

# The Law Corner

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**NOTE:** All the information you provide is **strictly confidential**. This questionnaire is designed to help me understand your estate planning needs and make our first meeting more efficient. Please take your time and provide as much information as possible. If you need assistance, you may want to ask a close family member or friend to help you. Finally, thank you for choosing The Law Corner to prepare your estate planning documents.

**DIRECTIONS:** Print your response after each question and clearly write in the space provided.

## **ESTATE PLANNING QUESTIONNAIRE**

### **BASIC BACKGROUND INFO:**

Your full legal name:

Your date birth:

The County and State of your place of birth:

Your current address and county residence:

Home Phone:

Cell Phone:

Do you own your residence:     Yes     No

Do you have a mortgage:        Yes     No

Are you married, separated/divorced or single?:

If married, name and date of birth of your spouse:

Name:

DOB:

Were you previously married?     Yes     No

If yes, how was that marriage terminated:

If you have children (adopted or natural born) from your present marriage, list their names, dates of birth, and (if they do not live with you) addresses:

If you have any children (adopted or natural born) from a former marriage, or born out of wedlock, list their names, dates of birth, and (if they do not live with you) addresses:

If you have any stepchildren, list their names, dates of birth, and (if they do not live with you) addresses:

If you have any deceased children, list their names and whether or not they left any descendants.

**BASIC WILL INFO:**

Is this your first Will? If not, explain when your last will(s) were prepared and in what state(s):

Name who you would like as Executor/Executrix (the Executor/Executrix is the person who carries out your requests in your will. Typically it is your spouse or close family member):

Full Name

Relationship

City and State

List two alternate choices (if the first choice is unable or unwilling):

Do you want your executor to serve without bond? Usually, the answer is yes, especially if you named your spouse or close family member. A bond is used in the event the Executor makes an improper distribution or does anything improper.

Yes     No

How much power and discretion do you want your executor to have? Usually, you want your Executor to have full discretion. Otherwise, it makes it more difficult for them to handle your affairs.

Do you want your debts paid out of your estate? Usually, the answer is yes.

Yes     No

**SPECIFIC WILL INFO:**

Who would you like to be the guardian of your child/children?

Full Name                      Relationship                      City and State

Second Choice:

Full Name                      Relationship                      City and State

Would you like the guardian to also be able to control the child's/children's money or would you like to appoint another person to handle the trust?

Full Name                      Relationship                      City and State

Second Choice:

Full Name                      Relationship                      City and State

Have you made funeral arrangements? Have you thought about whether you would like to be buried or cremated, where you would like too be buried?

How would you like you property valued? On what date should it be valued?  
Date of death? (Discretion to Executor is an option and preferred so they can take into account the taxes associated with the valuation, if any).

Are there any specific heirlooms or other gifts of personal property to be made to specific individuals? If so, to whom and what is the property:

<u>Article</u>	<u>To Whom / Relationship</u>
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Are you going to provide specific monetary gifts to individuals? If so, how much, and to whom:

<u>Amount</u>	<u>To Whom / Relationship</u>
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Who will take the remainder of your estate? (The remainder is either property you have not accounted for, acquired after the will or otherwise passes down the line):

<u>Name</u>	<u>To Whom / Relationship</u>
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**ASSETS:**

Where do you bank? Checking and Savings account numbers:

<u>Bank</u>	<u>Account Number</u>
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Do you have a safe deposit box?  Yes  No

Location of safe deposit box

Location of key

Do you own real estate outside the State of North Carolina?  Yes  No

Street address

City

State and zip

Do you have investments?  Yes  No

With whom

How held

Do you have rental property?  Yes  No

Address

How held

Do you own a business or have any partnership interest in a business?  
 Yes  No

Do you have life insurance?  Yes  No

With whom

Named beneficiary

Do you have a 401k?  Yes  No

With whom

Named beneficiary

Do you want any of your estate to be donated? If so, in whose name, how much and to whom?

List all other assets, i.e., art, comic book & coin collections, heirlooms and how they are held:

Article

How Held

### **LIVING WILL**

A Living Will allows withdrawal of medical treatment if you become terminally ill and are unable to speak for yourself.

Would you like a Living Will prepared?  Yes  No

IF YOU DESIRE A LIVING WILL, YOU WILL ALSO RECEIVE A RELATED POWER OF APPOINTMENT ALLOWING ANOTHER PERSON TO ACT AS YOUR AGENT REGARDING MEDICAL DECISIONS.

Would You Like Your Organs Donated? (For transplant, experimentation, or educational purposes?)  Yes  No

### **HEALTH CARE POWER OF ATTORNEY**

Full Name of Designee

Relationship

Address:

Home phone:

Cell phone:

Work phone:

Alternate choice:

Full Name

Relationship

Address:

Home phone:

Cell phone:

Work phone:

Full Name of Physician Designee: (designated physicians determine your capacity to make decisions pertaining to your health care)

Name:

Address:

Business phone:

Full Name of Mental Health Physician Designee:

Name:

Address:

Business phone:

### **FINANCIAL POWER OF ATTORNEY**

A Financial Power of Attorney gives another person (called an “attorney-in-fact”) the power to make financial, property, gift, and tax decisions on your behalf. It does not give the attorney-in-fact the power to control any trust you may have. It expires upon your death, unless revoked by you at an earlier time.

Would you like a general power of attorney prepared?  Yes  No

Would you like this power of attorney to be durable? This means that it will be effective even if you are deemed incompetent. (This is advantageous if you would like your attorney-in-fact to make financial decisions on your behalf if you are deemed incompetent, instead of a court-appointed guardian).  Yes  No

If you would like a durable power of attorney, would you like to nominate your attorney-in-fact as the guardian of your estate if the court enacts a guardianship proceeding over you? (A guardianship proceeding determines if you are competent enough to handle your own financial affairs).  Yes  No

Would you like this power of attorney to be effective BEFORE you are deemed incompetent? (This means the attorney-in-fact will have power to make decisions on your behalf even if you are not incompetent).  
 Yes  No

Who would you like to appoint as your attorney-in-fact?

\_\_\_\_\_

What is his or her relationship to you? \_\_\_\_\_

Who would you like to appoint as an alternate attorney in fact?

\_\_\_\_\_

What is his or her relationship to you? \_\_\_\_\_

Would you like your attorney-in-fact to have the authority to delegate his powers involving discretionary decision making to others?  
 Yes  No

Do you want to waive the inventory and accounting requirement of the attorney-in-fact to the court?

-Advantages: waiving this requirement reduces court involvement and gives the attorney-in-fact more freedom

-Disadvantages: waiving this requirement removes and checks and balances on the attorney-in-fact

Yes  No

Do you wish for the attorney-in-fact to give gifts on your behalf?  Yes  No



-If so, to whom? (you can limit it to groups of people, such as immediate family members, will beneficiaries, etc.) \_\_\_\_\_

-If so, is there a monetary limit? (If no monetary limit, it is advisable to limit to at least \$13,000 a year to avoid gift tax issues) \_\_\_\_\_

Is there anything else you think I should know?

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