



Estate Planning Fact Finder

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Plan ahead. 

OUR PROCESS AND FEES

Thank you for your interest in working with us. We want to help you design and implement an estate plan that is uniquely appropriate for you, a plan you can understand and rely on to protect you today and provide for your family in the future.

THE PROCESS

Our process for getting the information necessary to design and implement an effective estate plan for you is quite simple.

1. Call us at (972) 888-6098 to schedule your complimentary initial consultation.

The initial consultation is free and usually lasts 1 - 3 hours, so please block out at least that much time for our meeting. If you are married, we require both spouses to attend the initial consultation unless we will only be representing one spouse.

2. Fill out this Estate Planning Fact Finder and return it to us prior to the initial consultation.

Please send your completed Estate Planning Fact Finder back to us in the envelope provided so we receive it at least 2 business days prior to your appointment. In addition to the completed forms, please send us copies of your current wills, trusts, powers of attorney and any other estate planning documents you may have.

3. At the initial consultation, you will tell me about yourself, your estate and your goals and I will tell you about the law.

We will review your Estate Planning Fact Finder prior to the initial consultation. In addition, at our meeting we will ask you some questions to make sure we understand your family situation, financial information and your goals. We will be prepared to discuss any estate tax issues raised by the information you provided in the Estate Planning Fact Finder as well as how the law impacts your estate planning goals based on your family and financial information.

4. We will evaluate your current estate plan.

Everybody has an estate plan. Some people have one provided by the State legislature while others have put their own plan in place. We will evaluate your current estate plan to determine if it addresses your goals and objectives.

5. We will recommend a strategy to accomplish your objectives.

If your current plan is sufficient to meet your objectives, we will tell you. If it does not address your situation or goals in an appropriate way, we will tell you what we think you should do and exactly what it would cost to implement the recommendation.

If you approve the recommendation, 1/2 of the fee quoted will be required before we begin preparing your documents. Within a couple of weeks, we will get back together to review and sign the documents. At that time the remainder of the fee will be due.

If for any reason the recommendation does not meet with your approval, you will simply tell us you do not want to proceed, no questions asked, no pressure.

**Plan ahead.**

ESTATE PLANNING LEGAL FEES

Estate planning should always be done with the client's goals and objectives in mind. If your estate planning does not meet your legally obtainable goals and objectives, it is an inadequate plan, and it has been a poor bargain, regardless of its low cost. Remember, proper estate planning is of vital importance, and will profoundly and inevitably affect everything in this world that you own, and every person in this world that you love.

A very common question we get is "how much does it cost?" We understand and appreciate the desire to know how much "it" costs. The problem is in knowing what "it" is.

An estate plan is a little bit like a custom home. Each one is different. The difference in some custom homes is apparent from the curb. The differences in other custom homes are more subtle, but are just as important to the owner. Although each custom home is different, a competent architect could give you a very good idea of the cost per square foot to design and build a custom home if the location, materials, amenities and size of lot were provided.

In the same way, a competent estate planning attorney should be able to give you an idea of the cost of a custom estate plan if you provide the relevant information about you, your family, your goals and your assets. That's why we offer a complimentary initial consultation. It gives us an opportunity to get the basic facts to design and implement an estate plan that would be uniquely appropriate for you. A plan you can understand and rely on to protect you today and provide for your loved ones even beyond the unexpected.

After we have the necessary facts, we will quote a fixed fee for the legal work we recommend to you. Our experience has been that our clients prefer a fixed fee. There are any number of reasons for this preference:

1. A fixed fee is definite.
2. You have the assurance of knowing exactly what it will cost to address your concerns and remedy your problems and you can decide if you are getting your money's worth.
3. You do not have to worry about "hidden costs" or being "nickel and dimed."
4. The attorney and his staff are not "rewarded" at your expense for being inefficient.

A proper estate plan will save you and your loved ones a lot of time, hassle and unnecessary expense. If you are looking for the cheapest estate plan, we can save you a lot of time and hassle by letting you know up front that we are not the firm for you. If on the other hand, you are looking for value, you are in the right place.

ESTATE PLANNING BASICS AND GOALS

Now that you know our process, there are a few things about estate planning in general that you should know.

THE OBJECTIVES OF AN EFFECTIVE ESTATE PLAN

To be effective, an estate plan should, at a minimum, accomplish the following:

1. Provide that you stay in control of your property and are able to use it as you think best.
2. Prevent court intervention or supervision of your affairs if you become disabled.
3. Distribute what you have to whom you choose in the most appropriate way for each beneficiary.
4. Reduce or eliminate taxes and administrative costs to implement and maintain your estate plan.

THE CHALLENGE

Your ability to achieve the objectives of an effective estate plan is affected by a variety of factors including: your family situation; the size and nature of the assets making up your estate; and a complex maze of laws and regulations. Acting alone you may not even be able to identify, much less avoid, all the pitfalls that will defeat your goals.

You deserve an estate plan that recognizes your unique situation and addresses your objectives in a way you can understand and rely on to protect you today and provide for your family tomorrow. It is impossible to do that without a clear understanding of your assets, how they are titled, your family situation and your goals. This Estate Planning Fact Finder is designed to help you identify your goals and to help us understand your situation so an estate plan can be designed that is most appropriate for you.

THE BASIC PHASES OF AN ESTATE PLAN

For married couples, there are basically three phases of estate planning. Phase I is the period of time while both spouses are alive. Phase II is the period of time following the death of the first spouse, while the surviving spouse is alive. Phase III is the period of time after the death of the surviving spouse.

For single people, there are basically two phases of estate planning. Phase I is the period of time while you are alive and Phase II is the period of time following your death. In the information that follows, single people will only be concerned with the issues addressed below as Phase I and Phase III issues.

PHASE I - ISSUES TO ADDRESS FOR PERIOD OF TIME YOU ARE ALIVE

Typically, the biggest issues during Phase I relate to the control and management of your affairs in the event of disability. The best tool for the management and control of your assets in the event of a disability is a fully funded living trust. Other estate planning tools that are designed to address the issues related to disability include a power of attorney for handling your business affairs and a medical power of attorney for designating an agent to make decisions regarding your health care.

Regardless of whether you use a fully funded living trust or powers of attorney to address the control and management of your affairs in the event of disability, you will need to designate other people as agents or trustees to make decisions for you when you are not able to make them yourself.


Plan ahead.

ESTATE PLANNING BASICS AND GOALS

Issues to consider when choosing trustees, agents under a power of attorney and executors would include the person's:

- * Skill and comfort with issues related to record keeping, accounting and taxes;
- * Availability
- * Sensitivity to your needs and those of your beneficiaries or heirs
- * Business sophistication
- * Decision making ability
- * Fee requirements
- * Financial security
- * Flexibility
- * Impartiality
- * Integrity
- * Investment performance
- * Willingness to serve.

Issues to consider when choosing an agent to make health care decisions would include the prospective health care agent's:

- * Availability in an emergency;
- * Familiarity with your general health situation;
- * Willingness to follow your instructions; and
- * Willingness to make difficult decisions if your death is imminent.

In addition to designating a health care agent you need to consider your desires regarding life-sustaining measures in the event your death is imminent. These issues are addressed in your Living Will and Medical Power of Attorney which should be part of any basic plan.

PHASE II - ISSUES FOR MARRIED COUPLES FOLLOWING DEATH OF THE FIRST SPOUSE

For married couples there are some common issues to consider during Phase II, the period of time following the death of the first spouse to die. These issues include:

1. specific bequests of property to persons other than your spouse;
2. whether you want to include strategies to minimize estate taxes;
3. who, if anyone, should assist the surviving spouse in the administration of the estate; and
4. instructions providing the appropriate degree of control of the estate of the first of you to die in the event the surviving spouse chooses to remarry. Protecting your children's inheritance and avoiding disputes are common goals that could be adversely impacted by the remarriage of the surviving spouse. We can discuss different ways to address these issues if they are of concern to you, but please think about this and discuss it with each other prior to our meeting.

PHASE III - ISSUES FOR PERIOD OF TIME FOLLOWING YOUR DEATH

There are some issues to be addressed following the death of the surviving spouse or following the death of a single person. Common issues to consider during Phase III include:

1. specific bequests;
2. structure of the inheritance for your children and other heirs;
3. who should administer your estate;
4. who you want to serve as guardian of minor children; and
5. who you want to inherit your estate if all of your designated heirs predecease you.

**Plan ahead.**

ESTATE PLANNING BASICS AND GOALS

COMMON ESTATE PLANNING GOALS

Below is a list of 25 Common Estate Planning Goals. Please review the list carefully and then place an "x" next to the Estate Planning Goals that you feel are most important to you.

- I want to be in control of who makes business, financial, lifestyle and healthcare decisions for me if I am not able to make those decisions myself.
- I want to be in control of who takes care of my minor children if, either because of death or disability, I can not provide the care and nurturing they need.
- I do not want to incur the cost, publicity and loss of control of court conservatorship proceedings if either my spouse or I become disabled.
- Upon my death, I want to provide for my surviving spouse, but I also want to structure what I leave to my surviving spouse so it is protected from a "Medicaid Spend-Down" if my surviving spouse needs long term care.
- I have a "blended" family and I want to balance the need to provide for my surviving spouse and my concern that my children are treated fairly regardless of whether I die first or not.
- I have purchased life insurance to provide for my loved ones and I want to make sure my life insurance and my estate plan are coordinated so the life insurance is used for its intended purposes.
- I want to leave specific instructions to the guardian of my children regarding the use of what I leave my children so that it is not wasted or become an obstacle to my children developing their full potential as productive members of society.
- The possibility that what I leave to my children might be lost or subject to division upon a failed marriage disturbs me and I want to make sure that what I leave to my children stays with my children.
- I have an ownership interest in a family-owned or closely held business that I want to leave to a specific child or business associate rather than have it pass to my surviving spouse or be divided among my children in equal shares.
- My highest priority is to provide for my spouse if I am the first to die, but I want to structure my estate plan so that what I leave to my spouse is protected and preserved for our children if my surviving spouse remarries.
- I have a child who is currently receiving financial or other assistance and I do not want the child's share of my estate to disqualify the child for the assistance.
- I want to structure what I leave to my children so that is preserved for their benefit rather than lost to my children's creditors.
- I have a child who needs assistance in the proper use and management of what I am going to leave him or her upon my death.
- I want to make some provision for my grandchildren to help them with the expenses of a college education or just to make sure they get something from my estate.
- I have more than one child and I want to leave my estate to my children in unequal shares.
- I want to make sure that certain family members do not get any part of my estate.
- I want to make a substantial gift to my church or to another charity upon my death.
- I want to leave all, or a substantial portion, of my estate to a friend rather than leaving it to my family.

ESTATE PLANNING BASICS AND GOALS

COMMON ESTATE PLANNING GOALS - Continued

- I want to structure my affairs to reduce estate and death taxes to the lowest possible level.
- I have substantial amounts of life insurance and I want to make sure it is used for the benefit of my loved ones without being subject to federal estate tax.
- It bothers me to think that my will and the inventory of my probate assets would become a public record and open to inspection by any and all business competitors, creditors, dishonest persons or curiosity seekers and it is important to me to protect myself and my family from this kind of exposure.
- I have real estate interests in more than one state and I want to make sure the administration of my estate upon my death or disability is as easy as possible.
- I want to create an estate plan that is valid in every state because I may move to another state and I do not want to have to redo my plan if I do.
- All things being equal, if my estate can be administered without court intervention or supervision, that would be my preference.
- I understand that professional fees will likely be incurred to assist in the administration of my estate if I am incapacitated or if I die so I want to arrange my affairs so that these costs are minimized.

Other Goals and Objectives

If there are additional goals and objectives you want your estate plan to achieve, please list them in the space below.

**Plan ahead.**

Confidential Family Information

Information you provide to us is protected by the attorney/client privilege and only you have the right to authorize release of this information by our firm to a third party.

To facilitate the planning process, it is helpful to share this information with other members of your estate planning team. May we share this information with your CPA, Insurance Agent, Financial **Planner** or other members of your estate planning team?

Yes No

	Name	Telephone
Accountant		
Stock Broker		
Financial Advisor		
Life Insurance Agent		
Attorney		

Family Information

Husband's Full Legal Name		Husbands's Date of Birth
Print the Name Husband Uses to Sign Documents		Husbands's Social Security Number
Husband's Nick Names		County of Residence
Wife's Full Legal Name		Wife's Date of Birth
Print the Name Wife Uses to Sign Documents		Wife's Social Security Number
Wife's Nick Names		Date of Marriage
Home Address	City	State/Zip
Home Telephone	Husband's Work Telephone	Wife's Work Telephone

Children

Please provide the full legal name of each of your children. In the Parent column, specify the parent of each child by using "J" if both spouse's are the parents, "H" if the husband is the parent and "W" if the wife is the parent. Specify the marital status in the Status column by using "M" if the child is married and "S" if the child is single.

Full Legal Name	Parent	Age	Birth Date	Status

Living Parents and Other Dependents

Please provide the full legal names of your living parents and any friends or relatives who are your legal dependents.

Full Legal Name	Relationship

Important Family Questions

Please answer each of the following questions by placing an "x" in the appropriate box. Please make note of documents that will need to be forwarded and be sure to include them when you mail this Fact Finder to us or bring them with you during your initial consultation.

Are both you and your spouse citizens of the United States of America? Yes No

Have you and your spouse ever signed a pre- or post-marriage contract? (Please forward copies of any such agreement) Yes No

Have you or has your spouse been widowed?
(If a federal estate tax return or a state death tax return was filed, please forward a copy) Yes No

Have you or has your spouse completed a previous will, trust or estate plan? (Please forward copies of all current estate planning documents) Yes No

Have you or has your spouse ever filed federal or state gift tax return? (Please forward copies of any such return) Yes No

Have you or has your spouse been divorced? Yes No

Are you or your spouse receiving Social Security, disability or other governmental benefits? Yes No

Are you or your spouse making payments pursuant to a divorce or property settlement agreement? (Please forward copies of any such agreement) Yes No

Do any of your children receive governmental support benefits? Yes No

Do you have adopted children? Yes No

Do any of your children have special education, medical or physical needs? Yes No

Are any of your children institutionalized? Yes No

Do you provide primary or other major financial support to adult children? Yes No

Assets

Knowing ownership or how you hold title to property is extremely important to the estate planning process. Using the legend below, please indicate the value and ownership of any of the types of property listed.

"S" = Sole/Single

"C" = Community Property

"J" = Joint Tenants with Right of Survivorship

"W" = Wife's Separate Property

"H" = Husband's Separate Property

Assets	Value	Owner
Cash Accounts (Checking, Savings, Money Market, C.D.'s)		
Retirement Plans (IRA's, 401(k), Roth IRA)		
Spouse's Retirement Plans (IRA, 401 (k), Roth IRA)		
Investment Accounts		
Publicly Traded Stock		
Bonds		
Real Estate (Home, Vacation House, Rental Property)		
Annuities		
Notes & Receivables (Money Owed to You)		
Business Interests (Partnerships, Family Business)		
Mineral Interests (Oil, Gas, Ore, etc.)		
Personal Property (Jewelry, Collections, Furnishings, etc)		
Other Assets (Stock Options, etc.)		
Life Insurance (Death Benefit)		
Spouse's Life Insurance (Death Benefit)		
Anticipated Gifts & Inheritance		

Liabilities

Knowing your financial liabilities will enable us to calculate your net estate value. As you did with the Assets section, use the legend below to indicate the ownership and values of any of the listed types of liabilities that apply.

"S" = Sole/Single

"C" = Community Property

"J" = Joint Tenants with Right of Survivorship

"W" = Wife's Separate Property

"H" = Husband's Separate Property

Liabilities	Value	Owner
Mortgages		
Accounts Payable		
Loans Against Life Insurance		
Other Obligations		

Net Estate _____

Mailing Instructions

Once you have completed all the applicable fields of the Fact Finder form, please mail pages 1-11 and any copies of documents mentioned on page 9 to our office using the address shown below:

The Ketchersid Law Firm
3010 LBJ Freeway, Suite 1200
Dallas, Texas 75234

Please feel free to call our office at (972) 888-6098 if you have any questions regarding the Fact Finder form or to schedule your initial consultation.



Our offices can be reached from the LBJ Freeway access road headed east from Josey Lane. Turn right onto Bankway lane from the access then left into the parking lot in front of our building. Our offices are located on the 12th floor.

Phone: (972) 888-6098