

# **William E. Hesch Law Firm, LLC**

## **Questionnaire for Married Persons**

The first step in estate planning is to determine who is to get what and when. This questionnaire will help us in preparing a simple Will, Power of Attorney, and health care documents so you can dispose of your assets as you see fit. Please answer the questions completely and thoroughly. When you have completed the questionnaire, you can call us at (513) 731-6601 to review it.

### **I. IDENTIFYING YOUR ESTATE PLANNING OBJECTIVES**

When determining how you want your assets distributed upon your death, the following questions will help us determine what the best estate planning vehicles for your situation are:

1. If your spouse survives you, would you want to ensure that your assets go to your children upon the other spouse's death? Or do you want to leave the assets to your spouse outright, and trust that s/he will leave them to your children?
  
2. If you and your spouse both die when your children or other heirs are minors, should your children receive your property when they are 18 years old or should it be held until they are older, allowing them control over the assets at graduated increments (perhaps 25, 30, and 35 years of age)? Should your children receive equal shares?
  
3. Is protecting your assets from attack by creditors a concern for you?
  
4. Do you expect your assets to exceed \$5 million? Is minimizing income and estate taxes a high priority for you?
  
5. Do any of your children have special needs?
  
6. Do you want to make bequests to charitable organizations?
  
7. If neither your spouse nor your children survive you, who should receive your property?

8. Whom would you like to serve as your fiduciaries? A fiduciary may be an individual or a bank.

a. The Executor will manage your estate. He or she should be a resident of your home state; however, out-of-state relatives (by blood or marriage) may serve.

1.

2.

3.

b. The Trustee will manage your trust, if you decide to create one. The Trustee must invest and manage money, as well as maintain relationships with the beneficiaries and make decisions about distributions to the beneficiaries.

1.

2.

3.

c. A Guardian is responsible for the physical well-being, the estate, or both, of an incompetent or minor. Parents of young children frequently want to name relatives or friends to serve as guardians of their children if both parents die.

1.

2.

3.

d. Your Attorney-in-fact operates under either a “Durable Power of Attorney” that takes effect immediately, or under a “Springing Durable Power of Attorney” that only kicks-in if and when you become disabled. Please circle the option that works best for you. An Attorney-in-fact basically manages your money if you aren’t able to do so yourself.

1.

2.

3.

## II. HEALTH CARE DOCUMENTS

### **OHIO RESIDENTS ONLY (Kentucky residents, skip over to the next page)**

#### **Health Care Power of Attorney**

As you might infer, a Health Care Power of Attorney is a document wherein you appoint someone to make health care decisions on your behalf in the event that you are not able to do so yourself. Most clients appoint their spouses to serve. The State of Ohio recommends that you select two alternates just in case your first appointee is not available.

1. Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Address: \_\_\_\_\_ City, State, ZIP \_\_\_\_\_
2. Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Address: \_\_\_\_\_ City, State, ZIP \_\_\_\_\_
3. Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Address: \_\_\_\_\_ City, State, ZIP \_\_\_\_\_

#### **Living Will Declaration**

In Ohio, a Living Will is a directive to your physicians in the event you are terminally ill or in a persistent vegetative state. You may also elect to allow the withholding of artificially supplied nutrition and hydration, which we will discuss at our next meeting. Your Health Care Power of Attorney must not act in a way that contravenes the wishes you express in this document. If you want your spouse or family to make all health care decisions, then you do not want to execute a living will. The State of Ohio requests that you list two contact persons to be notified if your Living Will Directive becomes operative. If your contact persons are going to be the first two persons you listed on your Health Care Powers of Attorney, just write "SAME" on the line. Otherwise, fill in the lines below.

1. Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Address: \_\_\_\_\_ City, State, ZIP \_\_\_\_\_
2. Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Address: \_\_\_\_\_ City, State, ZIP \_\_\_\_\_

**KENTUCKY RESIDENTS ONLY**

The Commonwealth of Kentucky has a form called “Living Will Directive and Health Care Surrogate Designation.” Kentucky’s living will allows you to make certain elections about medical treatment and the provision of artificial nutrition and hydration in the event you are terminally ill or in a persistent vegetative state. We will review those options at our next meeting. A Health Care Surrogate makes health care decisions on your behalf in the event that you are not able to do so yourself. Most clients appoint their spouses to serve as Health Care Surrogate. We recommend that you designate an alternate.

- 1. Name: \_\_\_\_\_ County of residence: \_\_\_\_\_
- 2. Name: \_\_\_\_\_ County of residence: \_\_\_\_\_

**III. SHORT-AND-QUICK ASSET IDENTIFICATION**

You’ve already identified who you want to receive your property and when. Now it’s time to briefly examine your assets so we can determine the best estate planning methods for you.

**REAL PROPERTY:** Located in \_\_\_\_\_, State of \_\_\_\_\_

Is your primary residence owned in survivorship with your spouse? Do any other persons hold a legal right in the property? What is its fair market value?

Do you have any investment or vacation properties? Who owns them and where are they located?

**LIFE INSURANCE:** Company \_\_\_\_\_ Policy number \_\_\_\_\_

Owner \_\_\_\_\_ Beneficiary \_\_\_\_\_ Amount \_\_\_\_\_

**INVESTMENTS:** Identify the type of investment and estimate its value.

**RETIREMENT PLANS:** Identify the type, IRA, 401(k), etc., as well as its estimated value.

**IV. PERSONAL INFORMATION**

HUSBAND

WIFE

Full Name: \_\_\_\_\_

Home Address  
and Telephone Number: \_\_\_\_\_

\_\_\_\_\_ County: \_\_\_\_\_

Business Address  
and Telephone Number: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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

Date of Birth: \_\_\_\_\_

Place of Birth  
(Citizenship): \_\_\_\_\_

Have you ever lived in  
any other state or foreign  
country? If so, where  
and when: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Social Security No.: \_\_\_\_\_

Do you have a Will? Yes\_\_\_\_\_ No\_\_\_\_\_ Yes\_\_\_\_\_ No\_\_\_\_\_

Do you have a Trust? Yes\_\_\_\_\_ No\_\_\_\_\_ Yes\_\_\_\_\_ No\_\_\_\_\_

**V. MARRIAGE INFORMATION**

HUSBAND

WIFE

Date of Marriage: \_\_\_\_\_

Do you have financial obligations to a former spouse? \_\_\_\_\_

Do you have an antenuptial agreement? \_\_\_\_\_

**VI. FAMILY INFORMATION**

**CHILDREN**

1. \_\_\_\_\_  
NAME ADDRESS BIRTHDATE

2. \_\_\_\_\_  
NAME ADDRESS BIRTHDATE

3. \_\_\_\_\_  
NAME ADDRESS BIRTHDATE

4. \_\_\_\_\_  
NAME ADDRESS BIRTHDATE

5. \_\_\_\_\_  
NAME ADDRESS BIRTHDATE

6. \_\_\_\_\_  
NAME ADDRESS BIRTHDATE

7. \_\_\_\_\_  
NAME ADDRESS BIRTHDATE

**GRANDCHILDREN**

1.	_____	_____	_____
	NAME	ADDRESS	BIRTHDATE
2.	_____	_____	_____
	NAME	ADDRESS	BIRTHDATE
3.	_____	_____	_____
	NAME	ADDRESS	BIRTHDATE
4.	_____	_____	_____
	NAME	ADDRESS	BIRTHDATE
5.	_____	_____	_____
	NAME	ADDRESS	BIRTHDATE
6.	_____	_____	_____
	NAME	ADDRESS	BIRTHDATE
7.	_____	_____	_____
	NAME	ADDRESS	BIRTHDATE
8.	_____	_____	_____
	NAME	ADDRESS	BIRTHDATE
9.	_____	_____	_____
	NAME	ADDRESS	BIRTHDATE
10.	_____	_____	_____
	NAME	ADDRESS	BIRTHDATE

**PERSONS OTHER THAN CHILDREN  
WHO ARE DEPENDENT UPON YOU FOR SUPPORT**

1.	_____	_____	_____
	NAME	ADDRESS	BIRTHDATE
2.	_____	_____	_____
	NAME	ADDRESS	BIRTHDATE
3.	_____	_____	_____
	NAME	ADDRESS	BIRTHDATE