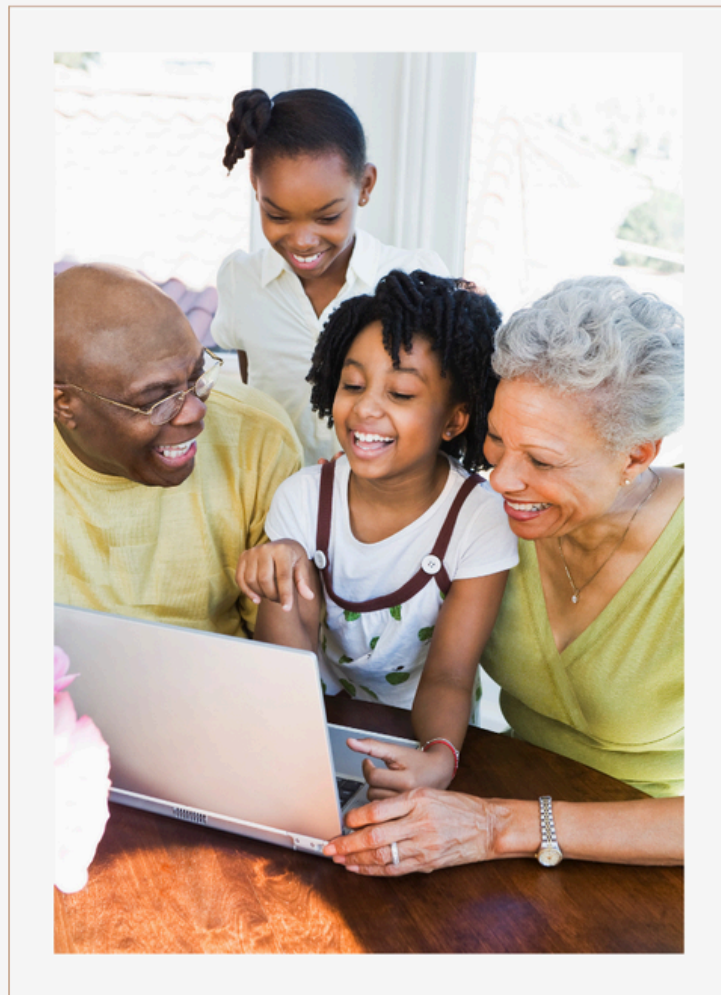




T. M. JOHNSON
LAW FIRM



Legacy Planning
Workbook

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About
TAMIKA M. JOHNSON, ESQ.



Originally from Connecticut, but officially a “Georgia Peach,” Tamika has been an Attorney in Georgia for over 18 years. She received her Bachelor's degree from the University of Georgia (UGA) and law degree from Southern University Law Center (SULC).

After having children, both as a single parent and married, Tamika realized just how important comprehensive Estate Planning is, not only for her own family but for others as well.

As a mother, wife, and daughter, I want to support other parents in protecting their families and everything they have devoted their entire lives to achieving. My goal is to make estate planning as simple and stress-free as possible.

There's more to estate planning than money and possessions. It shields your family from disputes and the legal system. It's ensuring your family has a reliable professional to turn to when things are tough. And most importantly, it is ensuring that your loved ones are cared for and protected.

I AM HERE TODAY BECAUSE...

- I want to learn more about the Estate Planning Process
- I realized the importance of how I or my loved ones will be cared for when I or they can no longer care for themselves
- I want to take steps to ensure that my affairs are in order
- I just wanted the free meal

The truth of the matter is that estate planning is not directly about you. It is about the people you love the most.





4 Ways to Avoid Probate



Payable on Death (POD) Bank Account Designations

Current & Valid Life Insurance, Retirement & Investment Account Beneficiaries

Specific Language on Real Property, Land, and Home Titles (not just names listed on Title)

Create a Living Trust

COMMON ESTATE PLANNING (OR LACK THEREOF) ISSUES

- Need for emergency planning due to illness, health issues
- Generational Probate Avoidance
- Long-term Separation without Divorce
- Blended Families
- No Testamentary Trust for minor beneficiaries
- Loved Ones Unaware of Documents, Policies, Property or Assets

WHAT HAPPENS IF I DON'T HAVE A WILL OR TRUST?

- *If you die without a will in Georgia, your assets will go to your closest relatives under state "intestate succession" laws*
- *Family Drama*
- *Someone will have to file a Petition in Probate Court to be appointed as the person to distribute assets legally (Judge decides)*
- *Post a bond, file inventory & annual returns with the Probate Court*

ASSETS



WHAT IS PROBATE?

Probate Courts in GA handle: Marriage Licenses, Weapons Permits, Mental Health/Commitments, Guardianship/Conservatorship, and Estates of those who have passed.

As it relates to Estate Planning, it's the legal procedure your estate goes through after you pass away and/or to be appointed as Guardian/Conservator of a loved one.

A Petition must be filed with the Probate Court in the county where the decedent is/was a resident.

Judge appoints the person who will be in charge; Objections submitted

Note: If you have minor children, it is imperative to appoint a legal guardian for them via a Will

Otherwise, a Judge/ Court will make certain decisions for you (against your wishes)



What is a Will?

A Will is a legal document that describes how you would like your property and other assets to be distributed after your death. It also allows you to name Guardians for minor children.

Can a Will be written on a napkin to be valid in Georgia?

Requirements for a valid GA Will:

- Must be 14 years old or older
- Must be competent
- Must be written
- Signed by the Testator (the person creating the Will)
- Signed by 2 Witnesses (14+)

Does a Will have to be notarized?

No, but highly recommended. Attorneys include a Self-Proving Affidavit to expedite the Probate Process

What is a Revocable Trust?

A Revocable Living Trust is a probate avoidance technique that provides you greater control over the disposition of your property, both during incapacity and after death

How to Create a Trust

- Choose whether to make an individual or shared trust (*Other Trusts - Special Needs, Medicaid, etc.*)
- Decide what property to include in the trust
- Choose a successor trustee
- Decide who will be the trust's beneficiaries—that is, who will get the trust property
- Create the trust document
- Change the title of any trust property that has a title document—such as your accounts, house, or car—to reflect that you now own the property as trustee of the trust

Wills vs. Living Trusts



Last Will & Testament

Probate Court required

Public process

Effective upon death only

Typically takes 6-24 months

Accounts frozen upon death

Easier to contest

Less expensive to prepare

Revocable Living Trust

Avoids Probate Court

Private Process

Addresses Incapacity

Takes days/weeks

Assets/money available upon death

Hard to contest

More expensive to prepare

INCAPACITY PLANNING

WHO WILL CARE FOR YOU WHEN YOU CAN NO LONGER CARE FOR YOURSELF (OR YOUR LOVED ONES?)

Creating a caregiving plan so that there are no questions on what care is needed down the line

- Create a caregiving plan in the event that you cannot care for yourself (ex. who will be in charge?)
- Meet with your doctors to discuss any changes in your personal needs (Medication List form)
- Familiarize your loved ones with different caregiving options (ex. housing, home-aides, assisted living)
- Communicate and express any specific needs to maintain your health and comfort
- If there are pets that need to be cared for, create a caregiving plan for them as well

WHY?

- Significantly alters family dynamics
- Physical, financial, emotional stress
- Easier transition when you plan ahead of time
- Reduces need to go to Probate Court for Guardianship/ Conservatorship

Incapacity Planning

Applies while you are still living, but unable to make your own decisions

Power of Attorney

DURABLE POWER OF ATTORNEY:

A legal document that grants someone else the authority to make financial and legal decisions on your behalf if you become unable to make those decisions yourself due to incapacity or illness. The term "durable" indicates that the power of attorney remains valid even if the person granting it (the principal) becomes incapacitated.

Requirements:

- Selection of Powers
- Signed by the Principal, 2 Witnesses, Notary

Healthcare

LIVING WILL / ADVANCED HEALTHCARE DIRECTIVE:

A legal document that allows individuals to communicate their preferences for medical treatment and healthcare decisions in the event that they become unable to make those decisions themselves due to illness, incapacity, or injury. Healthcare directives provide guidance to healthcare providers and family members about the types of medical care a person desires or does not desire under certain circumstances.

Requirements:

- Selection of Directives for your agent
- Signed by the Principal, 2 Witnesses

Legacy Planning Packages



We want to build long-lasting, personal relationships with our clients, so we think it's essential to offer clear, flat-fee packages. Each one of our packages is customized and made to function when needed. For the duration of your life and beyond, we hope to be your family's reliable counsel. All plans include complimentary 3-year reviews and a lifetime relationship.

Will Plan:

(Includes Will(s), Financial POA(s), Healthcare Agents & Directives)

\$1,000.00+ (Individual)

\$1,500.00+ (Couple)

Trust Plan:

(Will Plan plus Revocable Living Trust and Deed/Title Transfer)

\$3,500.00 + (Individual)

\$4,500.00 + (Couple)

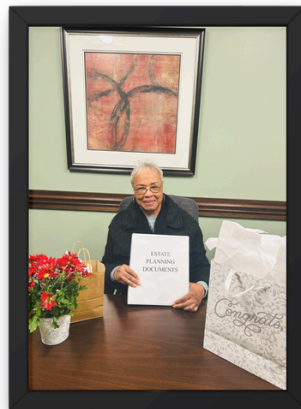
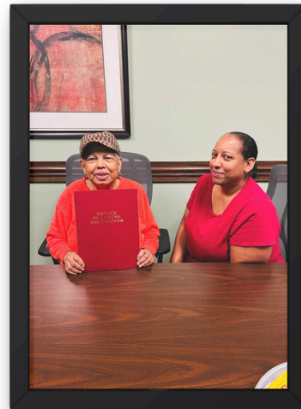
Our Gift to You...



In addition to a personalized gift, we will give you a \$350.00 discount on your Will Plan and a \$500.00 discount off your Revocable Trust plan if you make an appointment TODAY with us for legacy planning after this presentation!



Favorite Client Photos & Events



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BASIC ESTATE PLANNING FORM

DATE: _____

NAME: _____ DOB: _____

ADDRESS: _____

EMAIL: _____

HOME PHONE: _____ CELL: _____

EMPLOYER: _____ TITLE: _____

SPOUSE'S NAME: _____

CHILD 1: _____ Biological/Stepchild/Adopted? _____

CHILD 2: _____ Biological/Stepchild/Adopted? _____

CHILD 3: _____ Biological/Stepchild/Adopted? _____

CHILD 4: _____ Biological/Stepchild/Adopted? _____

DO YOU WISH TO BE BURIED OR CREMATED? _____

DO YOU WISH TO HAVE A FUNERAL AND/OR SERVICE: _____

IF YES, WHERE? _____

REAL PROPERTY ADDRESS: _____ VALUE: _____

MORTGAGE COMPANY (If any): _____ OWED: _____

REAL PROPERTY ADDRESS: _____ VALUE: _____

MORTGAGE COMPANY (If any): _____ OWED: _____

REAL PROPERTY ADDRESS: _____ VALUE: _____

MORTGAGE COMPANY (If any): _____ OWED: _____

VEHICLE 1: _____ VEHICLE 2: _____
VEHICLE 3: _____ VEHICLE 4: _____

BANK NAME: _____ CHECKING OR SAVINGS (circle one)
BANK NAME: _____ CHECKING OR SAVINGS (circle one)
BANK NAME: _____ CHECKING OR SAVINGS (circle one)
BANK NAME: _____ CHECKING OR SAVINGS (circle one)

LIFE INSURANCE POLICY: _____
LIFE INSURANCE POLICY: _____
LIFE INSURANCE POLICY: _____

RETIREMENT ACCOUNT: _____
RETIREMENT ACCOUNT: _____

STOCKS / BONDS / INVESTMENTS: _____
STOCKS / BONDS / INVESTMENTS: _____

OTHERS ASSETS/PROPERTY: _____
OTHERS ASSETS/PROPERTY: _____
OTHERS ASSETS/PROPERTY: _____

SPECIAL CONSIDERATIONS OR REQUESTS:

Appointments & Designations

Executor

(The person that will handle all of your affairs, file you Will with the Probate Court and distribute your gifts/ property to your heirs (i.e. to your spouse, children, grandchildren, church, charity, etc.))

EXECUTOR: _____

Address: _____

Phone Number: _____

SUCCESSOR EXECUTOR: _____

Address: _____

Phone Number: _____

Guardian

(The person that will take care of and raise your minor child/children or incapacitated adult)

GUARDIAN: _____

Address: _____

Phone Number: _____

SUCCESSOR GUARDIAN: _____

Address: _____

Phone Number: _____

Trustee

(The person that will manage the money and assets in the Trust on behalf of minors, children or special needs children)

TRUSTEE: _____

Address: _____

Phone Number: _____

SUCCESSOR TRUSTEE: _____

Address: _____

Phone Number: _____

Power of Attorney

(The person who will handle all of your personal and business affairs in the event that you become incapacitated. Cannot be used for Healthcare or Medical decisions.)

POWER OF ATTORNEY: _____

Address: _____

Phone Number: _____

SUCCESSOR POWER OF ATTORNEY: _____

Address: _____

Phone Number: _____

SECOND SUCCESSOR POWER OF ATTORNEY: _____

Address: _____

Phone Number: _____

Healthcare Agent

(The person who makes healthcare decisions on your behalf in the event that you become incapacitated)

HEALTHCARE AGENT: _____

Address: _____

Phone Number: _____

SUCCESSOR HEALTHCARE AGENT: _____

Address: _____

Phone Number: _____

SECOND SUCCESSOR HEALTHCARE AGENT: _____

Address: _____

Phone Number: _____

Beneficiaries

(The person or persons that your assets and/or property will be distributed)

BENEFICIARY #1: _____ RELATION: _____

Address: _____

Phone Number: _____

BENEFICIARY #2: _____ RELATION: _____

Address: _____

Phone Number: _____

BENEFICIARY #3: _____ RELATION: _____

Address: _____

Phone Number: _____

BENEFICIARY #4: _____ RELATION: _____

Address: _____

Phone Number: _____

BENEFICIARY #5: _____ RELATION: _____

Address: _____

Phone Number: _____

BENEFICIARY #6: _____ RELATION: _____

Address: _____

Phone Number: _____



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Wills

Revocable Living Trusts

Probate Avoidance



Power of Attorney

Property Transfers

*Advance Healthcare
Directives*

*Tamika M. Johnson
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