

PRESENTED AT

21st Annual Estate Planning,
Guardianship and Elder Law Conference

August 1-2, 2019
Moody Gardens, Galveston, Texas

Estate Planning (“EP”) 101**Bernard E. (“Barney”) Jones**

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Estate Planning (“EP”) 101

Exhibits

- A. Email following initial client contact with FAQ’s memo / EPQ
- B. Proposed Drafts
 - 1. Drafts cover letter
 - 2.. Directive To Physicians
 - 3. Medical Power Of Attorney
 - 4. Statutory Durable Power Of Attorney
 - 5. Declaration Of Guardian For Children
 - 6. HIPPA Authorization
 - 7. Appointment for Disposition of Remains
 - 8. “Simple” Will
 - 9. FAQs memo, “Impaired Judgment Documents”
- C. Memos Delivered at signing conference
 - 1. Personal Effects Memo
 - 2. Coordinating Nonprobate Assets
- D. “Exit” letter
- E. Follow up letter

Exhibits

Exhibit A
Email following Initial Client with FAQ's memo / EPQ

[Cover email]

TO:
Harold Smith
Susan Smith

FROM:
Melissa K. Steed
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Dear Mr. and Mrs. Smith:

It was a pleasure speaking with you this morning. Barney and I look forward to helping you with your estate planning. This will confirm your office conference with Barney on September 12, 2019 at 10:00 a.m.

As promised, I've attached a "FAQ's Memo" that covers some of the basic questions clients often have about estate planning and that includes questionnaires to help you collect & confirm the basic family and financial information needed to be sure your new Wills, etc. are appropriate. Please bring your completed questionnaires with you to your conference.

In the meanwhile, if you have any questions or comments, please let me know.

Melissa

Exhibit A

Getting Started With Your Estate Planning

What is the first step in the estate planning process?

The first step in the estate planning process is to schedule an appointment with an estate planning attorney to discuss your particular situation. The initial estate planning conference provides an opportunity for your attorney to obtain information about you, your family, your assets and your goals and to make some recommendations to you regarding an appropriate estate plan. It is a "no obligation" meeting that lasts approximately one hour. At the conclusion of the meeting, the attorney will make recommendations about which estate planning techniques best suit your needs, and will advise you of the fees for implementing these techniques. You can decide how you wish to proceed.

What should I bring with me to the initial conference?

You should bring a financial statement and a list of all the people who will be involved in your estate plan. The financial statement does not have to be professionally prepared; it just needs to list your major assets and liabilities (debts), with *approximate* values. Also, it should distinguish "pre-tax" assets (like IRAs and qualified retirement plans) from "after-tax" assets (like regular investment accounts, money market accounts, etc.). Some people use a computer program; others simply sketch out their information on the form attached as Exhibit A. The list of relatives, friends and other people who will be involved in your estate plan should include full names, addresses and phone numbers if at all possible. *It is also very helpful to bring some basic personal/family information, including the matters addressed on Exhibit B.*

Is there anything else I should bring to my initial conference?

A few other items are helpful, but not essential. If it's not too much trouble, you should bring copies of each of the following that's applicable (however if a particular document is not readily available, you can always provide it after the initial conference):

- Your current Will and any trusts or other estate planning documents (but if they need to be completely redone, they're not that important).
- Documentation relating to any business you own, such as the articles of incorporation and bylaws for your corporation, the partnership agreement for your business partnership, and any buy-sell agreement.
- If you are (or you expect to be) a beneficiary under someone else's Will or trust, you should bring a copy of that document.
- If you've had a divorce and the divorce decree might contain requirements applicable to your estate plan (including required life insurance), you should bring a copy of the divorce decree and/or property settlement agreement.
- If you have a premarital agreement or other marital property agreement you should bring a copy.

Exhibit A

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: Estate Planning ("EP") 101

Also available as part of the eCourse

[Answer Bar: Dealing with Mineral Rights in Estate Planning and Probate](#)

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