



**FIDUCIARY SELECTION AND
ESTATE DISTRIBUTION INFORMATION**

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FIDUCIARY SELECTION

Guardian:

If you have minor children, whom would you want to serve as their personal guardian in the event of the deaths of both you and your spouse? This is the person or persons who would be responsible for the physical wellbeing of your children. You should name a first choice and a backup. Because the guardian is really a surrogate parent, you should consider the persons' parenting skills. Please list in order of preference.

1. _____
2. _____
3. _____

When naming couples, consider consequences of death of one or divorce

Conservator:

This is the person who is responsible for taking care of your children's assets. This person is not responsible for your assets because your assets would be held in trust for your children. However, it is possible that your children will have assets of their own, for example, wrongful death settlement proceeds. Clients generally use one of two patterns here (A) whoever is serving as the guardian (replacement parent) serves as the conservator or (B) whoever serves as trustee serves as conservator. Keep in mind that the guardian, conservator and trustee can be the same person. Please list in order of preference.

1. _____
2. _____
3. _____

Spouse as Fiduciary: It is common for most clients to name their spouse for the remaining fiduciary selections, with other individuals named as "alternates" or "successors." If this is your intent, check the first box. If you are unmarried, or prefer someone other than your spouse to act as your fiduciary, check the second box.

- Each spouse shall act as fiduciary for the other, with the below named individuals as successors or alternates.
- The below named individuals are named in the order of preference, with the first being primary, and the others as successors or alternates.

Personal Representative:

This is the person in charge of handling your affairs after you die. The personal representative's primary jobs are to collect your assets, pay your creditors and transfer your property to whomever you indicate in your will (typically the trustee of your trust). It should be a person capable of keeping accurate records and who has a basic level of financial knowledge (e.g., knows what mutual funds and life insurance are). This is primarily a short term job (a few months to a couple of years depending in large part on whether an estate tax return is necessary). Whom would you want to serve as the Personal Representative of your estates?

You:

Spouse:

- | | | |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |

Trustee:

The requirements for trustee are similar to a personal representative, but it is a longer term job. The Trustee’s job will be to hold the assets for your children, use them for their benefit as you direct, and ultimately transfer them to your children at the ages you select. If a trust is appropriate to your estate plan, whom would you want to serve as the trustee of any trusts? List in order of preference.

- 1. _____
- 2. _____
- 3. _____

Financial Power of Attorney:

A financial power of attorney is a written instrument granting an appointed agent the authority to perform certain specified acts on your behalf. Since a power of attorney confers a great degree of authority and discretion, the agent must be completely trusted.

You:

Spouse:

- | | | |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |

Patient Advocate Designation:

A patient advocate designation is a written instrument appointing an agent to make health care decisions when you are incapable of making or communicating such decisions.

You:

Spouse:

- | | | |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |

PLAN OF DISTRIBUTION

The following are common distribution plans. If your choice of distribution is not addressed below, please attach a separate paper with the distribution you desire.

- Leave everything to the surviving spouse. Upon the death of the surviving spouse, everything is left equally to the children, or alternatively to the children in the percentages set forth below.

- Leave everything equally to the children, or alternatively to the children the percentages set forth below.

Percentage of Estate Left to Children if not Equal Distribution	
Child's Name	Percentage of Estate (Percentage must equal 100%)

- Other distribution plan:**

Other Beneficiaries		
Name of Beneficiary	Relationship to You	Percentage of Estate (Percentage must equal 100%)

- Specific Gifts.** If you wish to make any specific bequests separate from the distribution plan identified above:

Specific Items of Your Estate You Wish to Transfer directly to an Individual / Entity		
Name of Beneficiary	Relationship	Specific Bequest