

ESTATE PLANNING CHECKLIST

Direct the Right Property to the Right People at the Right Time

ESTATE PLANNING SHOULD COVER THE 5 D'S: Disability, Death, Discord, Divorce & Distress

Key Areas to Discuss with your attorney and share with other key advisors

	ITEMS TO ADDRESS	DESIGNATED IN...
<input type="checkbox"/>	<p>Disability - <i>What happens if you are injured or ill?</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Define what it means to be disabled or incapacitated and who makes the determination. <input type="checkbox"/> Name a Health Care Agent(s)* who will make medical decisions while you are disabled or incapacitated. <input type="checkbox"/> Delineate which medical services and treatments are unacceptable and establish limits for others <input type="checkbox"/> Provide directions for treatment of remains after death <input type="checkbox"/> Name Attorney(s)-in-Fact* who will make financial and legal decisions and control assets during your disability or incapacitation <input type="checkbox"/> Provide and Limit powers of your Attorney-in-Fact 	<p>Medical Directive/Living Will</p> <p>Medical Directive/Living Will</p> <p>Medical Directive/Living Will</p> <p>Medical Directive/Living Will</p> <p>Durable Power of Attorney</p> <p>Durable Power of Attorney</p>
<input type="checkbox"/>	<p>Death - <i>Who will take care of everything?*</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Estate Executor/Personal Representative <input type="checkbox"/> Trustee(s) including Independent & Corporate <input type="checkbox"/> Guardian - Care of Minor Children and/or Dependent Adult <input type="checkbox"/> Custodian - Financial control of assets for Minor Children or Dependent Adult <input type="checkbox"/> Digital and/or Specialty Asset Steward - Email, Social Media, Intellectual Property, Collections, etc 	<p>Will</p> <p>Trust</p> <p>Will</p> <p>Will</p> <p>Durable Power of Attorney</p>
<input type="checkbox"/>	<p>Death - Assets & Beneficiaries* - <i>Who gets what after death?</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Update Beneficiary Designations* <input type="checkbox"/> Specific Bequests of real estate, tangible personal property, etc. <input type="checkbox"/> Residual assets not otherwise beneficiary-designated, held in trust or passing by operation of law (joint tenancy), Pour-over or Probate? <input type="checkbox"/> Estate settlement expenses (including taxes) allocated to shares? <input type="checkbox"/> Children born after document is drafted and Stepchildren <input type="checkbox"/> Resulting Trust(s) for beneficiaries, including Family, Marital, Credit Shelter, Disclaimer, Special Needs, etc. <input type="checkbox"/> Charitable - organizations, endowment, donor advised fund, etc. <input type="checkbox"/> Give right to others or exercise any rights given in the estate planning documents of others (Power of Appointments). <input type="checkbox"/> Not including someone - Disinheritance; Spousal/Dependent Election 	<p>Account Form</p> <p>Will & Trust</p> <p>Will</p> <p>Will & Trust</p> <p>Will & Trust</p> <p>Will & Trust</p> <p>Will & Trust</p> <p>Will & Trust</p>

**Multiple Contingents/Successors should be named for each. Rule of 3...name three levels deep*

	ITEMS TO ADDRESS	DESIGNATED IN...
<input type="checkbox"/>	Distributions after Death – <i>When do they get it?</i> <input type="checkbox"/> Outright distribution, termination, or Resulting Trust? <input type="checkbox"/> Resulting Trust benchmarks – age, number of years, goal, etc. <input type="checkbox"/> Mandatory/Discretionary - Principal & Income <input type="checkbox"/> Standards for Discretionary – Health, Education, Maintenance, and Support (HEMS), consider other assets, more/less inclusive <input type="checkbox"/> Special Discretionary Provisions – 1st Wedding, Graduate School, Business Start-Up <input type="checkbox"/> Uneconomical Termination <input type="checkbox"/> Special considerations – Tax elections, Special Needs, Business, Loans, Investment Concerns	Will & Trust Trust Trust Trust Trust Trust Trust
<input type="checkbox"/>	Discord, Divorce and Financial Distress – <i>How to resolve polarizing issues?</i> <input type="checkbox"/> Process for the Removal, Replacement, Vacancy and Appointment of Successor Trustee(s) <input type="checkbox"/> Process for Fiduciary disputes, including tie-breakers <input type="checkbox"/> Spendthrift for Divorce, Bankruptcy, Creditors, and Addiction <input type="checkbox"/> No-Contest Clause <input type="checkbox"/> Fees for Fiduciaries <input type="checkbox"/> Rule of Three: Name Multiple Levels For All Fiduciaries & Beneficiaries	Trust Will & Trust Trust Will & Trust Will & Trust All Documents

ONGOING PROCESS: FIVE, DIME & ANY TIME

RULE FIVE: *Review all documents every five years. Understand it? Still meets needs?*

DIME: *Every ten years, sit down with an attorney for a thorough legal review.*

ANY TIME: *Meet with an attorney and advisors any time there is a major life event: Birth, Death, Marriage, Divorce, Retirement, etc.*



CARLSON FINANCIAL GROUP

13374 Ridge Rd.

North Royalton, OH 44133

216-586-4853

WWW.CARLSONFINANCIALGROUP.US

Ryan Carlson, Registered Representative

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