

BAYERN, AYCOCK & BAYERN, P.C.

745 EAST MULBERRY, SUITE 300
SAN ANTONIO, TEXAS 78212
210/731-8300
210/731-8111 Facsimile

BOARD CERTIFIED
ESTATE PLANNING & PROBATE LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

ESTATE PLANNING MEMORANDUM

You have asked for us to discuss your estate planning with you. This memorandum is given to you so that you may assemble the proper information to expedite this process. To the extent that the various items in this memorandum are applicable, it will enable us to advise with your planning. Some of the information requested in this memorandum will be needed at your death in preparing the inheritance tax return and the federal estate tax return. If you do not have all of the information, provide the information that you do have.

PERSONAL INFORMATION - (COMPLETE INFORMATION WORKSHEET ATTACHED)

FINANCIAL SUMMARY- (COMPLETE ASSET WORKSHEET ATTACHED)

- **BANK ACCOUNTS** - Names of the banks or other financial institutions where you have accounts; indicating the type of account, the ownership of the account and whether it is subject to a survivorship agreement. If there is a safety deposit box, give the box number where it is located and whose name or names it is in and where the key may be found.
- **STOCKS AND BONDS** - If stocks and bonds, there is no need to list the individual stocks. Be prepared to give the approximate aggregate value and where the securities are located. Also, please indicate the ownership of the accounts and whether they are subject to a survivorship agreement.
- **REAL PROPERTY** - Bring some document, preferably the deed to the home property so as to be able to get the correct legal description; if you have real property or oil and gas properties, list where they are located.
- **BUSINESS INTERESTS** - If you are the owner (or part owner) of a business, or a partner in a partnership, please provide information such as financial statements and buy-sell agreements relating to the business.
- **LIFE INSURANCE** - List of the life insurance on you, your spouse or your children showing the company, the amount of the policy, and the names of the beneficiaries.
- **RETIREMENT PLANS** - If there are any retirement funds or pension funds that you will be entitled to receive, or your heirs or estate will be entitled to receive, bring a list of them. This would include such things as teacher's retirement, civil service retirement, and other pension funds.
- **TRUSTS AND INHERITANCE** - Benefits, if any, you receive from any trust, and whether you, your spouse or your children are expecting to inherit property and, if so, the source and approximate amount.
- **SEPARATE PROPERTY** - The property that one owns prior to marriage or that is received by gift or inheritance during marriage is separate property. In general, all other property that is acquired during marriage is community property.

If either spouse owns separate property, give a list of the separate property and the source from which it was received, such as owned before marriage or inherited.

- **AGREEMENTS** - If there are any prenuptial or postnuptial agreements or other agreements affecting the rights between you and your spouse, we need to be provided with copies to determine their effect on your estate plan.

INFORMATION WORKSHEET

Husband

Wife

1. NAME: _____
2. DATE/BIRTH: _____
3. PLACE/BIRTH: _____
4. SOC. SEC. #: _____
5. TELEPHONE: Home: _____
 Work: _____
 Fax: _____
 E-Mail: _____
6. YEAR MOVED TO TEXAS: _____
7. MARRIAGE INFO.: DATE: _____ PLACE: _____
8. HOME ADDRESS: STREET: _____

_____ ZIP CODE _____ COUNTY _____

MAILING (IF DIFFERENT):

_____ ZIP CODE _____ COUNTY _____

9. CHILDREN (List information for additional children on back):

Name	Date of Birth	Social Security Number	Married Yes/No	Address and Telephone Number

10. PRIOR MARRIAGES:

	Name	Date Terminated	How Terminated	City/State of Termination	No. of Children from Marriage
Husband					
Wife					

11. FIDUCIARY APPOINTMENTS (You do not have to name two alternates. If you wish to name more than two, use the back of this page):

HUSBAND:

	Executor ¹	Trustee ²	Young Persons Trustee ²	Guardian ³
First Choice (usually the spouse)				
First Alternate				
Second Alternate				

WIFE:

	Executor ¹	Trustee ²	Young Persons Trustee ²	Guardian ³
First Choice (usually the spouse)				
First Alternate				
Second Alternate				

12. DISPOSITION: Describe here in your own words how you would like your estate distributed.

¹**Executor:** This is the person who will take care of your business affairs, pay debts and distribute your assets according to your will.

²**Trustee:** If your wills use trusts for tax planning, or to make provisions for young beneficiaries, you will need to name one or more trustees.

³**Guardian:** This only applies if you have children under age 18. Once they reach age 18, they are considered an adult.

13. FREQUENTLY, OTHER DOCUMENTS ARE NEEDED TO PLAN FOR INCAPACITY OR UNUSUAL CIRCUMSTANCES. THE THREE MOST COMMONLY USED ARE:

- A. STATUTORY DURABLE POWER OF ATTORNEY FOR BUSINESS AND FINANCIAL MATTERS. This document allows your "agent" to conduct business matters for you.
- B. MEDICAL POWER OF ATTORNEY. This document allows your agent to consent to medical treatment if you are unable to do so.
- C. DIRECTIVE TO PHYSICIANS (LIVING WILL). This document states your desire to avoid being kept alive under certain extreme circumstances.

EACH OF THESE DOCUMENTS ALLOWS FOR THE DESIGNATION OF AN AGENT. PLEASE PROVIDE THE NAMES OF YOUR AGENT AND ALTERNATE AGENT(S), IF ANY, TOGETHER WITH THE INDICATED INFORMATION.

STATUTORY DURABLE POWER OF ATTORNEY FOR BUSINESS AND FINANCIAL MATTERS

HUSBAND:

Agent (usually the spouse)	First Alternate Agent	Second Alternate Agent	Third Alternate Agent

WIFE:

Agent (usually the spouse)	First Alternate Agent	Second Alternate Agent	Third Alternate Agent

MEDICAL POWER OF ATTORNEY AND DIRECTIVE TO PHYSICIANS

HUSBAND:

Agent usually the spouse (include address and telephone number - if other than spouse)	First Alternate Agent (include address and telephone number)	Second Alternate Agent (include address and telephone number)	Third Alternate Agent (include address and telephone number)

WIFE:

Agent usually the spouse (include address and telephone number - if other than spouse)	First Alternate Agent (include address and telephone number)	Second Alternate Agent (include address and telephone number)	Third Alternate Agent (include address and telephone number)

ASSET SUMMARY WORKSHEET

IT IS NOT NECESSARY TO GIVE ALL INFORMATION IN SPECIFIC DETAILS. APPROXIMATE FIGURES AND GENERAL DESCRIPTIONS OF ASSETS WILL BE ADEQUATE. ATTACH ADDITIONAL SHEETS IF NECESSARY.

I. REAL ESTATE:

Description	Approximate Value	Indebtedness (if any)

II. PERSONAL PROPERTY:

Personal Property	Description	Approximate Value	Indebtedness (if any)
Automobiles			
Bank Accounts			
Stocks, Bonds			
Business Interests			
Other (Retirement Plans, Trusts, Valuable Collections)			

III. INSURANCE:

Company Name	Policy No.	Face Amount	Insured	Beneficiary