



## Basic Estate Planning Items for Consideration

### 1. Guardians

- a. What is the name and address of the person you would like to designate in your Wills as the Guardian of your children in the event of your deaths?
- b. What is the name and address of the person you would name as an alternate Guardian?

### 2. Executor

Your executor has the responsibility to wind up your affairs at your death, see to it that your assets are collected, that claims, expenses, and estate and inheritance taxes are paid, and then distribute your property to trustees or others you have named. It is a task of limited duration, substantial responsibility, and much work. You may appoint each other as the principal executor in which case I would only need from each of you a substitute executor in the event the principal executor is unavailable to act as Executor.

- a. What is the name and address of the person you would designate as the principal Executor?
- b. What is the name and address of the person you would name as the substitute Executor?

### 3. Trustees

Your trustees have the responsibility for the long-range management of property that is to be held in trust for the benefit of the beneficiaries of trusts you may create in your Wills. In your situation, with minor children, we will include a provision in your Wills that will provide for trusts to be set up for any minor beneficiaries. In general, choose a trustee with the following qualities: integrity, mature judgment, fiscal responsibility, and reasonable business and investment acumen. If you wish to select co-trustees, you may want to choose them for how well their individual strengths complement one another.

- a. What is the name and address of the Principal Trustee(s)?
- b. What is the name and address of the person you appoint as the substitute trustee(s)?

### 4. Health Care Powers of Attorneys (Health Care Proxies)

Health care powers of attorney allow you to designate who you wish to make health care related decisions on your behalf in the event you are unable to do so. Such decisions include the type of care you will receive, where you will receive the care, who will provide the care to you, etc. In order to complete a health care power of attorney, we will need to know the name and address of who you wish to designate as your agent and in the event your agent is unable to act, who you wish to designate as an alternate agent. As with the Executor, you may appoint each other as your Agent in which case I only need from each of you a substitute Agent in the event the primary Agent is unavailable.

- a. What is the name and address of the Agent?
- b. What is the name and address of alternate Agent?



## 5. Powers of Attorney

Powers of Attorney allow you to appoint someone to act on your behalf with respect to day to day and legal matters. Such matters include banking transactions, buying and selling property, making claims for insurance, military and other benefits, etc. Thus, a power of attorney is a very powerful instrument and careful consideration should be given before giving someone your power of attorney. Similar to above w/ respect to your Executor and Agent for the Health Care Proxies, you may appoint each other as your Attorney-in-Fact in which case I would only need from each of you an alternate Attorney-in-Fact in the event the primary Attorney-in-Fact is unavailable.

- a. What is the name and address of Attorney-in-Fact?
- b. What is the name and address of an alternate Attorney-in-Fact?

## 6. Living Will

Living wills set forth your wishes with respect to whether you wish to have life sustaining measures continued in the event you are determined to be in an irreversible coma and in a terminal condition. Generally, we provide that such a determination shall be made by two (2) physicians, one of whom shall be your attending physician. Of course, you may choose to have any determination that you wish.

Please contact me for any clarification or questions at (315) 463-8587, ext. 1351 or  
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