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## ESTATE PLANNING QUESTIONNAIRE *for unmarried partners*

[www.schellbray.com](http://www.schellbray.com)

The information requested will assist us in helping you develop appropriate estate plans. Please provide information that is as accurate and complete as possible. Please attach additional sheets if necessary. Also, if you are uncertain about a question, please note this and give us your best answer. Information you provide will be kept confidential unless you authorize its release to others; however, since we are being asked to represent both of you, we must and will treat all communications by either of you (including a desire to terminate the joint representation) as common knowledge to be shared among all of us, while maintaining strict confidentiality as to anyone else.

### PERSONAL INFORMATION

**Partner #1 full name:** \_\_\_\_\_

Date of birth: \_\_\_\_\_ Age: \_\_\_\_\_ Gender: \_\_\_\_\_ SSN: \_\_\_\_\_

Employer: \_\_\_\_\_

Work address: \_\_\_\_\_

Work telephone: \_\_\_\_\_

Of what country are you a citizen? \_\_\_\_\_

What is the condition of your health? \_\_\_\_\_

Have you ever been married (including a civil union)? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Do you have parents or other adults who are financially dependent on you? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Do you presently have a Will? Yes: \_\_\_\_\_ No: \_\_\_\_\_ (If so, please attach a copy.)

**Partner #2 full name:** \_\_\_\_\_

Date of birth: \_\_\_\_\_ Age: \_\_\_\_\_ Gender: \_\_\_\_\_ SSN: \_\_\_\_\_

Employer: \_\_\_\_\_

Work address: \_\_\_\_\_

Work telephone: \_\_\_\_\_

Of what country are you a citizen? \_\_\_\_\_

What is the condition of your health? \_\_\_\_\_

Have you ever been married (including a civil union)? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Do you have parents or other adults who are financially dependent on you? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Do you presently have a Will? Yes: \_\_\_\_\_ No: \_\_\_\_\_ (If so, please attach a copy.)

Home address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Partner #1 email address: \_\_\_\_\_

Partner #2 email address: \_\_\_\_\_

<u>Children</u>	<u>Date of Birth, Age, and Gender</u>	<u>Address</u>	<u>Identity of Parents</u>

<u>Grandchildren</u>	<u>Date of Birth, Age, and Gender</u>	<u>Address</u>	<u>Identity of Parents</u>

Are any of the children or grandchildren listed above adopted? Yes: \_\_\_\_\_ No: \_\_\_\_\_ If so, please identify who is adopted, by whom, and the age at which the child or grandchild was adopted:

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Have either of you ever participated in any Assisted Reproductive Technology procedure in an effort to have children of whom you would be the legal parent? Yes: \_\_\_\_\_ No: \_\_\_\_\_ Examples include in vitro fertilization, and the storage of eggs, sperm, or embryos.

Have you entered into any legal agreements regarding your relationship? Yes: \_\_\_\_\_ No: \_\_\_\_\_ If so, please attach a copy.

Do you have any obligations to a former spouse, partner, or children from a prior marriage under a separation agreement, divorce decree, child custody/support order, etc.? Yes: \_\_\_\_\_ No: \_\_\_\_\_ If so, attach a copy of the relevant document(s).

Please provide names, addresses and telephone numbers for the following advisors (if applicable):

Accountant: \_\_\_\_\_

Financial Advisor: \_\_\_\_\_

Trust Officer or Banker: \_\_\_\_\_

Other Attorney: \_\_\_\_\_

Are either of you a Veteran? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Service Branch: \_\_\_\_\_

Do you or any of your children or other beneficiaries have disabilities, serious health problems, or other special needs? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Do you own a long-term care (nursing home) insurance policy? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Have you ever hired a caregiver for you or your partner? Yes: \_\_\_\_\_ No: \_\_\_\_\_

**FINANCIAL INFORMATION**

<b><u>Assets</u></b>	Partner #1	Partner #2	Joint
Cash and Bank Accounts	\$ _____	\$ _____	\$ _____
Notes and Accounts Receivable	\$ _____	\$ _____	\$ _____
Stocks, Bonds and Mutual Funds	\$ _____	\$ _____	\$ _____
Annuities	\$ _____	\$ _____	\$ _____
Options	\$ _____	\$ _____	\$ _____
Residence (market value)	\$ _____	\$ _____	\$ _____
Other Real Estate (market value)	\$ _____	\$ _____	\$ _____
Life Insurance (face value)	\$ _____	\$ _____	\$ _____
IRA, 401(k), Qualified Pension and Profit Sharing Plans (vested)	\$ _____	\$ _____	\$ _____
Tangible Personal Property	\$ _____	\$ _____	\$ _____
Business Interests	\$ _____	\$ _____	\$ _____
Other	\$ _____	\$ _____	\$ _____
<b>Subtotals</b>	\$ _____	\$ _____	\$ _____

**Liabilities**

	Partner #1	Partner #2	Joint
Real Estate Mortgages	\$ _____	\$ _____	\$ _____
Loans on Insurance Policies	\$ _____	\$ _____	\$ _____
Other Loans and Notes	\$ _____	\$ _____	\$ _____
Pledges	\$ _____	\$ _____	\$ _____
Taxes	\$ _____	\$ _____	\$ _____
Other	\$ _____	\$ _____	\$ _____
<b>Subtotals</b>	\$ _____	\$ _____	\$ _____
<b>Totals</b>	\$ _____	\$ _____	\$ _____

**CLOSELY-HELD BUSINESS INTERESTS**

Company: \_\_\_\_\_

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

Type of entity (C corporation, S corporation, partnership, limited liability company): \_\_\_\_\_

Percentage of business owned by Partner #1 and estimated value: \_\_\_\_\_

Percentage of business owned by Partner #2 and estimated value: \_\_\_\_\_

Identity of other owners, if any: \_\_\_\_\_

Do you desire the business to be continued following your death(s)? Yes: \_\_\_\_\_ No: \_\_\_\_\_

What provisions have been made for successor management? \_\_\_\_\_

Are there any buy/sell or stock redemption agreements? Yes: \_\_\_\_\_ No: \_\_\_\_\_

What arrangements have been made to fund any such buyout or redemption? \_\_\_\_\_

### **LIFE INSURANCE**

Company: \_\_\_\_\_

Type of policy (term, whole life, universal, split dollar, group, etc.): \_\_\_\_\_

Insured: \_\_\_\_\_

Owner: \_\_\_\_\_

Primary beneficiary: \_\_\_\_\_

Contingent beneficiary: \_\_\_\_\_

Death benefit: \_\_\_\_\_

Insurance agent's name & address: \_\_\_\_\_

Company: \_\_\_\_\_

Type of policy (term, whole life, universal, split dollar, group, etc.): \_\_\_\_\_

Insured: \_\_\_\_\_

Owner: \_\_\_\_\_

Primary beneficiary: \_\_\_\_\_

Contingent beneficiary: \_\_\_\_\_

Death benefit: \_\_\_\_\_

Insurance agent's name & address: \_\_\_\_\_

Company: \_\_\_\_\_

Type of policy (term, whole life, universal, split dollar, group, etc.): \_\_\_\_\_

Insured: \_\_\_\_\_

Owner: \_\_\_\_\_

Primary beneficiary: \_\_\_\_\_

Contingent beneficiary: \_\_\_\_\_

Death benefit: \_\_\_\_\_

Insurance agent's name & address: \_\_\_\_\_

**OTHER INTERESTS**

Are either of you a beneficiary or a trustee under any trust? Yes: \_\_\_\_\_ No: \_\_\_\_\_ If so, please explain and provide a copy of the trust agreement or other governing instrument (such as a Will) if possible: \_\_\_\_\_

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Are either of you likely to receive substantial inheritances in the foreseeable future from persons other than each other? Yes: \_\_\_\_\_ No: \_\_\_\_\_ If so, please explain and state the source, nature and estimated value of each inheritance (if known): \_\_\_\_\_

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Describe the general nature, form of ownership, and your estimate of the value of any asset or other interest of value that does not seem to fit in any of the categories above: \_\_\_\_\_

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**ESTATE PLANNING OBJECTIVES**

State any particular objectives each of you wish your estate plans to accomplish:

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Identify any debts *owed to you* that you wish to address in your estate plans:

Debtor

Relationship

Amount of Debt

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Identify any debts *you owe* that you wish to address in your estate plans:

<u>Lender</u>	<u>Relationship</u>	<u>Amount of Debt</u>

Do you want to *require* that any mortgage or other debt secured by your residence or any other real property be paid out of your estate? Yes: \_\_\_\_\_ No: \_\_\_\_\_

If so, explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Identify any charitable or non-charitable specific gifts you wish to make in your estate plans:

<u>Name</u>	<u>Relationship</u>	<u>Item or Amount</u>

Describe how you would like to dispose of the remainder of your estate:

<u>Name</u>	<u>Relationship</u>	<u>Percentage</u>

Should all of your intended beneficiaries fail to survive to take your property, please list any contingent charitable or non-charitable beneficiaries to whom you may wish to leave your property:

<u>Name</u>	<u>Relationship</u>	<u>Percentage</u>

**GUARDIANS, EXECUTORS, TRUSTEES AND AGENTS**

If you have a minor child or minor children, you may designate in your Will a **guardian** or guardians you wish to nominate to have physical care and custody of the minor child or children if both natural or adoptive parents are deceased.

<u>Name</u>	<u>Relationship</u>	<u>Address</u>
Guardian:	_____	_____
Alternate:	_____	_____
Alternate:	_____	_____

Your **executor** has the responsibility to wind up your affairs at your death, see to it that your assets are collected, that claims, expenses, and estate and inheritance taxes are paid, and then distribute property to trustees or other beneficiaries you have named. You should designate one or more executors.

<u>Name</u>	<u>Relationship</u>	<u>Address</u>
Partner #1's Executor:	_____	_____
Alternate:	_____	_____
Alternate:	_____	_____

Partner #2's Executor:	_____	_____
Alternate:	_____	_____
Alternate:	_____	_____

If your estate plans will include trusts, you should select one or more trustees. A **trustee** has the responsibility for the management of property that is to be held in trust for the benefit of the beneficiaries of the trust. A trustee may be an individual or a corporation qualified to act as a trustee (typically a bank or trust company).

<u>Name</u>	<u>Relationship</u>	<u>Address</u>
Partner #1's Trustee:	_____	_____
Alternate:	_____	_____
Alternate:	_____	_____

Partner #2's Trustee:	_____	_____
Alternate:	_____	_____
Alternate:	_____	_____



A **Power of Attorney** is a legal document in which you authorize another person (called an agent or attorney-in-fact) to act on your behalf in the management of your affairs. If your estate plans are to include a Power of Attorney, you should select one or more agents.

<u>Name</u>	<u>Relationship</u>	<u>Address</u>
Partner #1's Agent:	_____	_____
Alternate:	_____	_____
Alternate:	_____	_____
Partner #2's Agent:	_____	_____
Alternate:	_____	_____
Alternate:	_____	_____

A **Health Care Power of Attorney** appoints a person (called a health care agent) as your representative to make decisions regarding your health care treatment when you are unable to give informed consent. You will need to list the persons you want to serve as your health care agents.

<u>Name</u>	<u>Relationship</u>	<u>Address</u>
Partner #1's Agent:	_____	_____
Alternate:	_____	_____
Alternate:	_____	_____
Partner #2's Agent:	_____	_____
Alternate:	_____	_____
Alternate:	_____	_____

**OTHER MATTERS RELEVANT TO YOUR ESTATE PLAN**

List the current primary and contingent beneficiaries of each IRA and retirement benefits plan:

<u>IRA or Benefits Plan</u>	<u>Primary/Relationship</u>	<u>Contingent/Relationship</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

List the current primary and contingent beneficiaries of each annuity:

<u>Annuity</u>	<u>Primary/Relationship</u>	<u>Contingent/Relationship</u>
_____		
_____		
_____		
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_____		
_____		
_____		
_____		
_____		

Do you own real property located outside of North Carolina? Yes: \_\_\_\_\_ No: \_\_\_\_\_ If so, please describe the property owned and where it is located: \_\_\_\_\_

Have either of you made past gifts to a person or organization other than a spouse or a charity where the amount of such gift in any single year was more than \$3,000 in any year prior to 1982, or more than \$10,000 in any year from 1982 through 2001, or more than \$11,000 in any year from 2002 through 2005, or more than \$12,000 in any year from 2006 through 2008, or more than \$13,000 in any year from 2008 through 2012, or more than \$14,000 in 2013 through 2017, or more than \$15,000 in 2018 or later? Yes: \_\_\_\_\_ No: \_\_\_\_\_ If so, please state the nature and amount of the gift, when it was made and to whom it was made: \_\_\_\_\_

Have either of you placed any property in joint names with any person other than either of you? Yes: \_\_\_\_\_ No: \_\_\_\_\_ If so, please explain: \_\_\_\_\_

Are either of you a guarantor of any indebtedness? Yes: \_\_\_\_\_ No: \_\_\_\_\_ If so, please explain: \_\_\_\_\_

Do either of you have any powers of appointment over property (the right to transfer or dispose of property that you do not own) under a Will, trust or other document? Yes: \_\_\_\_\_ No: \_\_\_\_\_ If so, please explain and provide a copy of the document(s) creating any such power of appointment: \_\_\_\_\_

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Do either of you have a deceased spouse who died after December 31, 2010? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Are either of you an organ donor? Yes: \_\_\_\_\_ No: \_\_\_\_\_ If so, which of you? \_\_\_\_\_

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Have either of you purchased prepaid burial contracts? Yes: \_\_\_\_\_ No: \_\_\_\_\_ If so, please describe: \_\_\_\_\_

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Are any of your intended beneficiaries qualified to receive governmental benefits as a result of any mental or physical impairment? Yes: \_\_\_\_\_ No: \_\_\_\_\_ If so, please describe: \_\_\_\_\_

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Describe or list any other facts or matters about your affairs or situation that you think may be relevant in planning your estate but which do not seem to be covered by the other sections of this questionnaire: \_\_\_\_\_

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