

CLIENT'S ACKNOWLEDGMENT AND CERTIFICATION

The information you give us in this booklet will be used to design and develop an estate plan specifically for you. It is common for a Spouse #1 and Spouse #2 to employ the same lawyer to assist them in planning their estates. You have taken this approach by asking the lawyers at Mann Law, P.C., to represent both of you in your planning. It is important that you understand that because we will be representing both of you, you are considered our client, collectively. Accordingly, matters that one of you might discuss with us may be disclosed to the other of you. Ethical considerations prohibit us from agreeing with either of you to withhold information from the other. In this representation, we will not give legal advice to either of you or make any changes in any of your estate planning documents without your mutual knowledge and consent. Of course, anything either of you discusses with us is privileged from disclosure to third parties. By signing at the end of this paragraph, you will be making the following acknowledgment:

I acknowledge that the attorneys at Mann Law, P.C., will rely on the data, valuations and other information furnished herein to be accurate and complete in all respects. I agree that the attorneys, in their discretion, share with both of us any information regarding the representation that they receive from either of us or any other source. I also acknowledge that, if the data is not accurate and complete, the recommendations made by the attorneys may not be appropriate.

Client

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Matters You Should Consider Regarding Your Estate Planning

GUARDIANSHIP MATTERS:

1. Guardians for Minor Children. Who is best able to cope with raising a child under eighteen (18) years of age and will be charged with the direction of education, religious education, and other aspects of the rearing of such child? The court having jurisdiction of the appointment will look at your suggestion and will consider it in determining that court's appointment of the guardian of the child.

LAST WILL AND TESTAMENT AND REVOCABLE LIVING TRUST MATTERS:

2. Personal Representative of the Probate Estate. (The word "executor" -- one who is appointed in the will to manage an estate -- has been supplanted in the Indiana statutes by the word "personal representative.") If all or a part of your estate passes through the probate administration process, who do you want to handle the details of paying any obligations, Federal Estate Taxes and Indiana Inheritance Taxes and to distribute the specific bequests and the residuary estate to the beneficiaries named in your Will?

3. Living Trust. A revocable trust created during your lifetime ("Living Trust") can be an important device to avoid a guardianship during your lifetime and to avoid the probate administration process at your death. Carefully drafted, a Living Trust can be a useful tool to facilitate handling assets and providing a will substitute for privacy purposes.

4. Trustee of the Living Trust. If you should have a Living trust, you will need to name a trustee to manage investments, pay taxes, make distributions and administer the trust according to your instructions in the Revocable Living Trust Agreement. You can act as a trustee, but careful consideration should also be giving to a successor trustee if the original trustee dies or becomes incapacitated. You can name another person, such as your spouse, to serve as co-trustee with you. You can name more than one person to serve as successor co-trustees.

5. A Corporate or Individual Trustee. Personal representatives and trustees are referred to as "fiduciaries" because of their special relationship with the beneficiaries and higher standard of care is required of them in managing the assets of another person.

Advantages of a Corporate (Professional) Fiduciary. They do not die or become disabled and so offer permanence and continuity; they are financially able to be accountable for any mistakes; they are impartial as to the beneficiaries you name and could prevent the beneficiaries from becoming bitter towards an individual trustee who happens to be a friend or relative, who may not be prepared to promptly attend to the affairs of the trust or estate; generally, they have investment expertise, tax and accounting abilities, and computer capabilities; and they keep current with the constant changes in the law. Further, corporate fiduciaries are regulated and supervised by the Comptroller of the Currency, a division of the United States Treasury Department.

Advantages of an Individual (Amateur) Fiduciary. A relative or friend may not charge a fee; a relative or friend may have a more personal interest; an individual may have special expertise, for example, in running the family business. However, an individual trustee may require more services from professional advisors, such as attorneys and accountants, than would a corporate fiduciary.

Some persons prefer to appoint a professional trustee and also name an individual or individuals as co-trustees or advisors to the trustee, with or without veto power.

6. What is the impact of estate and inheritance tax obligations upon your estate planning? The impact will be determined by the nature and extent of your assets.

7. Distributions to Children or Other Beneficiaries. If you do not want your assets distributed outright to your children following your death, the assets should ultimately be held in a trust. The trustee will take care of the needs of the beneficiaries as instructed in your written trust. At some future time, you may want a distribution during the lifetime of your children, or you may wish the assets to pass to later generations. You could, for example, specify portions of principal of the trust assets to be distributed to children and other beneficiaries at specified ages, such as one-third (1/3) at age twenty-five (25), a second one-third (1/3) at age thirty-five (35), and the balance at age forty-five (45). Be sure to think about and note your preferences.

8. Final Beneficiaries. If your children die during the time your trust is being administered for their benefit, to whom would you want your estate to pass? To grandchildren or great grandchildren? To some other "ultimate beneficiary" (a church, seminary, university, or other charity) if the whole family dies out before the assets have been finally distributed.

9. Charitable Gifts in the Estate Plan. What gifts shall be included in the plan for your church, your university, your favorite charity or community foundation? Frequently, some sophisticated charitable planning can be helpful in keeping assets in the family and reducing the transfer tax such as the Federal Estate Tax and the Indiana Inheritance Tax.

DURABLE GENERAL POWER OF ATTORNEY MATTERS:

11. A well-drafted general power of attorney grants another person the power to "do everything for you but breathe." Durable means that, unless otherwise so provided by its terms, it will survive any incompetence of the principal, the person giving the power to an attorney-in-fact. You can even identify a person whom you would suggest the court name as your guardian if it becomes necessary to name a guardian. Your document can provide that the power of the attorney-in-fact is effective on signing the document or upon the determination that you are incapable of attending to your business and other affairs. You can name a successor attorney-in-fact to act if your original attorney-in-fact is unavailable or refuses to act.

LIVING WILL/HEALTHCARE POWER OF ATTORNEY MATTERS:

12. Indiana's living will common law and statutory law is well settled. You can direct your own medical care and refuse food and water and other medical procedures or have them withdrawn as you direct. If your physician certifies that you cannot communicate or make the decision for yourself, your "healthcare representative" may direct your medical care.

FAMILY INFORMATION

SPOUSE #1'S NAME _____ Social Security No. _____

Date of Birth _____ Are you a U.S. Citizen? _____

Occupation _____ Work Telephone _____

SPOUSE #2'S NAME _____ Social Security No. _____

Date of Birth _____ Are you a U.S. Citizen? _____

Occupation _____ Work Telephone _____

HOME STREET ADDRESS _____

City, State, Zip _____ County _____

Home Telephone _____

CHILDREN:

Name _____ Date of Birth _____

Address _____

Is child married? _____ Spouse's Name _____

Are there children of this child? _____ How many? _____

Name _____ Date of Birth _____

Address _____

Is child married? _____ Spouse's Name _____

Are there children of this child? _____ How many? _____

Name _____ Date of Birth _____

Address _____

Is child married? _____ Spouse's Name _____

Are there children of this child? _____ How many? _____

If there are other children, please list the information below:

Are any of Spouse #1's or Spouse #2's children now deceased? If so please list with any surviving grandchilder _____

Has Spouse #1 or Spouse #2 been married previously? _____

Are one or both of Spouse #1's parents living? _____ If so, list names: _____

Are one or both of Spouse #2's parents living _____ If so, list names: _____

Does Spouse #1 have any brothers or sisters? _____ If so, list names and whether they are living or not. _____

Does Spouse #2 have any brothers or sisters? _____ If so, list names and whether they are living or not. _____

Please list the names and telephone numbers of your advisors:

Accountant Name _____ Telephone _____

Spouse #1 Primary Physician _____ Telephone _____

Spouse #2 Primary Physician _____ Telephone _____

Life Insurance Agent _____ Telephone _____

Banking Connection _____ Telephone _____

Does Spouse #1 or Spouse #2 have any previous estate planning documents? _____ If so, please provide us with copies.

Does Spouse #1 or Spouse #2 have a safe deposit box in a bank or trust company? _____
In whose name (or whose names) is the box registered? _____

Are either of you the owner of an interest in a business or professions? _____

Business Name and Owner _____

Have either of you made gifts of any substantial amounts of property or cash or given up rights to property or cash? _____. If so, give details _____

Have either of you ever filed a United States Gift Tax Return (Form 709)? _____ If so, please provide us with a copy of each return filed.

Are either of you the beneficiary of an existing trust which was established by someone else?

If so, please provide us with a copy of each trust agreement, latest asset statement and any other information about the trust which is available to you.

Family Income: Spouse #1 \$ _____; Spouse #2 \$ _____

FINANCIAL INFORMATION

ASSETS

Please provide an estimated fair market value in all cases.

Cash	Owned by Spouse #1	Owned by Spouse #2	Jointly Owned
Checking			
Savings			
Money Market			
Certificate of Deposit			
Notes Receivable or Accounts Receivable			
Investments	Owned by Spouse #1	Owned by Spouse #2	Jointly Owned
Stocks			
Bonds			
Mutual Funds			
Annuities			
Real Estate	Owned by Spouse #1	Owned by Spouse #2	Jointly Owned
Home			
Vacation Home What state? _____			
Rental and Commercial Real Estate			
Benefits	Owned by Spouse #1	Owned by Spouse #2	Jointly Owned
IRA			
Pension and Profit Sharing			
401(k), TIAA, CREF, etc.			
Keogh			
Deferred Compensation			
Stock Options			

Business	Owned by Spouse #1	Owned by Spouse #2	Jointly Owned
Value of Business Interest • Is there a buy-sell agreement?			
Personal Property	Owned by Spouse #1	Owned by Spouse #2	Jointly Owned
Vehicles, Boats, etc.			
Collectibles			
Jewelry and Furs			
Household Goods			
Other Assets	Owned by Spouse #1	Owned by Spouse #2	Jointly Owned
(Please List)			
	Owned by Spouse #1	Owned by Spouse #2	Jointly Owned
TOTALS			

LIABILITIES

	Owned by Spouse #1	Owned by Spouse #2	Jointly Owned
Home			
Vacation Home			
Rental and Commercial Real Estate			
Car, Boat or Airplane			
Bank Loans			
Other Debt			
Have you guaranteed a debt of someone else or of your business? If so, how much exposure?			
TOTALS			

LIFE INSURANCE

	Policies on Spouse #1		
	Policy 1	Policy 2	Policy 3
Company Name			
Policy Number			
Type of Policy			
Face Amount			
Cash Value			
Cash Value Borrowed			
Owner			
Beneficiary			
	Policies on Spouse #2		
	Policy 1	Policy 2	Policy 3
Company Name			
Policy Number			
Type of Policy			
Face Amount			
Cash Value			
Cash Value Borrowed			
Owner			
Beneficiary			
	Policies on Both Lives (Last to Die)		
	Policy 1	Policy 2	Policy 3
Company Name			
Policy Number			
Type of Policy			
Face Amount			
Cash Value			
Cash Value Borrowed			
Owner			
Beneficiary			

REPRESENTATIVES

Personal Representative (to carry out the terms of your Last Will and Testament). This person or institution gathers together your assets, addresses obligations, determines and pays any estate or inheritance taxes and distributes your property to your intended beneficiaries:

First Choice _____

Address _____

Telephone _____

Second Choice _____

Address _____

Telephone _____

Trustee of the Living Trust (to carry out the terms of your revocable living trust). This person or institution holds, manages, invests and distributes the income and assets in your trust for the benefit of your beneficiaries. The time period to fulfill this responsibility often last many years.

First Choice _____

Address _____

Telephone _____

Second Choice _____

Address _____

Telephone _____

Guardian of the Person of Minor Children (to raise and care for minor children if both parents die while the child is under the age of 18 years. This responsibility ceases when the child reaches age 18.

First Choice _____

Address _____

Telephone _____

Second Choice _____

Address _____

Telephone _____

Healthcare Representative (to make healthcare decisions if you are unable to make them yourself).

First Choice _____

Address _____

Telephone _____

Second Choice _____

Address _____

Telephone _____

Attorney-in-Fact (to act for you in business and prudential matters).

First Choice _____

Address _____

Telephone _____

Second Choice _____

Address _____

Telephone _____

Other information you have for the Lawyer:

You can upload this questionnaire to us in advance of your appointment in order to allow us to review and make your appointment more effective.

<https://www.hightail.com/u/Mannlaw>