



## Plan Review Checklist

**NAME:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

	Problem	No Problem	Unknown or Not Applicable
1. Does your current plan include a provision to minimize or eliminate the Federal Estate Tax? Is each spouse's unified credit being utilized?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Do you have a current and properly drafted Financial Power of Attorney? The trust or will cannot solve all problems relating to the need for your signature. Many times a Power of Attorney is the only method of acting for an incapacitated person.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Is your Health Care Power of Attorney current? Unlike a Financial Power of Attorney, this gives your agent the authority to make medical decisions on your behalf when you are not able.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Do you have a plan to keep your Powers of Attorney and other legal instruments current? Powers of Attorney are notorious for being outdated and useless. You must have a system for making sure they are current.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Do you have a system that will permit you to access your Powers of Attorney quickly during an unanticipated crisis? The Advance Health Care Directive is needed in an emergency and since it is not readily available, it is often replaced by an inferior version at the hospital.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Does your current planning provide an alternative to doctor or court determination of your incompetency/incapacity? Very often, a federal act known as "HIPAA" prevents doctors from making this determination. Consequently, a court determination is often necessary.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Does your current planning provide for assistance to you and or your spouse in the event of a temporary emergency? Successor agents can be secured to deal with asset, estate and business issues that arise when you are hospitalized, ill or simply out of town.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Does your planning provide for assistance to you, in the event a temporary emergency becomes permanent? If the temporary emergency evolves into a permanent disability, a "disability agent" is necessary to meet the needs of the disabled individual.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. If you have A/B planning (Decedent/Survivor trusts or Marital/Family trusts), does it protect the surviving spouse from creditors and predators? Pre 2013 plans should be reviewed for income tax efficiency.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. If you have Trust planning, does it provide protection for the deceased spouse's estate in the event the surviving spouse remarries? The deceased spouse's estate can be controlled and protected even if the surviving spouse remarries.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Does your current planning protect your children's inheritance from financial disasters, such as divorce, bankruptcy or lawsuits? Without the proper provisions in your planning, a beneficiary's inheritance can be accessed by creditors or depleted by a divorcing spouse.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Does your current planning transfer the estate, tax free, to your grandchildren upon your child's death? A large portion of the estate can transfer estate tax free from your child to your other child, children or grandchildren. This is a little used but very powerful asset transfer technique.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**DISCLAIMER:** THE INFORMATION CONTAINED ON THIS CHECKLIST IS **NOT** INTENDED TO BE LEGAL ADVICE AND SHOULD **NOT** BE CONSTRUED AS LEGAL ADVICE. THIS CHECKLIST IS **NOT** INTENDED TO BE, AND DOES **NOT** REPRESENT, A COMPREHENSIVE REVIEW OF YOUR ESTATE PLAN AND, AS SUCH, SHOULD **NOT** BE USED AS A SUBSTITUTE FOR A CONSULTATION WITH AN ATTORNEY.

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## *15-Point Client Care Plan™ Checklist*

1. Do you want to control your property while you are alive, take care of yourself and your loved ones should you become disabled, give what you want, to whom you want, when you want and the way you want, and minimize taxes, fees, and court costs? If the answer is yes and you do not have an estate plan, you need one.
2. Does your estate plan adequately distribute your assets in the proportions and order you want? A properly drafted estate plan will take into consideration the possible combinations for the transfer of an estate depending upon who predeceases you thereby reducing the possibility for litigation and family discord after your death.
3. Do you have a current and properly drafted Financial Power of Attorney (POA)? The estate plan cannot solve all problems related to the need for your signature and a POA is essential for everyone who owns a qualified retirement account. Many times a POA is the only method of acting for an incapacitated person.
4. Are your Health Care Power of Attorney (HCPOA) and Living Will current? Unlike a POA, a HCPOA gives your agent the authority to make medical decisions on your behalf when you are not able. Do you want your Living Will to address situations if you are afflicted with Alzheimer's or Parkinson's?
5. Do you have a plan to keep your Powers of Attorney and other legal documents current in the event your health, finances, relationships or the law change?
6. Do you have a system that will permit access to your Powers of Attorney quickly during an unanticipated crisis?
7. Have you identified your health care agent(s) and authorized loved ones to receive your private health information? A federal act known as "HIPAA" requires that, prior to incapacitation, you specifically authorize doctors and hospitals to release your health care information to any agents and loved ones you have identified to receive such information.
8. If you have a trust, are your assets funded or registered in the name of your revocable trust? If you're not positive, then it's likely a probate will be required to transfer assets out of your name if you don't address the issue now.
9. Does your trust include a provision to minimize or eliminate the Federal Estate Tax? A properly drafted plan can double the amount that can be transferred estate tax free.
10. Does your estate plan and/or POA define who makes the determination of when you've become incapacitated, or must they go to court to solve this problem?
11. Does your estate plan provide for assistance in the event of a temporary emergency or permanent disability? A co-trustee, or "silent partner", can be available to deal with trust issues that arise when you are hospitalized, ill, simply out of town, or permanently disabled.
12. If your estate plan contains an A/B trust (Decedent/Survivor trusts or Marital/Family trusts), does it protect the surviving spouse from creditors and predators? Provisions need to be included in your plan to allow the surviving spouse access to the deceased spouse's estate, while reducing the ability for the rest of the world to access the estate.
13. If your plan contains an A/B trust (Decedent/Survivor trusts or Marital/Family trusts), does it provide protection for the deceased spouse's estate in the event the surviving spouse remarries? The deceased spouse's estate can be controlled and protected even if the surviving spouse remarries.
14. Does your estate plan protect your children's inheritance from financial disasters, such as divorce, bankruptcy or lawsuits? Without the proper provisions in your estate plan, a beneficiary's inheritance can be accessed by creditors or inadvertently co-mingled with that beneficiary's spouse.
15. Does your estate plan transfer the estate tax free to your grandchildren upon your child's death? A large portion of the estate can transfer estate tax free from your child's trust to your other child, children or grandchildren. This is a little used but very powerful asset transfer technique.