

## Preparing for Your First Estate Planning Appointment

Adequate preparation for your first estate planning appointment will help ensure that your attorney prepares the best estate plan for you in the shortest period of time.

Facing your own mortality is not an easy thing to do, and getting ready for your first estate planning appointment requires that you do just that. Acknowledging that it is time to get your affairs in order is the first step, calling an estate planning attorney to prepare your documents is the second. Here are the next steps you can take to make the rest of the estate planning process as smooth, quick, and painless as possible:

### Fill out your attorney's intake questionnaire

When you schedule your initial estate planning appointment, your attorney will send you a [confidential estate planning questionnaire](#). The purpose of the questionnaire is to provide a general understanding of your family and financial situation to your attorney so that they can best advise you on your estate planning needs. It is designed to make the most efficient use of your time with your estate planning lawyer (and your money), so don't waste it having them fill out the names of your family members, addresses and contact numbers.

In addition, taking time at home to fill out all of the financial data requested (instead of doing it off the top of your head as part of a 1-hour meeting) will help ensure that nothing is missed. Keep in mind that your lawyer will be relying on the information you provide in your financial planning and estate planning – if that information is inaccurate or incomplete, their recommendations (and your documents) may not be appropriate.

### Gather your financial documents

Although it isn't crucial for your attorney to have all your asset documentation at your first appointment, providing them with the following from the start will move things along much faster:

- Grant deeds to real estate. In order to transfer your real property into your trust, your attorney will need to know precisely how title is currently held. Note that each new deed must include the legal description that appears on the previous one, so make sure that you provide a copy of the entire document, as filed with your county recorder's office.

### **Graham Estate Planning**

**A division of Law Office of Stephanie P. Graham, LLC**

Mailing address: 6595 Roswell Road, Suite G790, Atlanta, GA 30328

Appointment Only: 6075 Barfield Road, Sandy Springs, GA 30328

<https://grahamestateplanning.com>

1-888-41-WILLS/1-888-419-4557 Phone/Fax/Text



# Graham Estate Planning

*Plan for Tomorrow, Prepare for the Future*

- Financial statements. You'll need to bring the first page of your most recent bank and investment account statements (checking, savings, money market, brokerage, pension, IRA, etc.) that show who owns each account, the account numbers, and the balances. This should be your monthly statement, not a printout of your online transactions. The details of each account will be entered into one of the Schedules of Assets that your attorney will prepare for you (Schedule A for Joint Property, Schedules B and C for each spouse's separate property, and Schedule of Assets Not In the Trust for retirement and other assets that are best left out of the trust).

Note that the Schedules of Assets serve two purposes: (1) they provide your Successor Trustee/Executor with a list of what you have, and (2) if an account listed on Schedules A, B, or C to your trust is not titled in your trust due to an oversight or technicality, this Schedule may support a court (Hegstadd) petition to have the assets transferred to your trust postmortem while still avoiding probate.

Note that many people have other relatives listed as co-owners on one or two of their accounts and this affects the ability to transfer them into a trust. The purpose of co-owned accounts should be discussed with your lawyer from the start, so that they are properly addressed in your estate plan.

- Business agreements. If you own a company or have an interest in a partnership, your attorney will need to see a copy of your business agreements, including leases and buy-sell agreements. Your estate plan cannot be completed without first knowing if there are provisions in a business agreement regarding the disposition of your interest at death, particularly if you have partners.
- Trademark, patent and copyright registration certificates. Your intellectual property should be assigned to your trust, either directly through the United States Patent and Trademark Office (USPTO) or through a separate assignment.
- Stock certificates. Your attorney will need copies of your stock certificates in order to transfer your stock to your trust.
- Life Insurance policy information. How much money will be available for your beneficiaries upon your death? The payout of even a small life insurance policy can make a significant difference. Make sure to present copies of your insurance binders so that their value will be considered during the drafting of your estate plan. An insurance binder is typically a one-page document that lists the owner of the policy, the policy number, and the death benefit.

## **Graham Estate Planning**

**A division of Law Office of Stephanie P. Graham, LLC**

Mailing address: 6595 Roswell Road, Suite G790, Atlanta, GA 30328

Appointment Only: 6075 Barfield Road, Sandy Springs, GA 30328

<https://grahamestateplanning.com>

1-888-41-WILLS/1-888-419-4557 Phone/Fax/Text

## Bring copies of your current estate plan documents

If you have previously executed a Will, Trust, Durable Power of Attorney, and/or Advance Health Care Directive, don't forget to bring them with you to your appointment. If you have an existing trust, your new attorney will need to review its provisions to ensure that s/he is following its guidelines for amendment. The other documents will either be destroyed by your attorney or marked "superseded" and kept with their records (old versions of your estate planning documents should never be readily available to your beneficiaries).

## Divorce agreements, premarital agreements, and other relevant contracts

Your estate plan should comply with any divorce and premarital agreements. It should also abide by the terms of any other contract you may have signed promising to leave assets to someone in your will.

## Choose your executors and health care agents

Your attorney will ask you who you would like to manage your finances and carry out your estate plan should you become incapacitated or pass away. Do not automatically choose your oldest child or sibling. Be careful to select a responsible, honest individual, who manages their own finances well and lives not too far from you. Select two alternates as well. If you have trouble finding someone appropriate, be prepared to discuss this with your attorney – they should be able to provide the contact information of some local [professional fiduciaries](#).

You should also consider who will make your health care decisions for you when you can no longer do so. This includes the difficult decision to "pull the plug," if necessary.

## Think about how you want your assets to be distributed

Although most people know how they want their assets distributed upon their deaths, if you are undecided about this, you are not alone. Jot down some ideas on paper, and don't hesitate to ask your attorney for suggestions. For example, whether or not you have children, you might wish to leave a portion of your estate to a charity. If you like this idea but don't have a relationship with a particular charity, think of issues that are important to you such as the environment, disadvantaged youth, or animals. Your attorney may have suggestions and/or they may direct you to your local [community foundation](#) for further assistance.

### **Graham Estate Planning**

**A division of Law Office of Stephanie P. Graham, LLC**

Mailing address: 6595 Roswell Road, Suite G790, Atlanta, GA 30328

Appointment Only: 6075 Barfield Road, Sandy Springs, GA 30328

<https://grahamestateplanning.com>

1-888-41-WILLS/1-888-419-4557 Phone/Fax/Text

Consider alternate (contingent) beneficiaries as well, in case your first choice(s) are no longer around at your death.

## Never hesitate to ask

You have knowledge and experience in your line of work, and your attorney has knowledge and experience in theirs – no one expects you to demonstrate any level of expertise in estate planning, so don't hesitate to ask questions about anything you don't understand. Feel free to inquire about any and all of the following:

- The structure, purpose, and operation of estate planning documents
- The legal and tax ramifications of your estate planning wishes
- Your attorney's work process (I conduct an initial appointment, a document review meeting, and a signing session, plus telephone conferences in-between)
- Your attorney's experience and background
- How your estate planning fees are calculated

In addition, make sure that your attorney will sit and review drafts with you. This is crucial to ensure that your attorney drafted the documents in accordance with your wishes, and that you have the opportunity to ask them to explain any provision of any document that they ask you to sign.

## Stick to your appointments!

No one really likes planning for their demise, but procrastination has never benefitted anyone in this area of the law. If you haven't decided on your executors and beneficiaries, that's OK, give your attorney what you have and you can work together on the rest.

Keep in mind that the more organized you are, the easier things will be for your attorney to prepare an accurate estate plan in a timely manner. If you provide your estate planning attorney with all your information on Day One, and stick to the process they lay out for you, it shouldn't take them more than a few weeks to complete your documents and have them ready for you to sign.

Estate planning is a process that should be personalized to each client's unique circumstances and needs. To learn more about how the staff at Graham Estate Planning can assist you, contact us today.

### **Graham Estate Planning**

**A division of Law Office of Stephanie P. Graham, LLC**

Mailing address: 6595 Roswell Road, Suite G790, Atlanta, GA 30328

Appointment Only: 6075 Barfield Road, Sandy Springs, GA 30328

<https://grahamestateplanning.com>

1-888-41-WILLS/1-888-419-4557 Phone/Fax/Text