



JAMES P. SWEENEY
attorney at law

Estate Planning Questionnaire

Please do your best to complete this questionnaire. Doing so will help us to best determine your estate planning needs and my help us identify special circumstances that should be discussed and considered when drafting your estate planning documents. The information that you provide in this form is only preliminary information. We will discuss the information provided and your selections of fiduciaries during our meeting. We have broken this form down into two parts. Part 1 requests preliminary personal information, such as names of family members, that we like to have ahead of time whenever possible. In part 2, you are able to make preliminary choices of potential fiduciaries to be appointed in your estate plan documents (i.e. your executor, power of attorney, guardians, trustees). By completing Part 2, even if you are not definite on your choices, it may allow us to put together draft documents ahead of our meeting and, in many cases, will allow us to meet, finalize and sign your documents in a single meeting. Remember, we will have the time to discuss your choices and make changes as appropriate when we meet.

PART ONE: Preliminary Information

In this Part, we request personal and family information that will help us to better tailor your estate plan.

Personal Information:

This estate plan is for _____ just me
_____ me and my spouse/partner

Enter Promo Code (If Responding to a special Offer or advertisement). _____

Your Name: _____

Address: _____

Phone #: _____

Email: _____

Your Gender: _____ Male
_____ Female

Marital Status _____ Married
_____ Not married, but living with domestic partner
_____ Not married

Name of your
Spouse or partner: _____

Children:

How many children
do you have? _____

List your children: (though not mandatory, we ask that you list your children
oldest to youngest)

Child 1 _____

Address: _____

Gender: _____ Male

_____ Female

Age: _____

Child 2 _____

Address: _____

Gender: _____ Male

_____ Female

Age: _____

Child 3 _____

Address: _____

Gender: _____ Male

_____ Female

Age: _____

Are any of your children younger than 18? _____ yes

_____ no

Are any of your children younger than 25? _____ yes

_____ no

Are any of your children or anyone that you intend to provide for in your will, disabled or do any of them receive any type of government benefit, such as medicaid or SSI? _____ yes
_____ no

Please provide more details

Do you have any children who are deceased: _____ yes
_____ no

End of Preliminary Information

At this point, you have provided us with all of the preliminary information that we need for our file. However, if you would like to continue on, you can provide us with your preliminary choices of potential fiduciaries for your estate plan documents. For example, the following sections of this

questionnaire will ask you to list your selections for such fiduciaries as the personal representative of your will (more commonly referred to as your executor), your health care agent, power of attorney and (if applicable) trustees and guardians for your minor children.

In any event, and whether or not you choose to complete the rest of the questionnaire, we will be sure to discuss your choices and provide you with the opportunity to make changes when we meet to finalize your plan. No estate plan is complete until we have explained the documents, discussed the plan and answered all of your questions.

If you would prefer to wait until we have had a chance to discuss your choices in person, no problem. Just select "Submit preliminary information now" below. Also, if your plan involves long-term care or Medicaid planning, it may be easier to simply submit your preliminary information and wait until we have had a chance to meet before selecting your fiduciaries.

I would like to: _____ Submit my preliminary information now
_____ Continue on and make my preliminary fiduciary selections

Choice of Fiduciaries

(Executor/Trustee/Guardian/Attorney-in-fact/Healthcare Agent) In the remainder of this questionnaire, you will list the people that you “think” are the people you would like to name to be in charge of your estate assets and to serve as your fiduciaries. We have provided a very brief job description for each of the fiduciaries. Don’t worry if you are not really sure what the role of the particular fiduciary is – that is normal. When we meet, we will discuss the role of each fiduciary in more detail, answer your questions and help you to make your ultimate decisions.

Personal Representative:

Formerly known as and commonly referred to as your Executor, your personal representative is the person who will be in charge of having your Will presented for probate, paying your debts and distributing your assets in accordance with your Last Will and Testament.

The role of personal representative is important and should not be taken lightly, however, it is important to note that the personal representative has a somewhat limited role, and the process is generally guided by an attorney. Although this person should be someone able and trustworthy, the choice of personal representative is generally not as crucial as your choice of guardians and trustees (if applicable) who will have the long-term job to care for your minor or young adult children.

List the people you would like to appoint as your executor in order of preference. When finalized, the way it will work is that if your first choice is unavailable (or later becomes unavailable) to serve, then your next choice will be appointed, and so on. Even though a husband and wife will most often choose each other as their personal representative, it is advisable to list one or two back-ups. Remember, we can change this when we meet. For now, list the person or people that you believe are most appropriate.

Personal Representative (1):

(address): _____

Personal Representative's
relationship to you: _____

Personal Representative (2):

(address): _____

Personal Representative's
relationship to you: _____

Guardians are the people (or persons) you designate to legally care for your minor children. For those with very young children, this choice is often the most difficult choice of all. It is important that the parents discuss their choices of guardians prior to our first meeting. At the meeting, we can answer your questions and help you make your final decision; however, past experience has proven that the initial attorney meeting is not necessarily the best time to have your first discussion about this choice. For now, list the people that your like to designate in the order or priority and add conditions (i.e. conditioning the appointment on the chosen guardian still being married and living with his or her spouse).

Guardian (1): _____
(address): _____

Personal Representative's
relationship to you: _____

Guardian (2): _____
(address): _____

Personal Representative's
relationship to you: _____

Trustee of your Family Trust (if applicable):

In the event that you have either minor children, or children who are still very young adults, it is very likely that we will recommend the use of a family trust as part of your estate plan. Therefore, you will need to name trustees to hold title to and to manage some or all of your assets for a period of time until all of your children have reached a predetermined age (ages between 25 and 28 are commonly chosen). In more general terms, the trustees step into your shoes to manage your property (for the benefit of your children) until your children become responsible adults.

Very often, people choose the same people to serve as trustees that they choose to be their children's legal guardians. Clearly there are circumstances where you might consider other options. We can discuss any special circumstances in more detail at our meeting.

Trustee (1):

(address):

Trustee's
relationship to you:

Trustee (2): _____

(address): _____

Trustee's
relationship to you: _____

Trustee (3): _____

(address): _____

Trustee's
relationship to you: _____

Attorney-in-Fact (Power of Attorney):

In the event that you become mentally incapacitated or are otherwise unable to handle your own financial affairs, by giving power of attorney to your "attorney-in-fact", this allows your attorney-in-fact to step in and manage your financial affairs, legal affairs and assets on your behalf.

Presumably, if this plan is for a couple, each spouse or partner will name the other. It is still advisable to name a back-up.

Attorney-in-Fact (1):

(address):

Attorney-in-fact's
relationship to you:

Attorney-in-Fact (2):

(address):

Attorney-in-fact's
relationship to you:

Health Care Agent:

In the event that you become mentally incapacitated or are otherwise unable to make your own health care decisions, this person is able to communicate your desires to your medical providers and make health care decisions on your behalf. Presumably, if this plan is for a couple, each spouse or partner will name the other. It is still advisable to have a back-up or two. **In NH, a Health Care Agent is referred as an Attorney-in-Fact for Health Care.*

Health Care Agent (1):

(address):

Health Care Agent's
relationship to you:

Health Care Agent (2):

(address):

Health Care Agent's
relationship to you:

You are just about finished.....

Is there any further
Information that you
Would like to provide?
(optional)

If this is an estate plan for a couple, after submitting the first questionnaire, you will need to submit a second form for your spouse or partner.