to consider when selecting your Health Care Agent and Alternates are age, familiarity with medical and health care matters, disposition under stressful circumstances, assertiveness, etc.

NOTE: It is good to have some back-ups named in case your first choice can’t or is not willing to serve.

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

HUSBAND

HEALTH CARE AGENTS

Husband - Health Care Agent (Usually your spouse)

Name _____ Relationship: _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

Husband - 1st Alternate Health Care Agent

*Name _____ Relationship _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

Husband - 2nd Alternate Health Care Agent

Name _____ Relationship _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

_____ Check here if you want additional Alternate Health Care Agents and enter their information below.

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

WIFE

HEALTH CARE AGENTS

Wife - Health Care Agent (Usually your spouse)

Name _____ Relationship: _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

Wife - 1st Alternate Health Care Agent

Name _____ Relationship _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

Wife - 2nd Alternate Health Care Agent

Name _____ Relationship _____
Address _____
City _____ State _____ Zip _____
Work Phone _____ Home Phone _____
Cell Phone _____ email _____

_____ Check here if you want additional Alternate Health Care Agents and enter their information below.

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

ASSETS AND LIABILITIES

Why do we need your financial information?

First, this will become a checklist for implementation your estate plan.

Second, it may raise additional red flags regarding your estate or asset protection planning, they may need additional attention.

Third, we want to be sure that it does not conflict with other planning you may have already done.

INSTRUCTIONS:

1. Be as details as possible, but not too detailed. In other words, enter the name of the bank, type of account and typical balance, but not the account number. The same applies to credit cards.
2. Whenever possible, indicate who or what owns each asset or liability. For example, an account has only one spouse on a rental property owned by an LLC, or who each IRA belongs to. Separate property or community property may indicate that some special drafting may be needed. This is particularly true for multiple marriages and merged families. We will ultimately need to know which assets are intended to be joint and which are separate property.
3. Enter the address or some other description of the real estate, enough so that we can identify what state it is in and the type of use, such as a residential rental, farm property or a cabin in the mountains.
4. We do not need exact balances on accounts and debts, only estimates. The same applies to the fair market value.
5. The detail request for each life insurance policy is necessary to determine the disposition and ownership of each policy.
6. Possible inheritance is important because most people do not consider it an asset or part of their net worth. However, it can wreak havoc with a plan if not anticipated. Your best estimate is all we need.
7. Do your best. You may have questions. We will likely have questions for you as well. If you are uncertain about an entry, leave it blank or put a “?” next to it to remind both of us that it needs attention.

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

Title	Description	Debt	Fair Market Value
Personal Property, Collectables, etc.			
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
Personal Vehicles, Boats, Toys, etc.			
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
Personal Cash, Checking & Savings Accounts			
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
Personal Consumer / Credit Card Debt			
_____	_____	\$ _____	
_____	_____	\$ _____	
_____	_____	\$ _____	
_____	_____	\$ _____	
_____	_____	\$ _____	
_____	_____	\$ _____	
Personal Notes, Contracts, Accounts Receivable			
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

Title	Description	Debt	Fair Market Value
Personal Use Real Estate			
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
Rental Real Estate			
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
Land & Development Real Estate			
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
Closely-Held Businesses – Corporations, Limited Liability Companies, Partnerships, etc.			
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
Patents, Trademarks, Copy Rights, Royalties, etc.			
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
Non-US Assets			
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

Title	Description	Current Value
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Taxable Investments, i.e. stocks, bonds, mutual funds, etc.

_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

IRAs & Retirement Plans, Medical Reimbursement and College Plans, etc.

_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

Other Assets

Anticipated Inheritance

Description	Estimated Value
Husband _____	\$ _____
Wife _____	\$ _____
Other _____	\$ _____

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

***Life Insurance**

1. Company _____ Type of Policy _____
Owner _____ Beneficiaries _____
Insured _____ Date Issued _____
Premium \$ _____ Cash Value \$ _____ *Death Benefit \$ _____

2. Company _____ Type of Policy _____
Owner _____ Beneficiaries _____
Insured _____ Date Issued _____
Premium \$ _____ Cash Value \$ _____ *Death Benefit \$ _____

3. Company _____ Type of Policy _____
Owner _____ Beneficiaries _____
Insured _____ Date Issued _____
Premium \$ _____ Cash Value \$ _____ *Death Benefit \$ _____

4. Company _____ Type of Policy _____
Owner _____ Beneficiaries _____
Insured _____ Date Issued _____
Premium \$ _____ Cash Value \$ _____ *Death Benefit \$ _____

5. Company _____ Type of Policy _____
Owner _____ Beneficiaries _____
Insured _____ Date Issued _____
Premium \$ _____ Cash Value \$ _____ *Death Benefit \$ _____

6. Company _____ Type of Policy _____
Owner _____ Beneficiaries _____
Insured _____ Date Issued _____
Premium \$ _____ Cash Value \$ _____ *Death Benefit \$ _____

Other insurances

Husband

- YES / NO _____ Disability – Short Term _____
YES / NO _____ Disability – Long Term _____
YES / NO _____ Medical _____
YES / NO _____ Long-Term Care _____

Wife

ESTATE PLANNING QUESTIONNAIRE – MARRIED NO CHILDREN

YES / NO _____ Disability – Short Term _____

YES / NO _____ Disability – Long Term _____

YES / NO _____ Medical _____

YES / NO _____ Long-Term Care _____

SOURCES OF INCOME

Source of Income	Annual Amount
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

SUPPLEMENTAL QUESTIONS

1. YES / NO _____ Do you have a prenuptial or post-nuptial agreement?

2. YES / NO _____ Do you have any ongoing, unsatisfied or delinquent legal or financial obligations to prior spouses or children?

Please Explain _____

3. YES / NO _____ Do you owe the IRS any money?

Please Explain _____

4. YES / NO _____ Are you currently being audited by the IRS?

5. YES / NO _____ Are there any years for which you have not filed a tax return? Years _____

6. YES / NO _____ Do you have any outstanding judgments or unsatisfied creditor claims?

Please Explain _____

7. YES / NO _____ Do you have any pending litigation or anticipate new litigation?

8. YES / NO _____ Are you a sole proprietor, partner or general partner in a business venture?

9. YES / NO _____ Are you a guarantor on any obligations not disclosed in the above financial information? Please Explain _____

10. YES / NO _____ Have you ever filed a federal Gift Tax Return?

11. YES / NO _____ Do you own any gun?