333333399993*PRIVACY ACT STATEMENT*

**WILLS, LIVING WILLS, AND**

 **POWERS OF ATTORNEY**

CLIENT QUESTIONNAIRE FOR:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

E-MAIL ADDRESS:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 DATE AND TIME OF APPOINTMENT:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 ATTORNEY’S NAME:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**OSJA**

**615 McClellan Ave, Bldg. 55**

**Fort Leavenworth**

**913-684-4944**

**http://usacac.army.mil/about-cac/staff/sja/legal-assistance**

**Executed: Attorney: Notary:**

**FORT LEAVENWORTH LEGAL ASSISTANCE OFFICE**

*AUTHORITY: 10 USC 8013, F110 AFJAA, and EO 9397*

*PURPOSE: Used by attorney and client within attorney-client relationship to assist in providing a will and other related legal documents.*

## *ROUTINE USES: Information will be used to aid attorneys and paralegals in drafting wills, living wills, and durable health care powers of attorney. Disclosure is voluntary, but if you do not provide the requested information, this office will be unable to prepare a will or other related documents for you*.

## ***INSTRUCTIONS FOR OBTAINING A WILL***

**Note: It may sound overly simplistic, but know what you own and know how it is titled. For example, know how the deed to your house is titled, the titles to your motor vehicles, bank accounts, mutual fund accounts, stock certificates, insurance policies, IRAs, annuities, etc. Further, know where these documents are located. It is suggested that you keep a copy handy so that you can recall how your assets are titled and whether it continues to reflect your intent. Further, you should keep abreast of any changes in the law where your property is titled that may affect how it is titled. For example, Kansas and Missouri allow residents to name beneficiaries on most indicia of ownership, such as deeds, car titles, bank accounts, brokerage accounts, etc.**

1. Please complete the attached will worksheet to the best of your ability **prior to** your appointment with a legal assistance attorney from the Fort Leavenworth Legal Assistance Office. Please print all names **clearly**. Sloppy penmanship will cause delays.

2. You may schedule an appointment to see an attorney by calling 913/684-4944.

3. Please be prompt for your appointment. If you are delayed or cannot make your appointment, please call us as soon as possible to cancel, reschedule, or let us know how late you will be. ***If you are more than 10 minutes late for your initial appointment, your appointment will be rescheduled to another date and time.***

4. An attorney must interview each person before the will is prepared. If both you and your spouse need a will, you may be seen together so long as you have both seen and discussed each other’s worksheets, agree on the contents and sign the Dual Representation Authorization on pages 19-20 of this worksheet. Also, please let us know when you schedule your appointment if you would like to be seen together.

5. Please bring the following documents with you for your appointment:

 a. A completed will worksheet. (A separate worksheet is needed for the preparation of each person’s will.)

b. A **copy** of your current will, if possible (for reference purposes only). Please avoid bringing any existing, original will, and do not mark on it in any case, because doing so could invalidate it.

1. A list of any questions you may have for the attorney.
2. Your military identification card.

6. During your appointment, an attorney will review the will worksheet with you and answer any questions that you may have. After your appointment, we will prepare a draft copy of your will and either email it to you, mail it to you, or call you to pick it up from our office. Once you have reviewed the draft of your will, you can call us to make any minor corrections and to schedule an appointment to execute your will. If major corrections or changes are needed, please call for a follow-up appointment with the attorney that you have already seen. Will execution sessions are scheduled for your convenience at various times Monday – Tuesday and Thursday from 0930 – 1030 and 1330 – 1500; Wednesday 1330-1500, and Friday 0930-1030.

7. The final step is the “execution” or signing of your will. The will execution session requires certain formalities to include a final review of the documents, the administration of oaths, the actual signing of the will, the witnessing of such signatures, and a final briefing, all of which are time consuming. **You should show up 15 minutes before your execution appointment to review the final version of your will. Plan on spending one hour for the actual execution session**. We schedule up to four clients for each will execution session. Each person signs their own documents and acts as a witness for two of the others. This avoids the need for you to bring your own witnesses or to rely on our staff to act as witnesses. Please note, if you are late for the will execution appointment, your appointment will be rescheduled to another date and time.

8. You must bring your military identification card with you to all appointments, even when in uniform. This is necessary to verify the client’s identity for our notary publics and to determine eligibility for legal assistance. **(Due to the nature of legal assistance appointments generally, and the will execution session specifically, our office is regrettably unable to accommodate small children. This prohibition also allows us to provide faster and more efficient service to all of our clients).**

Your cooperation is important and allows us to provide you the best in legal assistance. Please let us know how we may better serve your needs.

### WILL TERMINOLOGY

WHAT IS A WILL? A will is a legally effective declaration of a person’s wishes as to the disposition of his/her property upon his/her death. It must be executed with the formalities required by statute. The provisions of a will do not take effect until after the death of the maker. A will never disposes of the proceeds of insurance policies with named beneficiaries, nor does it dispose of some items of property which are held under various forms of special ownership, such as joint tenancy with a right of survivorship, or tenancy by entirety. In a will, you will designate an executor/trix, and if minor children are involved, a guardian (see definitions below). It is important that you contact the prospective executor/trix and guardian prior to the preparation and execution of the will to ensure that he/she/they is/are willing to accept the position.

WHO IS THE BENEFICIARY? Anyone to whom the maker of a will (testator/trix) leaves a portion of his/her property.

WHAT DOES BEQUEATH MEAN IN A WILL? To give personal property by will.

WHAT IS A BOND? Money paid to the court or a bonding company by a guardian or executor to insure against loss occasioned by their negligence or theft.

WHAT IS DOMICILE? A person’s permanent home. The place to which, whenever he/she is absent, he/she has the intention of returning. You can have more than one residence, but you can only have one domicile. Your intent, voting, paying taxes, registering automobiles, obtaining a driver’s license, and location of assets are factors considered in determining domicile. For military members, your domicile is often your legal residence (e.g., your home of record), not the place you are currently living.

WHAT IS AN ESTATE? All property, real and personal, in which a person has an interest, such as money, savings accounts, stocks, house, furniture, insurance policies, etc.

WHAT DOES RESIDUARY ESTATE MEAN? Residuary is a derivative of the word “residue.” It means what is left over. Your residuary estate is the portion of your estate that is left over when everything else is disposed of.

WHAT DOES EXECUTION MEAN? To validate a will by correctly signing it and having it witnessed.

WHO IS THE EXECUTOR/TRIX? The person named in a will to carry out the wishes expressed in the will. An Executor is male; an Executrix is female. Upon the death of a maker of a will, the Executor/trix must take the will to the proper court for probate. Once the court accepts the will as valid, the court officially appoints the person as Executor/trix. An Executor/trix may be entitled to compensation for his/her services. Individuals serving in this capacity serve subject to court approval. While most courts follow the desires of the Testator/trix in his/her will, they are not bound to do so. A bond may be required of an Executor/trix. In some states the term “Personal Representative” means the same thing as Executor/trix.

WHO IS A GUARDIAN? One who is responsible for caring for the person and/or property of a minor child. Individuals serving in this capacity serve subject to court approval. While most courts follow the desires of the Testator/trix in his/her will, they are not bound to do so. Courts can require guardians to post a bond.

WHO IS THE TESTATOR/TRIX? You, the person making the will. A Testator is male; a Testatrix is female.

WHAT IS PERSONAL AND TANGIBLE PROPERTY? Property which is moveable.

WHAT IS A PROBATE? A court proceeding where the Executor/trix seeks to establish a will as genuine, settle all the debts of an estate, and distribute the property in the estate to the heirs according to the wishes of the will maker as expressed in the will.

WHAT IS A PROBATE ESTATE? The portion of an estate that requires court supervised administration to effect transfer of title. It does not include property transferred at the time of a person’s death by other means, such as property held as joint tenants with right of survivorship, or life insurance paid to a designated beneficiary. For tax purposes, all property which the decedent owned or in which he/she had an interest, may be included in the taxable estate, although some of it is not within the probate estate.

WHAT IS A NON-PROBATE ESTATE? It is property that does not pass through a decedent’s will and, thus, does not pass through probate. Be aware that an increasing number of jurisdictions are passing non-probate laws that allow property owners to transfer ownership of certain assets by beneficiary designation. **Kansas and Missouri** are two such states that permit property owners to designate beneficiaries on **Transfer On Death (TOD) Deeds to real property in Kansas and Missouri** and permit the designation of beneficiaries **(TOD)** on **Titles to Motor Vehicles**. Many states, including Kansas and Missouri, have adopted the **Uniform Transfer on Death Security Registration Act.** Pursuant to this Act, you may also designate **Transfer/Pay On Death (TOD/POD)** beneficiaries on all bank accounts and all credit union accounts (such as savings account, checking account, certificates of deposit, money market accounts); further, you may designate beneficiaries on securities accounts, such as mutual funds and brokerage accounts.

Why do people do this? Primarily, folks do this to avoid the probate of their assets. It is a simple way to convey ownership of a particular asset upon death. Until death no control of the asset is relinquished. The owner or owners of the asset retain full control over the property until death, then it passes to the designated beneficiary(ies). The TOD/POD designation is revocable. The owner can change it anytime. It does not restrict the owner’s use of the property during his/hers/their lifetime. This is a good way to keep things simple for your intended beneficiaries. TOD/POD designation is usually a win-win situation for most people who are not too concerned with the federal estate tax issue.

WHAT IS REAL PROPERTY? Property that has a fixed location, such as land or a house.

WHAT IS A FINANCIAL CUSTODIAN? As part of your will, you may name someone to be a Financial Custodian to manage money or property that you leave to any child under 18 or 21 years old (depending on the state you live in). California, Alaska and Nevada are notable exceptions. These states permit a resident to choose an age of majority between 18 and 25.

 Most states have a simple method of appointing some adult to be the custodian for a child’s property. If you are interested in this sort of arrangement, you should discuss it with the person who you want to name as custodian and then discuss it when you arrive for your appointment.

WHAT IS A TRUST AND HOW MIGHT IT BE USED FOR THE BENEFIT OF MY CHILD(REN)? A trust is similar to a bank account that you create for the use of your child; the property you leave to your children automatically goes into the account. You appoint a “trustee” who is legally responsible for the account to watch over the account and distribute money to your children. You decide in your Will what sort of needs of the children the trustee may pay from the account.

 When your child reaches a certain age that you have decided upon in your Will (it could be 18, 21, or 25 or any other age), all the money that remains in the account is distributed to the child. If you have more than one child, each child receives his share of the account when he or she reaches the required age. A “separate” trust sets up an account for each of your children. A “unitary” trust creates one account that all of your children share. A unitary trust is terminated and the monies distributed equally when the youngest child attains the age you have set.

 A trustee must be selected with care. The trustee should be a person you have confidence in, some one who knows your children and understands their needs. One of the advantages of a trust is that if the trustee mismanages the trust he or she is responsible for the property that is lost. A trustee is required to be supervised by the court and required to submit a yearly report. Additionally, creditors of your children may not collect debts from the trust; this is called a spend thrift provision.

**Do I Have to use a Trust to Leave Property to my Children?** No. You may elect to leave property to your children outright. If you do, the court will appoint some one to watch over your child’s inheritance until the child reaches the age of 18 or 21. At the age of 18 or 21, your child will receive all the property he or she has inherited. If you do decide to leave property to your child outright, you must also decide how to treat the shares of children who may die before you do. Specifically, you must decide if their share will revert to surviving children, or be shared by their children, your grandchildren. Your attorney will discuss this with you to ensure your desires are accurately recorded in your will.

**Are There Alternatives to a Trust Available?** Yes. Specifically, the Uniform Gifts to Minors Act (UGMA) or the Uniform Transfer to Minors Act (UTMA) creates custodianships which are generally recognized in state law and may be preferable to creation of a trust in your will. UGMA/UTMA account can be established during your life or through your Will at death for the benefit of your child(ren), and then funded with proceeds of your insurance policies, like SGLI, or with property from your estate on death. Like a trustee, the UGMA/UTMA custodian will be charged with administering the funds for the benefit of your children. Unlike a trustee, the custodian’s duties and responsibilities are defined in uniform acts rather than a trust instrument. Also, when the custodian is a life insurance beneficiary, payment to the custodian should be made immediately after death without any court intervention. However, the same life insurance company may not pay immediately on a trust designation.

**NOTE:** That a custodian is not required to go to court like a trustee is required. Further income earned within custodial account is taxed at a much lower rate than similar income earned within a trust. The following is a comparison of the primary differences between a custodial account and a testamentary trust.

MANAGING ASSETS FOR MINOR CHILDREN

CHOICES:

 **1. CUSTODIAL ACCOUNT FOR MINOR**

 **UNIFORM TRANSFER TO MINORS ACT or UNIFORM GIFT TO MINORS ACT**

 **2. TESTAMENTARY TRUST FOR MINOR**

SALIENT DIFFERENCES

**1. CUSTODIAL ACCOUNT:**

-No Required Court Supervision = Less formal.

-Lower Income Tax Rate.

-No Spendthrift Protection Beyond 18.

-Age of Majority Set = Most States have the age of majority set at 21.

-1 Fiduciary at a time, rather than co-custodians.

-Separate Accounts for each minor child.

-Less Control of Assets.

**2. TESTAMENTARY TRUST:**

-Required Court Supervision = More formal. Trustee must be appointed by court. Trustee must give a formal accounting of trust assets each year to the court. So, there is the ongoing cost in time, attorney’s fees, and court costs (and, perhaps, accountant’s fees).

- Higher Income Tax Rate (Much Higher).

- Spendthrift Protection.

- Age of Majority/Distribution is Discretionary with Testator.

- Co-Trustees are Permissible.

- Single Trust Rather Than Separate Trusts is Permissible.

- Greater Control of Assets.

**Will: \_\_\_ Attorney: \_\_\_ Advance Medical Directive:\_\_\_ Interview Date: \_\_\_**

 **Appointment of Agent: \_\_\_ Drafter: \_\_\_**

 Springing Power of Attorney: \_\_\_ File: P:\ \_\_\_\_\_\_\_\_\_

 **Will Ex: \_\_\_\_\_\_\_\_**

**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***

**PLEASE ANSWER EVERY QUESTION TO THE BEST OF YOUR**

**ABILITY PRIOR TO SEEING A LEGAL ASSISTANCE ATTORNEY**

**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***

1. Print your full name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last** **Suffix**

 Last 4 of SSN: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DOD ID #: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Male: \_\_\_\_ Female: \_\_\_\_\_ Are you a U.S. citizen? Yes \_\_\_\_ No \_\_\_\_

2. List any other names you have used (i.e. maiden name or common names, Bill instead of William):

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. Home address:   **Street**

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **City State Zip**

1. Home phone #: Work phone #: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Cell phone #. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

5. Check your status:

 Active duty (rate/rank: ); \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Duty Station

 Family Member of active duty member

 Retiree (branch of service: )

 Family Member of retiree

 Reservist on active duty for 29 days or more

 \_\_Deploying Civilian Employee with Deployment Tasker

**A.** **CHOICE OF STATE LAW** Your attorney will discuss with you your residence for estate planning purposes.

1. Are you currently stationed in Kansas? Yes\_\_\_\_ No\_\_\_\_

 2. In what state(s) is your real estate located? \_\_\_\_\_\_\_\_\_\_\_\_\_\_

 3. What state is your residence for income tax purposes? \_\_\_\_\_

 4. In what state do you vote? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 5. In what state do you have a driver’s license? \_\_\_\_\_\_\_\_\_\_\_\_\_

 6. In what state is your vehicle registered? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

  **[For Attorney Use Only: Choice of Law \_\_\_\_\_\_\_\_\_\_\_]**

WHAT DOCUMENTS DO YOU WISH TO PREPARE?

(Please circle all documents that you wish to prepare)

1. Will
2. Springing Power of Attorney
3. Medical Power of Attorney for Healthcare Decisions
4. Living Will (Some states include with the Medical Power of Attorney)

***NOTE: If both you and your spouse need a will, you may be seen together so long as you have both seen and discussed each other’s worksheets, agree on the contents, and sign the Dual Representation Authorization on pages 19-20 of this worksheet.***

**B. MARITAL STATUS**

 1. \_\_\_ Single, never married \_\_\_ Currently married, but married before

 \_\_\_ Single and divorced \_\_\_ Married

 \_\_\_ Widowed \_\_\_ Separated (Date of Separation: \_\_\_\_\_\_\_\_\_)

 2. Is your spouse a U.S. citizen? Yes \_\_\_\_\_ No \_\_\_\_\_

 3. Name of current spouse: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 First Middle Last

1. Do you have a premarital or antenuptial agreement, contract to make wills, separation agreement, or a court order regarding life insurance or other assets? Yes\_\_\_ No \_\_\_\_ If Yes, describe: \_\_\_\_\_\_\_\_\_\_\_\_

**C. CHILDREN**

 1. How many children do you have? \_\_\_\_\_ Do you anticipate future children? Yes\_\_\_\_ No\_\_\_\_

 2. Do you have any stepchildren or adopted children? Yes\_\_\_\_ No \_\_\_\_

1. Do you intend to include step/adopted children as recipients of your estate? Stepchildren and adopted children may be expressly included or excluded.

 **Include** stepchildren \_\_\_\_ **Exclude** stepchildren \_\_\_\_

 **Include** adopted children \_\_\_\_ **Exclude** adopted children \_\_\_\_

4. If your children are beneficiaries, is the distribution to be **per stirpes** or **per capita**  ?

**Per stirpes** allows the share of a deceased child to pass to their children whereas **Per Capita** directs the deceased child’s share to be distributed among the then living children, “cutting off” a grandchild’s right to take.

 5. List the names, gender and ages of ALL children. Circle “N” for natural children, “S” for stepchildren or “A” for adopted children:

 First Middle Last N/S/A M/F Age

 First Middle Last N/S/A M/F Age

First Middle Last N/S/A M/F Age

 First Middle Last N/S/A M/F Age

**D. VALUE OF YOUR ESTATE** In order to determine what type of estate plan is best for you, we need a rough estimate of the value of your estate. List the value of assets in your name, and if married, the value of assets held in your spouse’s name and the value of those held jointly with your spouse. For jointly held assets, place ½ of the value of the asset in your column and ½ the value in the spouse’s column. Note separately the value of assets in your spouse’s name alone.

 ***Please provide the approximate amounts below. Do not bring the actual documents showing these amounts to your appointment.***

 Spouse’s Your’s

 Real estate equity (fair market value less the mortgage still owed): $\_\_\_\_\_\_\_\_\_\_\_\_

 $ \_\_\_\_\_\_\_\_\_\_

 Bank accounts: $\_\_\_\_\_\_\_\_\_\_\_\_ $\_\_\_\_\_\_\_\_\_\_\_

 Investment accounts (i.e. mutual funds, stocks, bonds, IRAs, 401K): $\_\_\_\_\_\_\_\_\_\_\_\_ $\_\_\_\_\_\_\_\_\_\_\_

 Personal Property (i.e. jewelry, vehicles, furnishings, collectibles): $\_\_\_\_\_\_\_\_\_\_\_\_ $\_\_\_\_\_\_\_\_\_\_\_

 Survivor’s Benefit Plan (SBP) (Obtain valuation from DFAS) $\_\_\_\_\_\_\_\_\_\_\_\_ $\_\_\_\_\_\_\_\_\_\_\_

1. Do you own any life insurance policies or have the right to change the beneficiaries on any policies? Yes \_\_\_ No \_\_\_ If Yes, bring a copy of your beneficiary forms for all your life insurance policies. Your attorney will review these forms and assist you in filling out your SGLI designation form and recommend language for all other policies.
2. What is the amount of the insurance?

 Your’s Spouse’s

 SGLI $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Other Policies $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 3.Do you own any interest in a business or farm? Yes \_\_\_ No \_\_\_

 If Yes, describe: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4. Was any property acquired during marriage while residing in a community property state (AK, AZ, CA, TX, ID, LA, NM, NV, WA, WI)? Yes \_\_\_ No \_\_\_

 5. Do you own any interest in mineral, gas or coal rights? Yes \_\_\_ No \_\_\_

 If Yes, what type \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

6. Do you own or have any interest in copyrights or patents? Yes\_\_\_ No\_\_\_

 7. Are you the beneficiary of any promissory notes or deeds of trust? Yes \_\_\_ No \_\_\_

**E. DISINHERITANCE**

1. Are you expressly disinheriting a member of your family? Yes\_\_ No\_\_. You do **not** need to expressly disinherit a former spouse since a former spouse is deemed to have predeceased you for estate purposes once your divorce is final, unless you specifically name the former spouse as a beneficiary in your will. If Yes, complete the following:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you**

 **Do you wish to disinherit anyone who contests your Will? Yes \_\_\_\_ No \_\_\_\_\_**

**F. REAL PROPERTY**

 1. List any real property in which you have an interest. Describe how the property is titled (joint tenancy, tenancy by the entirety, tenants in common) and name any co-owners. Are you the sole owner of the property? Yes \_\_\_\_\_ No \_\_\_\_\_ **Bring a copy of your real estate deed so that the manner of holding title can be confirmed.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **Property Title Co-Owner**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **Property Title Co-Owner**

2. Do you have mortgage life insurance? Mortgage life insurance is an insurance policy that pays off your mortgage upon your death. Yes \_\_\_ No \_\_\_

 3. To whom do you want to give your real property? \_\_\_\_ Check here if spouse, if not:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you Address**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you Address**

***(Kansas and Missouri residents can name a beneficiary to their real estate by drafting a Transfer on Death Deed or a Beneficiary Deed-this eliminates the need for the real estate to go through the probate process.) Please advise the legal assistance attorney if you are interested in this probate avoidance device for your real estate.***

**G. TANGIBLE PERSONAL PROPERTY**

1. Who do you want to receive your tangible personal property?

a.Primary beneficiary(ies): \_\_\_\_ Check here if spouse, if not spouse:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you**

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you**

 b. Secondary beneficiary(ies):

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you**

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you**

 c. Contingent beneficiary(ies):

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you**

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you**

 **2. Monetary Bequests**: You may elect to make specific gifts of cash to specific people or charities in your will. However, these bequests will be distributed first and may deplete your estate. Therefore, if you make any specific bequests, you should only give amounts of cash that you are reasonably sure you will possess at the time of your death. If you make no specific bequests, all of your money will pass to your beneficiaries in the order you have designated.

 a.) Do you wish to make any specific bequests of money in your will? \_\_\_\_\_\_ yes \_\_\_\_\_\_ no

 b.) If yes, please list the name and relationship of each beneficiary and the amount of each bequest:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. **Personal Property Memorandum**: Do you wish to make a personal property memorandum listing specific items and the beneficiary that receives these items?

 Yes \_\_\_\_\_\_\_ No \_\_\_\_\_\_\_

**H. RESIDUARY ESTATE BENEFICIARIES** Your residuary estate contains all the items you have not gifted by other provisions of your will.

 1.Primary beneficiary(ies): \_\_\_\_ Check here if spouse, if not spouse:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you**

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you**

 2. Secondary beneficiary(ies):

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you**

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you**

 3. Contingent beneficiary(ies):

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you**

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you**

**I. MINORS AND INCAPACITATED BENEFICIARIES** Your attorney will explain the options available if one or more of your beneficiaries is a minor or is incapacitated.

 1. Please check the age at which any minor beneficiary is to receive your estate outright: \_\_\_\_\_\_\_18 \_\_\_\_\_\_\_21

 \_\_\_\_\_\_\_Other age (please indicate age): \_\_\_\_\_\_\_

 (NOTE: Selecting an age greater than 21 will likely require the creation of a trust, which will cause your estate to incur additional expenses for the administration of the trust. These expenses would therefore diminish the amount available for your beneficiaries.)

 \_\_\_\_\_\_ For trusts only: Staggered distribution (i.e. at 25, 30 and remaining at 35)

 2. Name of Custodian for each child (you should have only have 1 custodian, rather than co-custodians) or Name of Trustee for each trust (you can have co-trustees):

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last**

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last**

 **C**heck here if you are naming Co-Trustees: \_\_\_\_\_\_\_\_

3. Name of Successor Custodian or Trustee:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last**

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last**

 Check here if you are naming Co-Trustees: \_\_\_\_\_\_\_\_

 4. For trusts only: If more than one minor is to inherit, do you want the assets combined into one trust (a “family pot trust”) for the benefit of all beneficiaries or do you want the assets divided at the time of your death into separate shares for each minor? (Assets held by custodians cannot be combined into one custodial account) **[For Attorney Use Only: \_\_\_\_\_ Family Pot Trust \_\_\_\_\_ Separate Trusts]**

 5. Are any beneficiaries mentally or physically disabled? Yes\_\_ No\_\_ If Yes, complete the following:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship to you**

 Nature of the disability: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Does the beneficiary receive SSI, or other federal or state benefits? Yes \_\_ No \_\_

**[For Attorney Use Only: \_\_\_\_\_Guardianship \_\_\_\_\_\_ Custodianship \_\_\_\_\_ Trust for Minors \_\_\_\_\_ Special Needs Trust]**

1. **GUARDIAN OF THE CHILD(REN)** If you have minor children, please indicate the person(s) you desire to be the guardian(s) of your children if your spouse or your children’s other parent does not survive you.You may appoint a single guardian or co-guardians. The nomination of successor guardians is recommended.

**If you are divorced, keep in mind the court will ordinarily appoint your former spouse to be the guardian (as the children’s other natural parent), nothwithstanding your direction here. You should still select a guardian, however, in case your former spouse predeceases you or for any reason cannot act as the children’s guardian.**

**Note that in many states you may leave a separate writing with your will, typically called a “letter of instruction,” in which you give specific directions to your Executor/Executrix to include information regarding the upbringing of your children. While this instruction is not legally binding in most states, your Executor should try to comply with your desires to the extent allowed by law.**

Primary Guardian:

 **First Middle Last Relationship to you**

 Co / Successor:

 **First Middle Last Relationship to you**

 Check here if you are naming Co-Guardians: \_\_\_\_\_\_\_\_

 **Is a bond required of your Guardians? Yes/No**

**K.** **EXECUTOR/EXECUTRIX (Personal Representative)** Name the person who is to probate your will, file tax returns, and otherwise handle your estate. You may appoint a single executor or co-executors. The naming of successor executors is recommended. Your executor must be at least 18 years old to be appointed. **NOTE:** Naming co-executors is typically not recommended because conflicts can arise between the executors that will complicate the administration of your estate.

 Primary Executor: \_\_\_\_\_\_\_ Check here if spouse, if not spouse:

 **First Middle Last Relationship to you**

 Co / Successor:

 **First Middle Last Relationship to you**

 Check here if you are naming Co-Executors: \_\_\_\_\_\_\_\_

**THE ADVANCE MEDICAL DIRECTIVE AND THE APPOINTMENT OF AGENT FOR HEALTH CARE DECISIONS ARE OPTIONAL AND ARE SEPARATE FROM YOUR WILL.**

**ADVANCE MEDICAL DIRECTIVE**

Also known as a **Living Will**, an Advance Medical Directive is an instruction to your family and medical personnel expressing a desire for a "natural death," meaning withholding or withdrawal of life sustaining treatment (treatment which only prolongs the process of dying and does not cure you) if you are terminally ill and death is imminent. Note that this instruction will likely stop intravenous food and liquid unless you direct otherwise. An Advance Medical Directive is not giving someone else the right to decide your fate, rather you are giving specific instruction to remove artificial life support.

**If you do not want to be kept alive by artificial life support when you are terminally ill with no hope of recovery or when you are in a persistent vegetative state, you should have an Advance Medical Directive.**

### Do you want an ADVANCE MEDICAL DIRECTIVE? Yes No\_\_\_

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

##### APPOINTMENT OF AGENT(S) FOR HEALTH CARE DECISIONS

This second document allows you to designate an agent to ensure that doctors and hospital staff carry out your advance medical directive if you are incapacitated. Additionally, your agent will act on your behalf if you are incapable of making an informed decision regarding your health care. You may appoint an alternate agent to act in the event the first agent cannot or will not act. You may also have your agents act jointly or separately.

If a guardian or conservator must be appointed do you want the person(s) named as your agent(s) to be appointed your guardian or conservator? Yes \_\_\_ No \_\_\_

1. First Agent:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship**

 Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **Street City State Zip**

 Telephone Number: ( )

1. Alternate Agent:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **First Middle Last Relationship**

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **Street City State Zip**

 Telephone Number: ( )

 **If you have designated a second agent, you must choose one of the following:**

 \_\_\_\_ Either agent can act separately; OR

 \_\_\_\_ The agents must act jointly unless one becomes incapacitated (both agents must agree), OR

 \_\_\_\_ My second agent is to act only if the first cannot or will not act.

**ORGAN DONATION** In your Appointment of Agent, you may authorize the donation of your organs. (However, please note that this is not the optimal place to designate organ donation. To ensure your directions regarding organ donation are carried out, you should obtain an organ donor card or place such desire on your drivers license.)

 Do you want your organs donated for **transplant** purposes? Yes No \_\_\_

 If Yes, do you ALSO want to donate your body to science?

 Yes No \_\_\_

 Is the authority to donate organs to expressly **exclude** certain organs? Yes \_\_ No \_\_

 If yes, please list organs to be excluded \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Do you prefer to die at home rather than in a hospital if it is not an undue burden on your family? Yes\_\_\_\_\_No\_\_\_\_\_

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

##### SPRINGING POWER OF ATTORNEY

This third document allows you to designate an agent to manage your finances, i.e. pay your bills, deposit checks, sell your house, if you are incapacitated. Your agent will only be authorized to act on your behalf if a doctor determines that you are unable to manage your finances due to disability or incapacity. You may appoint an alternate agent to act in the event the first agent cannot or will not act. You may also have your agents act jointly or separately.

 1. First Agent:

 \_\_\_\_\_\_\_\_

 **First Middle Last Relationship**

 Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **Street City State Zip**

1. Second Agent:

 **First Middle Last Relationship**

 Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **Street City State Zip**

**If you have designated a second agent, you must choose one of the following:**

 Either agent can act separately, OR

 The agents must act jointly unless one becomes incapacitated (both agents must agree), OR

 My second agent is to act only if the first cannot or will not act.

**For Attorney Use Only:**

**1. Is the Power of Attorney to authorize the making of gifts? Yes \_\_\_\_\_ No \_\_\_\_\_**

**2. Is the Power of Attorney to provide detailed powers with respect to retirement benefit plans and IRAs?**

 **Yes \_\_\_\_ No \_\_\_\_\_**

**3. Is the Power of Attorney to authorize selling or disposing of a specific parcel of land? Yes \_\_\_\_\_ No \_\_\_\_\_**

If Yes, give the street address of the property: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FUNERAL ARRANGEMENTS:**

You may have a strong desire regarding funeral arrangement (for example, burial or cremation). As a practical matter, your funeral arrangements are likely to have been carried out already by the time your will is read. Finding out after the fact that the arrangements were contrary to your will may cause some dismay for your survivors. Therefore, it is recommended that you communicate your desires to your next of kin at your earliest opportunity. If you wish, however, your preference may also be recorded in the will.

You may express your desires regarding the disposition of your remains (e.g. cremation, military honors, or burial at a certain location or gravesite). However, if you elect to state your desires in your will, do not rely on your will alone to communicate those desires, as wills may not be read prior to the funeral! You should tell the appropriate family members of your desires NOW!

\_\_\_\_\_ I do not wish to express my desires concerning my remains in my will and leave this decision to those who survive me.

At the time of death, I prefer:

\_\_\_\_\_ To be cremated.

\_\_\_\_\_ To have my body given for medical or scientific purposes.

\_\_\_\_\_ To be buried at a specified gravesite or location. (Please specify location): \_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_ To be buried at sea.

\_\_\_\_\_ To be buried with full military honors. (You may select this option in addition to one of the above.)

\_\_\_\_\_ Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Dual Representation Authorization**

Dear Clients:

 You and your spouse have indicated that you both wish to meet together with the same attorney to discuss your will and ancillary documents. Due to the potential for conflicts of interest, it is the policy of this office to raise this issue with you and require your informed consent to proceed. Therefore, your signature below will confirm the following:

(1) You have requested that the same legal assistance attorney represent each of you and advise you both on certain estate planning matters.

(2) It is contemplated that the matters to which this representation will extend will include the following:

* Analysis of the assets owned by each of you at the time of your marriage, including consideration of the fair market value of such property and the nature in which title was then held;
* Analysis of all property now owned by each of you, including consideration of its fair market value, the manner in which title to such property is now held, and a categorization of such property as separate, community, or quasi-community property;
* Discussions about the manner in which you wish to dispose of any property over which you may have any power of disposition at the time of your death; and
* Preparation of the documents necessary to accomplish the desired disposition, including the drafting of wills, trusts, property agreements, and other documents as may be required.

(3) You are aware that, during the course of the estate planning work, disagreements may arise between you and your spouse with respect to the ownership of your property (separate, community, or quasi-community property) and its desired disposition during your lifetimes and at your deaths. Differences of opinion on the disposition of the property, under ethical rules, do not prevent the same attorney from continuing to represent both of you. However, during the course of the estate planning, conflicts of interest between you and your spouse may also arise, such as issues regarding the ownership of certain property.

(4) Ordinarily, under such circumstances, one attorney cannot represent both of you. It may be better for each of you, under such circumstances, to have separate, independent counsel to avoid the possibility that my advice to one of you is influenced by my representation of the other. Nevertheless, you have requested, with a full understanding of your right to, and the advantages of, independent counsel, that you both be represented by the same legal assistance attorney in all of the above matters.

(5) Although they rarely occur, if a conflict of interest does arise between the two of you of such a nature that your attorney believes it impossible, in their judgment, to perform any obligations to either of you in accordance with this letter, they will withdraw from all further representation of either of you in this matter at that time and advise both of you to obtain independent counsel.

(6) You have each agreed that there will be complete and free disclosure and exchange of all information your attorney receives from either or both of you in the course of their representation of you, and that such information shall not be confidential between you irrespective of whether your attorney obtains such information in conferences with both of you or in private conferences with only one of you, including any conferences that may have taken place before the date of this letter.

 Very respectfully,

 Amy L. Clark

 Chief, Legal Assistance

 We, (please print your names) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, have read the foregoing letter, understand the same, consent to the disclosure and exchange of all information received by our legal assistance attorney from either one of us, with the other one of us, and consent to our legal assistance attorney representing each and both of us in the aforementioned estate planning services.

APPROVED THE \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Client

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Client