

CONFIDENTIAL
ESTATE PLANNING WORKSHEET

FOSTER LAW GROUP
A PROFESSIONAL LIMITED LIABILITY COMPANY

Bainbridge Island Office

355 Ericksen Avenue, Suite 401
Bainbridge Island, Washington 9810
Phone: (206)780-0440
Fax: (206) 842-3831

Law Offices

www.fosterlawgroup.com

Seattle Office

800 Fifth Ave., Suite 4100
Seattle, Washington 98104
Phone/Fax: (206) 686-6686

**CONFIDENTIAL
ESTATE PLANNING WORKSHEET**

Personal Information

Partner 1

Partner 2

Full name:		
Birthdate:		
Citizenship:		
Home address:		
Home telephone:		
Email:		
Employer:		
Office address:		
Office telephone:		
Name of prior spouse (if any):		
Dependents other than children:		

Children

Name	Birthdate	Citizenship	Residence	Married? Y/N	No. of Children

General Information

Partner 1

Partner 2

Have you ever executed a community property agreement or agreement as to the status of property?

Estimated size of any potential inheritance (from others):

Are you a Trustee or beneficiary of any trust, or do you possess any power or beneficial interest in a trust?

Do you have any power of appointment exercisable during life or at death, or have you previously exercised or released any power of appointment?

Have you ever filed a gift tax return?

Do you own insurance on the life of any person other than your spouse?

Have you ever lived in a non-community property state during your marriage (a state other than Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington or Wisconsin)?

Do you own property outside the State of Washington?

If so, where and what kind:

Are you Custodian of a UTMA or UGMA for the benefit of a minor?

Advisors (Name, address and telephone number)

Investments: _____

Accountant: _____

Insurance: _____

Other: _____

Life Insurance

Partner 1

Partner 2

Number of policies: _____

Total face amount: _____

Total present cash value: _____

Owner(s): _____

Total loan(s): _____

Total annual premiums: _____

Primary beneficiary(ies): _____

Contingent beneficiary(ies): _____

Retirement Benefits

Partner 1

Partner 2

Qualified Plans (e.g., 401(k), 403(b)):

Type (pension, profit sharing, ESOP, etc.): _____

Approximate balance(s): _____

Primary beneficiary(ies): _____

Contingent beneficiary(ies): _____

Non Qualified Plans (e.g., IRA, SEP-IRA):

Approximately balance(s): _____

Primary beneficiary(ies): _____

Contingent beneficiary(ies): _____

Last Will and Testament

A. Fiduciaries (Personal Representative, Trustee and Guardian):

1. **Personal Representative:** The Personal Representative is the individual(s) or entity (i.e. bank) designated to identify and collect assets of your estate, pay claims, expenses and obligations of the estate, settle the tax liability and distribute the estate as provided in your Will. Spouses will often serve for each other, and another individual(s) or entity will serve as successor.

		<u>Partner 1</u>	<u>Partner 2</u>
Name of individual(s) or entity to serve as Personal Representative (PR) and as Successor Personal Representative (SPR)	(PR)	_____	_____
	(SPR)	_____	_____

2. **Trustee:** The Trustee is the individual(s) or entity designated to hold, manage and distribute assets placed in any trust(s) established in your Will. The Trustee is guided by state law, and may obtain and rely on the advice of professionals regarding the management of the assets. The selection here often parallels the selection of PR(s) and SPR(s), discussed above.

Name of individual(s) or entity to serve as Trustee (TR), Successor Trustee (STR) of any trusts to be established and Children's Trust Trustee (if any)	(TR)	_____	_____
	(STR)	_____	_____
		_____	_____

3. **Guardian:** The Guardian of the person is the individual(s) who will take custody of your minor children (i.e. children under age 18) when there is no surviving parent. The Guardian's role is parental in nature, rather than financial. The Guardian and Trustee will coordinate with each other and can be the same person. You should name a successor guardian in the event the first named guardian is unable or unwilling to serve. You should also discuss this decision with the persons you choose prior to naming them in your Wills.

Name of individual(s) to serve as Guardian (G) or Successor Guardian (SG)	(G)	_____	_____
	(SG)	_____	_____

B. Dispositive Provisions

1. **If married:**

a. Putting tax considerations aside, would you prefer to have property pass to the survivor of you free and clear, (i.e., not in trust)?

b. It is usually advisable to establish a trust in your Will to hold your estate for the benefit of your young children upon the death of both of you. The provisions of the trust generally allow the Trustee to make payments for the health, support, maintenance and education of the children. At some point, however, a child's share is usually distributed to him or her outright, and the trust terminates. The termination should be at the age or ages at which the child can be expected to manage the funds independently. For example, one-half of a child's share could be distributed to the child at age 25 with the balance distributed at age 30. If you think that the use of a trust for the children is advisable, at what age or ages should their shares be distributed to them free of trust?

c. Do either of you wish to include in your Will gifts to individuals or entities (i.e., charities) other than your surviving spouse and descendants (i.e., children, grandchildren)? _____. If yes, please list the persons and/or organizations and the amount(s) of specific bequests to each:

d. If neither of you nor any of your descendants survive until the complete distribution of your estate, please name the individuals, or perhaps charitable organizations, for whom you would like to provide in such circumstance:

2. Special Concerns:

Are there additional concerns or beneficiaries that haven't been discussed above?

OTHER DOCUMENTS

A. General Durable Power of Attorney

The General Durable Power of Attorney allows you to appoint an individual(s) (i.e. "the attorney-in-fact") to make decisions and take actions regarding your property in the event you are incapacitated. The General Durable Power of Attorney is designed to preclude the need for a guardianship proceeding in the event of incapacity and becomes effective immediately or upon your disability or incompetence, as you determine appropriate.

		<u>Partner 1</u>	<u>Partner 2</u>
Name of individual to serve as attorney-in-fact(AIF) and	(AIF)	_____	_____
and successor attorney-in-fact (SAIF)	(SAIF)	_____	_____

B. Medical Power of Attorney

The Medical Power of Attorney allows the attorney-in-fact to make decisions regarding the medical treatment and non-treatment of the principal.

		<u>Partner 1</u>	<u>Partner 2</u>
Name of individual to serve as attorney-in-fact(AIF) and	(AIF)	_____	_____
successor attorney-in-fact (SAIF)	(SAIF)	_____	_____

C. Health Care Directive

The Health Care Directive is a statutory form designed to provide for the termination of artificial life support systems if you are diagnosed to be in a "terminal condition" or in a "permanent unconscious condition." Would you be interested in executing such a document? Yes _____ No _____.

Existing Documents

Please provide us with copies of any existing estate planning documents, including Last Wills and Testaments, Community Property Agreements, Pre and Post Nuptial Agreements, Trust Agreements, Buy/Sell Agreements, Gift Tax Returns, Powers of Attorney, Living Wills, Divorce Decrees and Property Settlement Agreements, etc.

ASSETS AND LIABILITIES

I. <u>U.S. – SITUS ASSETS</u>	Separate Property <u>Partner 1</u>	Separate Property <u>Partner 2</u>	Joint Property
Cash (checking and savings accounts)	\$ _____	\$ _____	\$ _____
Short-term investments - treasury bills, certificates of deposit, etc.	\$ _____	\$ _____	\$ _____
Publicly traded securities and bonds	\$ _____	\$ _____	\$ _____
Annuities	\$ _____	\$ _____	\$ _____
Closely held securities (e.g., S-CORP stock)*	\$ _____	\$ _____	\$ _____
Principal Residence	\$ _____	\$ _____	\$ _____
Vacation Home	\$ _____	\$ _____	\$ _____
Other real estate	\$ _____	\$ _____	\$ _____
Partnerships (and LLC's)*	\$ _____	\$ _____	\$ _____
Accounts receivable	\$ _____	\$ _____	\$ _____
Life Insurance Death Benefit	\$ _____	\$ _____	\$ _____
Retirement benefits			
Qualified plans (e.g., 401(k), 403(b)):	\$ _____	\$ _____	\$ _____
Non-qualified plans (e.g., IRA, SEP-IRA):	\$ _____	\$ _____	\$ _____
Furnishings (including art work and antiques)	\$ _____	\$ _____	\$ _____
Automobiles	\$ _____	\$ _____	\$ _____
Boats	\$ _____	\$ _____	\$ _____
Other	\$ _____	\$ _____	\$ _____
 TOTAL U.S. - SITUS ASSETS	 \$ _____	 \$ _____	 \$ _____

* If controlling interest is owned in closely held corporation or partnership, give details.

II. U.S. SITUS LIABILITIES

	Separate Property <u>Partner 1</u>	Separate Property <u>Partner 2</u>	Joint Property
Mortgage(s)	\$ _____	\$ _____	\$ _____
Guarantee	\$ _____	\$ _____	\$ _____
Loans, notes, etc.	\$ _____	\$ _____	\$ _____
Other Obligations	\$ _____	\$ _____	\$ _____
 TOTAL U.S. – SITUS LIABILITIES	 \$ _____	 \$ _____	 \$ _____
 ASSETS - LIABILITIES = NET SEPARATE PROPERTY AND NET JOINT PROPERTY	 \$ _____	 \$ _____	 \$ _____

COMPLETE THE FOLLOWING TWO PAGES ONLY IF YOU OWN ASSETS LOCATED OUTSIDE OF UNITED STATES

III. FOREIGN – SITUS ASSETS (IN US. DOLLARS; INDICATE SITUS COUNTRY)

	<u>Situs</u>	Separate Property <u>Partner 1</u>	Separate Property <u>Partner 2</u>	Joint Property
Cash (bank accounts)	_____	\$ _____	\$ _____	\$ _____
Short-term investments	_____	\$ _____	\$ _____	\$ _____
Securities and bonds	_____	\$ _____	\$ _____	\$ _____
Annuities	_____	\$ _____	\$ _____	\$ _____
Closely held securities	_____	\$ _____	\$ _____	\$ _____
Principal Residence	_____	\$ _____	\$ _____	\$ _____
Vacation Home	_____	\$ _____	\$ _____	\$ _____
Other real estate	_____	\$ _____	\$ _____	\$ _____
Partnerships	_____	\$ _____	\$ _____	\$ _____
Accounts receivable	_____	\$ _____	\$ _____	\$ _____
Life Insurance Death Benefit	_____	\$ _____	\$ _____	\$ _____
Retirement benefits (Indicate type)	_____	\$ _____	\$ _____	\$ _____
Furnishings (including art work and antiques)	_____	\$ _____	\$ _____	\$ _____
Automobiles	_____	\$ _____	\$ _____	\$ _____
Boats	_____	\$ _____	\$ _____	\$ _____
Other	_____	\$ _____	\$ _____	\$ _____
TOTAL FOREIGN – SITUS ASSETS		\$ _____	\$ _____	\$ _____

IV. FOREIGN – SITUS LIABILITIES (IN US. DOLLARS; INDICATE SITUS COUNTRY)

	<u>Situs</u>	Separate Property <u>Partner 1</u>	Separate Property <u>Partner 2</u>	Joint <u>Property</u>
Mortgage(s)	_____	\$ _____	\$ _____	\$ _____
Guarantee	_____	\$ _____	\$ _____	\$ _____
Loans, notes, etc.	_____	\$ _____	\$ _____	\$ _____
Other Obligations	_____	\$ _____	\$ _____	\$ _____
TOTAL FOREIGN. – SITUS LIABILITIES		\$ _____	\$ _____	\$ _____

ASSETS MINUS LIABILITIES (III – IV) (A)\$ _____ (B)\$ _____ (C)\$ _____

TOTAL FOREIGN. SITUS NET WORTH (A + B + C) \$ _____