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**WEALTH TRANSFER PLANNING INFORMATION**

**CONFIDENTIAL**

Thank you for taking the time to fill out the following worksheet which will enable us to begin the process of evaluating your estate planning needs and begin drafting your documents. You are taking an important first step in your estate planning and we are pleased you have chosen Hartman-Imbriale, LLP to assist you with these important documents.

Today's Date \_\_\_\_\_

Husband's Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Wife's Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Primary Home/Mailing Address \_\_\_\_\_ County \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Home Phone \_\_\_\_\_ Mobile (H) \_\_\_\_\_ Mobile (W) \_\_\_\_\_

Husband's Email \_\_\_\_\_

Wife's Email \_\_\_\_\_

Has Husband or Wife ever been married previously? \_\_\_\_ (H) \_\_\_\_ (W)

If so, to whom? (H) \_\_\_\_\_

(W) \_\_\_\_\_

List all children, in addition to children of this marriage. If not of this marriage, indicate the natural parent as "H" or "W".

<u>Living Children:</u>	<u>Name</u>	<u>Age</u>	<u>Married?</u>	<u>City of Residence</u>
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- 1)
- 2)
- 3)
- 4)
- 5)

Deceased Children:      Name

How would you like your estate to be distributed upon your death?

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1. Do your children (or grandchildren) have any problems or disabilities which should be considered in planning your estate? Do you have the responsibility for supporting anyone other than your children?

If your children were to inherit your estate at a young age, at what age would you like them to receive control of their bequest? Common answers would be Age 18, Age 21, Age 25, etc. Until that age, the person you name as Trustee would handle and safeguard their bequest. We can also make provisions for partial distributions at different ages. Please describe your wishes in this regard:

2. Other than your children, do you wish to make any gifts or contributions of property or money to any friends, relatives, or charities? If so, please describe your bequest gift and the recipient.
3. If you, your spouse, and all of your descendants (children, grandchildren, etc.) were killed in a plane crash (or other common disaster), whom would you want to have your property?
4. (a) You will need to name an Executor to administer your Estate. The Executor will collect assets, pay the debts, file the necessary tax returns and distribute the assets from your Estate in accordance with the terms of the Will. The Executor may be an individual (spouse, close relative or friend) or it may be a corporate fiduciary (a bank), or you may have more than one person and/or a corporate fiduciary acting as Co-Executors. Whom would you name? You may name one successor or you may name more than one if you wish.

Initial Executor(s): \_\_\_\_\_

Successor Executor(s): 1) \_\_\_\_\_  
2) \_\_\_\_\_

(b) If you have a Trust set up under your Will to take care of your children and/or spouse, then you will need to name a Trustee who will invest and manage the Trust assets and make payments from the Trust to the various beneficiaries in accordance with the terms of the Will. The Trustee may be the same as the Executor, but this is not necessary. Whom would you name? You may name one successor or you may name more than one if you wish.

Initial Trustee(s): \_\_\_\_\_

Successor Trustee(s): 1) \_\_\_\_\_  
2) \_\_\_\_\_

5. If you decided to name a guardian for your minor children (in case your spouse does not survive) whom would you name? You may name one successor or you may name more than one if you wish.

Initial Guardian(s): \_\_\_\_\_

Successor Guardian(s): 1) \_\_\_\_\_  
2) \_\_\_\_\_

6. Do you or your spouse expect to inherit any substantial property in the near future which should be considered in planning your estate?

Yes \_\_\_\_\_ OR No \_\_\_\_\_. If Yes, please describe:

7. Do you and your spouse presently have wills or any revocable or irrevocable trusts? **If so, please bring these documents with you to the planning session.**

8. Have you or your spouse ever been divorced? Do either of you have any financial obligations pursuant to a divorce decree or settlement agreement?

Yes \_\_\_\_\_ OR No \_\_\_\_\_.

9. Have you ever lived in any of the following states: Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington, or Wisconsin? (These states have some form of community property statutes which can effect estate planning for any property you own in these states).

Yes \_\_\_\_\_ State(s) : \_\_\_\_\_ OR No \_\_\_\_\_.

10. Are you, and your spouse, a U.S. citizen(s)?

Yes \_\_\_\_\_ OR No \_\_\_\_\_.

11. We will be drafting a Durable Financial Power of Attorney for you as a part of your estate planning package. In this document you will need to name someone you trust to be your power of attorney. This document is used to handle your affairs if (for example) you are in the hospital for an extended period of time. However this document is useful for other reasons and is valid from the date you sign it. It is presumed that you would name your spouse as your primary POA. But you can name someone else instead if you wish. You may name one successor or you may name more than one if you wish.

Primary POA: \_\_\_\_\_ Spouse OR \_\_\_\_\_ Other: \_\_\_\_\_

Successor POA: 1) \_\_\_\_\_

2) \_\_\_\_\_

12. The Durable Financial POA is a very broad and all-inclusive instrument. Is there any type of financial matter you would NOT like your POA to be able to handle, or any other limiting factor you would like addressed for this document?

13. We will be drafting a Georgia Advance Directive for Health Care (“Living Will”) for you as a part of your estate planning package. In this document you will need to name someone to be your health care agent who will be responsible for carrying out your end-of-life wishes as you state them on the document. It is presumed that you would name your spouse as your primary health care agent. But you can name someone else instead if you wish. You may name one successor or you may name more than one if you wish.

Primary Agent: \_\_\_\_\_ Spouse OR \_\_\_\_\_ Other: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Successor Agent: 1) \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

2) \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

14. Is your, or your spouse's, estate (when added together) estimated to be greater in value than \$3,000,000.00, taking into account all personal and real property, stocks, bonds, bank accounts, retirement funds and benefits, life insurance policies, closely held business or partnership interests, etc.?

Yes \_\_\_\_\_ Estimated at \$\_\_\_\_\_. OR No \_\_\_\_\_.

15. Please list the following assets for planning consideration:

(a) Real Estate Owned (list address)

1. \_\_\_\_\_ (Estimated value) \$\_\_\_\_\_
2. \_\_\_\_\_ (Estimated value) \$\_\_\_\_\_
3. \_\_\_\_\_ (Estimated value) \$\_\_\_\_\_

(b) Life Insurance Policies (list carrier)

4. \_\_\_\_\_ (Estimated value) \$\_\_\_\_\_ (Beneficiary)\_\_\_\_\_
5. \_\_\_\_\_ (Estimated value) \$\_\_\_\_\_ (Beneficiary)\_\_\_\_\_
6. \_\_\_\_\_ (Estimated value) \$\_\_\_\_\_ (Beneficiary)\_\_\_\_\_

(c) IRAs, Investment Accounts, 401(k)s (list investor & type)

7. \_\_\_\_\_ (Estimated value) \$\_\_\_\_\_ (Beneficiary)\_\_\_\_\_
8. \_\_\_\_\_ (Estimated value) \$\_\_\_\_\_ (Beneficiary)\_\_\_\_\_
9. \_\_\_\_\_ (Estimated value) \$\_\_\_\_\_ (Beneficiary)\_\_\_\_\_
10. \_\_\_\_\_ (Estimated value) \$\_\_\_\_\_ (Beneficiary)\_\_\_\_\_

(d) Cash/Savings Accounts (List Banking institution)

11. \_\_\_\_\_ (Estimated balance) \$\_\_\_\_\_ (Beneficiary)\_\_\_\_\_
12. \_\_\_\_\_ (Estimated balance) \$\_\_\_\_\_ (Beneficiary)\_\_\_\_\_
13. \_\_\_\_\_ (Estimated balance) \$\_\_\_\_\_ (Beneficiary)\_\_\_\_\_

(e) Closely held business/corporation or partnership interests (list name)

14. \_\_\_\_\_ % Owned \_\_\_\_\_ (Est. Value) \$\_\_\_\_\_
15. \_\_\_\_\_ % Owned \_\_\_\_\_ (Est. Value) \$\_\_\_\_\_
16. \_\_\_\_\_ % Owned \_\_\_\_\_ (Est. Value) \$\_\_\_\_\_



Dear Estate Plan client:

You have retained me and the law firm of Hartman-Imbriale, LLP to perform estate planning services for you. Those services will include a review of your assets and liabilities, meeting with you to determine your financial and estate planning objectives, and the preparation of various documents, which may include Wills, Trusts, and possibly a Marital Agreement governing your relative rights in each other's property during lifetime and/or at death.

Although you share a common interest in developing an estate plan, you should also understand that our estate planning recommendations may affect your relative interests differently. Any agreements or documents we prepare may have disproportionate consequences to each of you. Although we will attempt not to act as advocate for one of you in connection with your estate planning to the detriment of the other, that objective may not be possible to attain in an absolute sense. In other words, one or the other of you may receive relatively greater benefits under the recommended marital agreement than you would in the absence of an agreement. Furthermore, it obviously will not be possible for us to maintain the confidentiality of information relating to your estate planning as between the two of you. Accordingly, our representation of both of you creates a conflict of interest of which you should be aware.

On the other hand, dual representation in circumstances such as these may be far more economical than for you each to retain separate counsel to develop an estate plan. In addition, your overall estate planning may be better coordinated by dual representation. It is our present belief that, under existing circumstances, we can represent both of you without adversely affecting our attorney-client relationship with either of you. Nevertheless, you each should feel free to seek independent counsel if you prefer so that your respective interests are independently represented and any confidences are preserved.

If you wish for us to represent both of you, please execute the enclosed Consent to Dual Representation and return it to me for my records.

Very truly yours,

Andrew Hartman

Initials: \_\_\_\_\_

### **Consent to Representation Despite Conflicts**

I have reviewed the above, and I realize that there are many areas of differing interests, as well as potential or real conflicts of interest between my husband and me in connection with our estate planning and related matters. I understand that, at any time, either my husband or I may have separate, independent counsel in connection with these matters. After considering all of the above, I request that you and your firm represent me in my estate planning and related matters. I also understand that, as between each of us and you and your firm, confidential communications you receive from either of us may be shared with the other; however, as to third parties, you will maintain our confidences.

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[Wife]

I have reviewed the above, and I realize that there are many areas of differing interests, as well as potential or real conflicts of interest between my wife and me in connection with our estate planning and related matters. I understand that, at any time, either my wife or I may have separate, independent counsel in connection with these matters. After considering all of the above, I request that you and your firm represent me in my estate planning and related matters. I also understand that, as between each of us and you and your firm, confidential communications you receive from either of us may be shared with the other; however, as to third parties, you will maintain our confidences.

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[Husband]