

Estate Planning and Probate Information Questionnaire

Your Name(s).

Date.

Purpose. This Questionnaire will help you organize the information we need to assist you in estate planning or handling a probate estate. The objective is to help you endeavor to meet your planning goals. So, if questions are unclear at any time or the templates provided do not fit your circumstances, call or email us, and we will help. Creating a single template for clients with a significant spectrum of circumstances is difficult, so do not hesitate to modify or add as you need. Blank templates are provided on the last page for you to communicate unique information that may not logically “fit” in other portions of the Questionnaire. Feel free to add additional pages or attach as many documents as necessary to provide complete information. Please complete the information requested as best as you can. Generally, the more information you provide, the more efficient and tailored the process can be. If any question or item is not relevant, it might be helpful for you to indicate why. Provide copies of any documents requested or that you feel will be helpful. If you are completing this for a decedent to facilitate the administration of a probate estate, treat the category for “You” as the decedent.

Some tips on completing this Questionnaire.

1. Please give each person’s full legal name. If they have a nickname or other name they use, provide that parenthetically.
2. Indicate whether each person you list is a U.S. Citizen. If any are not, it could have significant tax and reporting consequences. We are not international tax counsel; if you have any non-citizens named, specialized tax advice from your CPA or other counsel will be necessary. If you list anyone who is **not** a U.S. citizen, indicate their citizenship next to their name and be certain to discuss this with us.
3. Please return the revised, completed document to us via email as either a Word Document if you complete this electronically (which is preferable) or as a PDF. If you prefer, we can set up a secure ShareFile portal for you to use to upload the Questionnaire and other documents. If you prefer to mail physical documents to us, do not send any original signed documents; only send copies. Please get in touch with us before sending any physical documents.

Contents

1. General and Contact Information.....	1
2. Personal and Marital/Partnership Information.....	2
3. Background Planning Information.....	3
4. Professional Adviser Information	4
5. Emergency Contact Information.....	5

6.	Background Information on Parents	6
7.	Background Information of Siblings	7
8.	Information About Your Children	8
9.	Information About Your Grandchildren	9
10.	Information About Other Possible Beneficiaries Including Final Takers and Charities ..	10
11.	Information on Additional Important Individuals.....	11
12.	Balance Sheet and Net Worth Considerations.....	12
a.	Importance of the Snap-Shot Balance Sheet.....	12
b.	Tips for Completing the Snap-Shot Balance Sheet.....	13
c.	Plan and Update.	14
13.	Snap Shot Balance Sheet	16
14.	Documents to Send Us Prior To Our Initial Meeting.	17
15.	Your Signatures.	17
16.	Additional Comments, Questions, Etc.....	18

1. General and Contact Information

Topic/Item	You	Spouse/Partner
Name (Please list full legal name)		
Home Address		
Phone Number (home, if applicable, and cell)		
Email		
Business: Name/Description		
Business: Address		
Business: Telephone Number		
Additional Information		

2. Personal and Marital/Partnership Information

Topic/Item	You	Spouse/Partner
Date of Birth		
Place of Birth		
Social Security Number		
Citizenship		
Status (e.g., Married, partnership, living together, etc.)		
Date and Place of Marriage, or other arrangement, etc.		
Do you have a Prenuptial, Living Together, Post-nuptial, or other agreement? (if yes, provide us a copy)		
Prior Marriage - Prior Spouse(s) Name(s)		
Date(s) and place(s) of previous Marriage(s)		
Date(s) of termination/divorce		
Are there Separation, Divorce, or other agreement(s) in place?		

(if any, provide us with copies)		
Health issues or other points of importance		
Addiction or similar challenges		
Mental health challenges		
Lifestyle (religious/gender /other) considerations that may affect planning		
Any additional concerns or comments		

Please endeavor to provide copies of all relevant documents listed above. Prior marriages or special circumstances should be addressed when formulating your plan. Please provide a physician's letter or other reports about any special health or other circumstances. If helpful, elaborate on any special circumstances in a letter that you can provide and in the blank charts at the end of this Questionnaire.

3. Background Planning Information

Please answer the following questions by indicating Yes or No. Explain all Yes answers. All responses will be held in strict confidence. This information is important to assist us in understanding your planning needs and assessing our involvement. The formation of irrevocable trusts, LLCs, or other entities, and the transfer of assets to them must comply with legal and ethical requirements. Therefore, accurate answers to the following are necessary.

Question	Yes (Please Explain)	No
Have you ever consulted with an estate planner?		
Have you or any entity you control ever filed for bankruptcy or been insolvent, or are you or an entity you control presently in bankruptcy or insolvent?		

Have you ever been, or are you presently, the subject of a lawsuit?		
Are there currently any outstanding claims against you?		
Have you ever been convicted of a crime?		
Are there any current conditions or medications that may impair your ability to understand and sign legal documents?		
If married, are you contemplating divorce? If in a partnership, are you contemplating dissolution?		
Have you filed personal income tax returns for each of the past five years?		
Have you ever had an IRS audit resulting in adjustments, or are you currently under audit?		
Do you own any foreign assets or accounts?		
If yes, have you complied with all reporting requirements?		
Are you a beneficiary of any trusts or a future beneficiary under anyone's estate plan? Do you hold any powers of appointment?		

4. **Professional Adviser Information**

Indicate the names and contact information of your other advisers. It is essential that all your advisers be involved in the planning process. Please put your initials in the box to the right to authorize us to communicate with that adviser (understanding that it may waive attorney-client privilege). We have included several blank boxes for additional professionals that may be important to your planning. We cannot effectively represent you without open communication with advisers.

Professional's Role	Professional's Name/Company	Professional's Phone Number/Email	Professional's Physical Address	Type Initials Below to Authorize Communication
Accountant				
General Attorney				
Financial Planner				
Life Insurance Consultant				

5. Emergency Contact Information

Please provide us with the name of a trusted third party who lives outside of your home and can be contacted in an emergency or if we suspect financial exploitation. By providing us with this information, you expressly authorize us to contact, or not, the persons below, in our sole discretion (note that this may affect the attorney-client privilege):

Name	Phone Number/Email	Physical Address

6. Background Information on Parents

Understanding your financial relationship with people important to you, including but not limited to family members or other benefactors, is important. If parents, other family members, or benefactors will coordinate their estate plans with yours, often everyone can benefit. If you have financial obligations, these might warrant addressing in your powers of attorney, wills, and/or trusts. If you anticipate a significant inheritance, it can affect your planning. Details on family members and other important people are necessary to interpret will and trust provisions in the event named heirs predecease you, disclaim, or others challenge a will. Powers of appointments should be addressed.

Parent/ Relationship	Your Father	Your Mother	Spouse/Partner's Father	Spouse/Partner's Mother
Name				
Date of Birth (if living)				
Physical Address				
Phone Number/Email				
Other Information				
Financial Status (i.e., do you or someone else financially support them?): Have they done Medicaid planning?				
How does your parent's estate plan affect you (provide documents if you				

have, e.g., trusts, 529 plans, etc.)				
Anticipated – Inheritance/Powers of Appointment or Financial Responsibility				
Are you named in any position to assist? (i.e., as an agent or executor)				
If not living, provide the date of death				
Status of probate				
Additional information or comments				

7. **Background Information of Siblings**

Name and Relationship (i.e., indicate whose sibling the individual is)	Contact Information- Address, Telephone Number, and Email.	Date of Birth or Death	Family Status (please provide spouse's name if married and children's names if any)	Additional Comments and Points for Your Planning

8. Information About Your Children

Please provide any details concerning special concerns or issues which might affect your planning. If any child is adopted, born through reproductive technologies, etc., please explain and provide copies of any legal documents. If a child has special needs, addictions, lifestyle considerations that may affect planning, is wealthy, etc., please explain. If a child was naturalized as a United States citizen, please explain and provide or email copies of any legal documents. Provide any additional documents or details which might be relevant. For heirs other than children, see below.

Name and Relationship (i.e., indicate whose child)	Contact Information- Address, Telephone Number, and Email.	Date of Birth or Death	Marital Status (please provide spouse's name if married)	Any Special Needs or Considerations and Additional Comments

9. Information About Your Grandchildren

Please provide information. See the instructions above under “children.” Do you understand the implications of the generation-skipping transfer (“GST”) tax to your planning?

Name and Relationship (i.e., indicate whose child)	Contact Information- Address, Telephone Number, and Email.	Date of Birth or Death	Marital Status (please provide spouse’s name if married)	Any Special Needs or Considerations and Additional Comments

10. Information About Other Possible Beneficiaries, Including Final Takers and Charities

Please attach any details concerning special concerns or issues that might affect your planning for any additional, remainder, or contingent beneficiaries. If any charities are listed, attach a summary of your charitable goals. If you can, provide exact legal names, physical addresses, and tax identification numbers for charitable or other beneficiaries.

Name and Relationship (i.e., friend, charity, why important to you, etc.)	Contact Information- Address, Telephone Number, and Email.	Date of Birth or Death (if individual) or Tax Identification Number (if charity)	Marital Status (please provide spouse's name if married)	Any Special Considerations and Additional Comments (i.e., what will this individual or charity receive, and are they only to be named in one person's documents?)

11. Information on Additional Important Individuals

Try to list any individual or organization not already listed above that might be named to serve in a position in any of your estate planning documents.

Name and Relationship (i.e., friend, charity, why important to you, etc.)	Contact Information- Address, Telephone Number, and Email.	Citizenship (please confirm if U.S. Citizen)	Indicate Status (i.e., how will they be named in your documents?) Beneficiary, Remainder Beneficiary, Executor, Trustee Excluded Person, Other	Any Special Considerations and Additional Comments

12. Balance Sheet and Net Worth Considerations.

a. Importance of the Snap-Shot Balance Sheet.

- i. The pages that follow will help you organize a Snap-Shot Balance Sheet. This provides a "snap-shot," or overview, of your current financial picture. This is vital to identify planning opportunities or to update an older estate plan. The summary balance sheet serves a different purpose than a detailed financial report, which is typically used in the financial planning process (although this level of detail may be helpful for us to have as well). Detailed insurance schedules should be prepared to provide your insurance professional with the information necessary to evaluate your coverage and determine if changes are advisable. Detailed financial schedules should also be prepared to help your investment adviser review your investment allocation, asset location, account title, and other matters to determine if they are consistent with your goals. Finally, detailed information should be prepared for your retirement plans to help your accountant and pension consultant advise you on the options for beneficiary designations. Your preparing such detailed schedules will help you identify beneficiary designations (legal specification of who, or which trust, will inherit an asset), restrictions on transferring those assets (e.g., contract, divorce, or other arrangements), and potential liabilities (which might affect your transferring assets). Accurate information is important because proper planning requires full disclosure and follow-up on many of these matters. Unless we confirm in writing that we are reviewing or preparing beneficiary designations, we will not do so.

- ii. If you have foreign assets, you must consult a specialist about reporting requirements. We cannot assist with these issues. If you miss FBAR or other reporting requirements, penalties could be severe.
 - iii. For any entities listed, you should address reporting requirements with FinCEN under the Corporate Transparency Act. Some states, e.g., New York, have similar reporting requirements. We will not address these matters unless you separately retain us in an engagement to address these matters, and we agree to that in writing,
 - iv. Tax basis information should be noted.
- b. **Tips for Completing the Snap-Shot Balance Sheet.**
- i. **Tailor it to Your Situation.** Tailor the Snap-Shot Balance Sheet to reflect your personal circumstances. Remember, a snapshot or overview is the goal. The objective is not to address every item of detail on one page. Too much detail can obscure more big-picture issues. If the categories or columns don't work, modify them as you feel best. Call or email us for help if you have questions.
 - ii. **Issues.**
 - 1. Please note any questions, assumptions, or important points in the margins of your Snap-Shot Balance Sheet (or in attachments).
 - 2. Reference in the "Planning Comments" any additional information you attach.
 - 3. Issues you might indicate include a range of personal issues such as: Do you have adequate cash flow for retirement years, and will you outlive your resources? Can you afford to make the gifts you are considering? Can you afford to make larger gifts (to reduce your estate, to family, charity, or others)? Do you have adequate liability and property insurance for the assets listed? Should assets with low basis be retained or brought into your estate or someone else's, and so forth, is essential to a comprehensive plan.
 - iii. **Non-Probate, Pension and Retirement Assets.** Identify pension, retirement assets, insurance, brokerage accounts, and other assets that pass outside of your estate (not under the terms of your will). Documentation for these assets may also include trust documents, beneficiary designations, or other documentation, which should be reviewed to determine how these assets will be transferred on your death. Provide copies of any such documents. Review pension and retirement plan beneficiary designations and withdrawal plans with your accountant and financial planner. If you have made gifts to irrevocable grantor trusts, it is important to monitor their assets. If assets have significantly appreciated, you should consider options to bring those assets back into your estate (by purchase or swap) so that the appreciated assets may qualify for a step up in tax basis on your death.
 - iv. **Real Estate.** For real estate assets, you may wish to note in the margin if they are located outside the state where you reside (ancillary probate) and ownership structure (by you, LLC, partnership, tenants in common, etc.) Provide a copy of each deed, operating agreement (or other governing document), and other relevant documents. Ownership and proper use of

entities are essential to tax reduction, asset protection, succession planning, and more. Basis information is vital. We will hold these documents in our file for informational purposes only unless you authorize further work in writing. You will have to discuss negative capital accounts, risks of gain realization, and other income tax issues with your CPA.

- v. **Community Property.** If you have ever lived in a community property state or have community property assets, add information on community property. At a minimum, identify (with an asterisk) any property that is, or could be, community property and the state under which that characterization may have occurred. A full basis step-up on the first death may be possible. Special rules may apply, and special counsel will be necessary.
- vi. **Miscellaneous Points.** Note any special or important considerations in the "Planning Comments" column. These may include beneficiary designations (e.g., for insurance, IRA, other retirement assets, annuity, brokerage account, etc.); liabilities or contingencies (e.g., a tenant filed a suit because of an injury at your vacation home); location of an asset in another state or country; the name of a co-owner of an asset if it is not your spouse; the face value of insurance; etc. Disclose any powers of appointment.

c. **Plan and Update.**

- i. **Update Regularly.** Accurate and current financial information is critical to estate, financial, asset protection, insurance, and other planning. At least once a year, and following any significant event, you should meet with all your advisers and analyze your assets, liabilities, and other key data to be sure your estate plan will accomplish your objectives and to take advantage of tax, asset protection, and other planning opportunities. Participation in an annual meeting is essential to review updated data, changes in law, and new planning techniques and assess the impact on your planning. It is also essential to address the various loose ends that are inevitable after any documents or planning is implemented. That can be done by conducting a web meeting to make it efficient and less costly.
- ii. **Consolidate.** If you have many accounts, evaluate consolidating them to simplify planning, make your estate more manageable in the event of disability, and minimize probate fees. If you consolidate, consider transfer costs, triggering taxable income or capital gains on having to sell certain funds or assets.
- iii. **Plan to Use Your Temporary Exemption.**
 - 1. You may wish to take advantage of the federal estate tax exemption (the amount you can bequeath without a federal gift and GST tax) before it is reduced by half in 2026. Funding trusts or other planning before the end of 2025 may be advantageous. The possible benefit of removing assets from an estate may be more than offset by the loss of basis step-up (the increase in capital gains tax from forgoing a basis step-up may be greater than any state or federal estate tax savings).

2. Many state estate tax systems do not follow the federal system, so your estate may owe state tax at a much lower level (For example, New York uses the \$5 million inflation-adjusted amount). New Jersey and a few other states have state inheritance taxes, and Connecticut assesses a gift tax. In other states, you may be able to avoid state estate tax by making gifts.
- iv. **Is Maximum Use of Your Exemption Consistent with Your Personal Goals?** The maximum federal amount you can bequeath may trigger a significant state estate tax, depending on which state you were domiciled in at death or in which you owned real or tangible property (and sometimes other assets). While portability is an option, it generally does not apply to state estate tax or GST tax.
- v. **Title (Own) Assets Properly.** Ownership of assets has to be considered as it impacts trust funding, asset protection, and other important planning matters. Title to assets can affect whether or not a co-owners claimant or divorce can reach it, whether probate is necessary, whether the assets will be usable to fund a bypass trust under your will, and a host of other vital matters.

13. Snap Shot Balance Sheet

Asset Category	Owned by You	Owned by Spouse or Partner	Jointly Owned Between Spouses/ Partners	Non-Probate (pass outside will, included in Estate)	Irrevocable Trust (indicate: Grantor or Non-Grantor) Outside Estate	Additional Points to Consider
Cash						
CDs						
Marketable Securities						
Mutual Funds						
House (Net Mortgage)						
Vacation Home						
Other Real Estate Investments						
Annuities						
401k/IRAs						
Pension						
Business Interests						
Life Insurance						
Possible Inheritances						
Possible Losses						
Liabilities						
Net Worth	\$	\$	\$	\$	\$	

Sign below indicating the accuracy and completeness of the above balance sheet. Your exposure to federal and/or state estate tax, the appropriateness of gift or asset protection strategies, the planning steps that may be recommended or taken, and other aspects of planning will be based on this information. To achieve your goals, you must follow up on recommendations made and advise of changes.

Signature

Date

Partner's/Spouse's Signature

Date

14. Documents to Send Us Prior To Our Initial Meeting.

Please endeavor to provide electronic copies of all existing estate and related planning documents before your initial web meeting to your meeting. The following is a list of some, but not all, of the documents that may be important to your planning. Some of these documents may not apply to you, and there may be other documents than these that should be considered regarding your planning. Do **NOT** send us any original documents.

- a. Powers of Attorney.
- b. Health care documents: Living Wills, Health Care Proxies, HIPAA Releases, POLST, etc.
- c. Wills.
- d. Revocable Trusts.
- e. Letters of Instruction.
- f. Family data, financial, and other background information are not listed on the pages above.
- g. Insurance policies: life, long-term disability, and excess liability. Note that we do not review policies or advise on coverage.
- h. Irrevocable trusts (insurance trusts, child/children's trusts, GST/grandchildren trusts, defective grantor trusts, and other trusts).
- i. Entity records and documents for any corporations, partnerships, LLCs, or other entities or arrangements. Partnership, operating, shareholder, and buy-out agreements, or other important governing documents for any entity.
- j. Beneficiary designation forms.
- k. Documents explaining any existing or possible lawsuit, claim, or other debt.
- l. Brokerage statements. A recent statement for every significant financial account and every account for any trust.
- m. Prenuptial, Post-Nuptial, Divorce, and similar agreements.
- n. Deeds.
- o. Prior gift and estate tax returns. It is critical that we have a copy of any gift tax or estate tax return that reported the creation of any irrevocable trust that confirms your exemption (including any portable exemption from a deceased spouse).
- p. Any other relevant documents.

15. Your Signatures.

Sign below indicating the accuracy and completeness of this Questionnaire and that you have read and understood any planning or other comments noted by your advisers. Our work will be based on this information. You must inform all of your advisers of any changes that may be important to your planning. You must be certain to follow up on all items your advisers have indicated to you that you must address. Your sending us this Questionnaire without signing it shall be deemed the equivalent of your signing.

Signature

Name: _____

Date: _____

Signature

Name: _____

Date: _____

16. **Additional Comments, Questions, Etc.**

List any additional information, requests, questions, etc., in the boxes below.

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