



# OAKS, HARTLINE & DALY

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## INFORMATION FOR ESTATE PLANNING DOCUMENTS

This Estate Planning Questionnaire requests information which we realize is very personal. However, the information will help us to better analyze your estate planning needs and will shorten the length of time needed for the first meeting. All information contained in this questionnaire is *strictly confidential*. **Married couples please fill out Client 1 and Client 2 (Husband and Wife). Single people please fill out Client 1 only.**

### PART 1 – PERSONAL INFORMATION

Name Client 1: \_\_\_\_\_  
(first) (m.i.) (last)

Preferred Name of Client 1: \_\_\_\_\_

Name Client 2: \_\_\_\_\_  
(first) (m.i.) (last)

Preferred Name of Client 1: \_\_\_\_\_

Home Address: \_\_\_\_\_ Home Phone: (\_\_\_\_) \_\_\_\_\_  
\_\_\_\_\_ Home Fax: (\_\_\_\_) \_\_\_\_\_

Preferred e-mail address: \_\_\_\_\_

#### CLIENT 1

#### CLIENT 2

Occupation:	_____	_____
Employer:	_____	_____
Business Address:	_____	_____
	_____	_____
Business Phone:	_____	_____
Business Fax:	_____	_____
Cell Phone:	_____	_____
Social Security No.:	_____	_____
U.S. Citizen?	Yes _____ No _____	Yes _____ No _____
Previous Marriage?	Yes _____ No _____	Yes _____ No _____

Have you created any trusts or are you the beneficiary of any trusts? Yes \_\_\_\_\_ No \_\_\_\_\_. If yes, please bring copies of these documents with you to our meeting. Other documents that it would be helpful for you to bring if readily available are Wills, real estate deeds, powers of attorney, recent financial statements, recent statements for investments accounts and previously filed gift tax returns.

**CHILDREN:**

Child 1

Child 2

Child 3

Name	_____	_____	_____
Date of Birth	_____	_____	_____
Address	_____	_____	_____
Phone	_____	_____	_____
Spouse's Name	_____	_____	_____
No. of Children	_____	_____	_____

**YOUR OTHER PROFESSIONAL ADVISORS**

From time to time, it **may** be helpful if we know who your other professional advisors are. Please complete this list so we know who to contact for appropriate information.

Client 1

Client 2

Accountant(s)	_____	_____
	_____	_____
Investment Advisor(s)	_____	_____
	_____	_____
	_____	_____
Life Insurance Agent(s)	_____	_____
	_____	_____
	_____	_____
Other Attorney(s)	_____	_____
	_____	_____

## Executors, Trustees and Guardians\*

### Executors:

Your executor has the duty to settle your estate (including payment of any state or federal death or income taxes) and distribute your property to the beneficiaries named in your will. The executor may be your spouse, a relative, a friend, a bank with an active trust department, or a private trust company. The degree of business management ability required depends upon the size of your estate and the nature of your assets. **For** example, if your estate will include an asset which may be burdensome to manage (*e.g.*, a business, a farm or real estate investments), you may wish to name an executor with business or investment management experience with the type of assets in your estate. You may name two or more executors to act together if you wish. (Your spouse is usually named as the primary executor.)

	<u>Client 1</u>	<u>Client 2</u>
<b>Primary Executor</b>	_____	_____
Address	_____ _____	_____ _____
Phone	_____	_____
<b>1st Alternate Executor</b>	_____	_____
Address	_____ _____	_____ _____
Phone	_____	_____
<b>2nd Alternate Executor</b>	_____	_____
Address	_____ _____	_____ _____
Phone	_____	_____

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\*While it is common to name the same person or institution to act in all three capacities, this is not required. Your executor should have business or investment management abilities. It may be helpful if the executor has intimate knowledge of your property. A trustee should have business or investment management abilities, be available for the duration of the trust, and be sensitive to the financial needs of the beneficiaries. A guardian should be a caring person with whom you would entrust your children. No single individual or institution may possess all of these traits.

**Trustees:**

Your trustees will manage any trusts for your spouse or descendants. The trustees will be authorized to provide funds as needed for the beneficiary's health, maintenance, support and education. However, unless you also designate a trustee as guardian, the trustee is not authorized to personally take custody of your **minor** children. (If your will creates a trust for your spouse for tax-saving purposes, your spouse is usually named as the primary trustee.)

	<u>Client 1</u>	<u>Client 2</u>
<b>Primary Trustee</b>	_____	_____
Address	_____	_____
	_____	_____
Phone	_____	_____
<b>1st Alternate Trustee</b>	_____	_____
Address	_____	_____
	_____	_____
Phone	_____	_____
<b>2nd Alternate Trustee</b>	_____	_____
Address	_____	_____
	_____	_____
Phone	_____	_____

**Lifetime Trusts for Children:**

In order to minimize estate taxes at your descendants' deaths and provide protection for them from divorce and creditors, we recommend that property be left in trust for children that will last for their entire lifetimes. We typically allow each descendant to become co-trustee of his or her trust at one age, and sole trustee several years later. The most common ages selected are either 25 and 30, or 30 and 35. It is also most common to simply choose one age that your child is permitted to be their own trustee rather than first serving as co-trustee. However, these ages can be any you select. **Please list the ages at which your descendants may become (i) co-trustees and (ii) sole trustee of their trusts:**

Descendants **may** become co-trustees of their trusts at age \_\_\_\_\_ and sole trustee of their trusts at age \_\_\_\_\_.

**Guardians for Minor Children:**

If your spouse survives you, he or she is the natural guardian of your minor children. You may designate, in your will or in a separate **written** instrument, a guardian for your minor children in the event your spouse does not survive you. The guardian has the responsibility for raising your children. A separate guardianship designation may be advisable if you have difficulty deciding upon a guardian or if you believe that you may change the guardian appointment before you change your will.

Client 1

Client 2

**Primary Guardian**

\_\_\_\_\_

\_\_\_\_\_

Address

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone

\_\_\_\_\_

\_\_\_\_\_

**1st Alternate Guardian**

\_\_\_\_\_

\_\_\_\_\_

Address

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone

\_\_\_\_\_

\_\_\_\_\_

**2nd Alternate Guardian**

\_\_\_\_\_

\_\_\_\_\_

Address

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone

\_\_\_\_\_

\_\_\_\_\_

**Other Agents**

**Financial Power of Attorney:**

You may name someone as your “agent” or “attorney-in-fact” under a **durable power of attorney**. (The term “durable” means that the agent’s authority to act under the power of attorney will not terminate upon your incapacity.) The agent will have authority to pay your bills, sell your assets, etc., if you **ever** become incompetent to do this yourself. Naming an agent can save a great deal in court costs and legal fees, but you should only name someone you trust completely. Two people can act together at the same time. (Usually, your spouse is named as the primary agent.) Also, you can make the agent’s authority effective immediately, or only upon your disability. You should keep in mind, however, that if you choose the latter, the agent will have to convince transfer agents (*e.g.*, stock brokers, bankers, title examiners) that you are disabled in order to use the power of attorney.

Client 1

Client 2

Should the grant of authority to your agent(s) be effective now?

Yes \_\_\_\_\_ No \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_

**Primary Agent**

\_\_\_\_\_

\_\_\_\_\_

Address

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone

\_\_\_\_\_

\_\_\_\_\_

**1st Alternate Agent**

\_\_\_\_\_

\_\_\_\_\_

Address

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone

\_\_\_\_\_

\_\_\_\_\_

**2nd Alternate Agent**

\_\_\_\_\_

\_\_\_\_\_

Address

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone

\_\_\_\_\_

\_\_\_\_\_

**Medical Power of Attorney and Directive to Physicians and Family or Surrogates (“Living Will”):**

You may name someone as your agent for the purpose of making medical or other health care decisions for you under a **medical power of attorney**, if you ever become incapable of making these decisions yourself. You may also express a desire that you do not want your life prolonged by artificial means by signing a **directive to physicians and family or surrogates**, commonly known as a **“living will.”** Both of these documents are known as **advance directives**.

Again, naming an agent can save a great deal, but you should only name someone you trust. Also, while joint agents may be permissible, the statutes authorizing these **documents** do not contemplate joint agents, so we recommend naming agents one-at-a-time. (Again, your spouse is usually named as the primary agent.)

Client 1

Client 2

Do you want a living will? Yes \_\_\_\_\_ No \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_

**Primary Agent**

\_\_\_\_\_

\_\_\_\_\_

Address

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone

\_\_\_\_\_

\_\_\_\_\_

**1st Alternate Agent**

\_\_\_\_\_

\_\_\_\_\_

Address

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone

\_\_\_\_\_

\_\_\_\_\_

**2nd Alternate Agent**

\_\_\_\_\_

\_\_\_\_\_

Address

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone

\_\_\_\_\_

\_\_\_\_\_

## FINANCIAL DETAILS

Please mark any property that is separate property with an “H” (for Husband) or “W” (for Wife). We will assume that any unmarked assets are community property. Also, indicate any assets held as joint tenants with right of survivorship with “JTWROS” and let us know who the other joint tenant is. **IT IS VERY IMPORTANT THAT YOU LET US KNOW IF ANY ASSESTS ARE HELD WITH A “RIGHT OF SURVIVORSHIP.”** (Attach additional sheets if necessary.) **In lieu of completing these financial details you may provide us with a financial statement.**

### ASSESTS

#### Real Estate (including mineral interests)\*\*

<u>Description</u>	<u>Value</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

#### Brokerage Accounts (Non-Retirement)

<u>Company</u>	<u>Value</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____

#### Bank Accounts

<u>Company</u>	<u>Value</u>
_____	\$ _____
_____	\$ _____

#### Retirement Assets (401k, 403b, IRA, and the Qualified Plans)

<u>Company</u>	<u>Value</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____

\*\* Please indicate if you have any real estate or mineral interest outside the state of Texas.

**Life Insurance**

<u>Type of Policy</u>	<u>Cash Value</u>	<u>Death Benefit</u>
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____

**Closely-held Business**

<u>Name and Type of Entity</u>	<u>Your Interest</u>	<u>Value</u>
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

**TOTAL ASSET VALUE: \$ \_\_\_\_\_**

**LIABILITIES**

**Notes Payable (Including Mortgages) & Other Significant Liabilities**

<u>Liabilities</u>	<u>Value</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

**TOTAL LIABILITIES: \$ \_\_\_\_\_**

**NET WORTH: \$ \_\_\_\_\_**