

THE LAW OFFICE OF KENNETH S. FEDERMAN, LLC

Estate Planning Rubric

NOTE: This form is at the user’s discretion. Possession or Use of this form does not create or imply the creation of an attorney-client relationship, and none is hereby created. Do not provide any personal or confidential information prior to the establishment of an attorney-client relationship. Use of this form constitutes agreement herewith.

The attached “rubric” provides a structure whereby you can indicate your planning priorities, and will provide a basis for our discussion of your estate plan structure. The rubric is to be read in conjunction with our attached estate plan outline. It is not intended to - and does not - provide a comprehensive analysis of all of the considerations that may be germane to any specific situation. No decisions are to be made or planning techniques implemented based solely on the information provided.

Please do not feel compelled to answer all of these questions. They are designed to provoke questions and discussion as much as to elicit answers. Kindly answer what you can – we will discuss all aspects in any event.

Ø Please indicate your name: \_\_\_\_\_

- o Note, spouses should each complete a separate rubric.
o Are you a United States Citizen? \_\_\_\_ Yes \_\_\_\_ No

Ø Trusts

- o Please indicate your approach for leaving assets either (i) outright to your beneficiaries or (ii) in trust to be managed by a trustee for their benefit. For purposes of this inquiry, we are interested in your non-tax priorities.

Regarding personal spending habits: Outright In trust

Regarding personal investing habits: Outright In trust

Regarding beneficiaries’ creditors: Outright In trust

Any special notations (such as differing approach for various beneficiaries):

Three horizontal lines for special notations.

- Please rank by priority (or indicate N/A) your reasons for utilizing trusts:

- \_\_\_\_\_ Probate avoidance
- \_\_\_\_\_ Asset management
- \_\_\_\_\_ Management of non-public business interests
- \_\_\_\_\_ Estate Tax reduction
- \_\_\_\_\_ GST Tax reduction
- \_\_\_\_\_ Protection of assets from beneficiary's potential creditors
- \_\_\_\_\_ Protection of assets from beneficiary's spending habits

- **Trust Investments**

§ Do you have any specific thoughts regarding investments to be made by the trustee for the benefit of your surviving spouse? \_\_\_\_\_

\_\_\_\_\_

§ Do you have any specific thoughts regarding investments to be made by the trustee for the benefit of your children? \_\_\_\_\_

\_\_\_\_\_

- **Trustees:**

§ Who should control the trust assets after your death (for the benefit of your surviving spouse)? \_\_\_\_\_

\_\_\_\_\_

§ Who should control the trust assets after your death (for the benefit of your children)? \_\_\_\_\_

\_\_\_\_\_

§ Should your surviving spouse become co-Trustee along with the independent trustee? \_\_\_\_\_ Yes \_\_\_\_\_ No

§ Should your children become co-Trustee along with the independent trustee? \_\_\_\_\_ Yes \_\_\_\_\_ No

§ Should your surviving spouse have the authority to remove and replace the independent trustee? \_\_\_\_\_ Yes \_\_\_\_\_ No

§ Should the children have the authority to remove and replace the independent trustee? \_\_\_\_\_ Yes \_\_\_\_\_ No

§ Should the trust include a Trustee Reviewer? \_\_\_\_\_ Yes \_\_\_\_\_ No  
If yes, who would you like to name as Trustee Reviewer? \_\_\_\_\_

\_\_\_\_\_

§ Any special thoughts? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

○ **Contingent Disposition:**

§ Who (or what entities) should receive trust assets if there is a family disaster? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Ø **Charitable Planning**

§ Do you wish to discuss structures to implement charitable gifts?  
\_\_\_\_\_ Yes \_\_\_\_\_ No

Ø **General Durable Power of Attorney**

- Who would you like to name to make legal and financial decisions for you if you cannot make them yourself?

§ Primary: \_\_\_\_\_

§ Alternate: \_\_\_\_\_

- Should the Power of Attorney be effective (i) upon execution or (ii) only if and when a physician certifies that you cannot make your own such determinations?  
\_\_\_\_\_ Effective upon signing \_\_\_\_\_ Effective upon Disability

- Should your Attorney-in-Fact under the Power of Attorney be authorized to make gifts? \_\_\_\_\_ Yes \_\_\_\_\_ No

§ If yes, how important is it that the Attorney-in-Fact named above be authorized to make gifts to himself or herself?

Not Important ← → Quite Important

Ø **Health Care Proxy**

- Who should make health care decisions for you if your physician certifies that you cannot make your own such determinations?

§ Primary: \_\_\_\_\_

§ Alternate: \_\_\_\_\_

Ø **Foreign Affairs**

- Do you own assets or accounts located in foreign countries, or have signature authority over accounts located in foreign countries? \_\_\_\_\_ Yes \_\_\_\_\_ No