



Introduction to Worksheet

Completion of Worksheet

Our Estate Planning Worksheet is enclosed in this packet. A completed worksheet must be returned, prior to scheduling your Planning Meeting. You may return the completed worksheet to our office by completing it online, along with uploading any **prior documents*** you already have.

The information you provide is necessary to assess your specific needs and create a comprehensive estate plan that meets your particular goals. Please contact all financial institutions (and do not simply look at your statements) to verify how accounts are titled, such as your name only, joint, joint with right of survivorship, in a trust, or if an account has beneficiary designations. Please enclose copies of deeds for real estate outside of Haywood County, NC.

If we do not receive your worksheet within 90 days, we will assume you have chosen to use a different attorney and will destroy any confidential information you have provided.

**Prior Documents:* If you already have a will, trust, power of attorney, or other estate planning documents, please provide us with copies of the signed documents with the worksheet, so that the attorney may review the documents ahead of time. Otherwise, the attorney will not be able to provide you with any advice concerning your existing documents and will not review your prior documents during your Planning Meeting. If you do not have copies, you can drop off your originals, which would be returned to you after your Planning Meeting.

Planning Meeting

When we are able to schedule you for your Planning Meeting, we will then collect the Planning Meeting fee (see details below). The Planning Meeting fee of \$500 will be due three days prior to your appointment and can be paid by check or with credit card. Please do not send this now.

Please note that the Planning Meeting with the attorney typically lasts one hour. The Planning Meeting fee covers the attorney's work to understand your needs and concerns prior to your planning meeting. She will review your unique family situation, your worksheet, any prior documents provided with your worksheet, how your real estate, bank accounts, and other assets are titled, along with beneficiaries on life insurance and retirement accounts. All of this legal work allows the attorney to better answer your questions and concerns, provide you with a recommendation and proposed plan at your planning meeting, and have an estimate of the potential price for your situation.

Client Appointments

Please note that no one else can schedule or handle this estate planning for you, and no one else can be in the room with you during our appointments or video conferences.

12/7/2022-3/31/2023



Process

Thank you for contacting us to prepare or update your estate planning documents.

1. Worksheet

A completed worksheet must be returned before we schedule any estate planning appointments or add you to our waiting list. Please also provide a copy of your current driver's license or state-issued photo identification with the worksheet. The attorney will review your completed worksheet, to make sure that our office typically provides the type of services you would like handled.

2. Scheduling

After reviewing your worksheet, we will contact you to confirm that you are on our waiting list and confirm approximately when we will be able to schedule you. (Note: We do not schedule any new estate planning clients from November through February, due to our probate cases needing annual accountings.)

3. Planning Meeting

We charge \$500 for a one-hour Planning Meeting, when we will discuss your options and individual concerns. This fee is due three days prior to your Planning Meeting. Please do not send it before we have you scheduled. This will be credited towards pricing, if you move forward.

4. Fee Agreement and Payment for Advice, Drafting, and Documents

After your first appointment, we will send you:

1. A fee agreement to sign and return (electronically or by mail), and
2. A mailed or electronic invoice to be paid by credit card or you may send a check.
3. We must receive both #1 and #2 prior to drafting your documents or scheduling your draft review/2nd appointment.

5. Appointments #2 and #3 – Draft Review

We will review your drafts with you during our second and third appointments. Typically, we will first review the draft of the Living Trust. Then, in the next appointment, we will review drafts of other related documents (powers of attorney, deeds, etc.). These appointments typically last 90-120 minutes. After reviewing the drafts during your appointment, we provide paper or digital copies of the drafts for you to review further.

6. Signing of Documents

We will schedule a 30-minute signing appointment at our office, for signing, witnessing, and notarizing the documents.

7. Delivery and Funding Your Trust

We will schedule a follow up appointment for you to pick up your binder (after we have a chance to copy and scan all of your documents), and for the attorney to meet with you again, to review the steps you will need to take to fund your Trust (retitle assets into the name of your trust).

Timeline: Please note that we will schedule each of your appointments 2 to 3 weeks apart, so a typical plan will take approximately 8-12 weeks from Planning Meeting to Funding.

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Frequently Asked Questions

What is Probate?

What is commonly referred to as “probate” is really the estate administration process through the court system. Without a Will, this can be a very complicated and expensive process. In a Will, you designate who will handle your estate and who will receive your assets after you pass away. With a properly drafted North Carolina Will, the probate process is simplified, but not avoided.

- After you pass away, your named Executor files your original Will with the Court.
- In the first three months, the Executor determines your assets and bills.
- An Inventory must be filed with the court, listing your assets, and proving their values.
- Your Executor pays your bills after the three-month claims period.
- Then, your Executor transfers assets to your named beneficiaries, as stated in your Will.
- Lastly, your Executor files an accounting with the Court, detailing what the Executor did, with copies of bank statements, cancelled checks, and receipts.
- All Estate filings (“probate”) with the Court are public record.

How do I Avoid Probate?

1. Certain assets can avoid probate with proper beneficiary designations, such as IRAs, Life Insurance, and Annuities, and sometimes other accounts can also name beneficiaries.
2. A Living Trust helps to avoid the probate process for assets titled to the trust. A living trust is established during a person’s lifetime, can be changed by the person that set it up, and is an alternative to a Will, with additional options and benefits.

What are some reasons to do a Living Trust?

- Avoid Probate
- Avoid required Court approvals for actions, sales, transfers, etc.
- Privacy (not on public record)
- Provide for spouse, but ensure assets pass to children
- Real estate in multiple states (avoid probate in multiple states)
- Avoid court fees (0.4% of probate asset values)
- Inheritance distributed over time to an adult child or special needs child
- Protect inheritance from children’s spouses and creditors
- Estate Tax Planning (over \$11 million in assets)

Irrevocable Trusts, Asset Protection, Nursing Home Planning, Etc.

Our office is not handling these types of cases as this time. This worksheet and pricing do NOT include any irrevocable trusts, any asset protection planning strategies, or planning for you to qualify for Medicaid, Veterans Benefits, nursing home costs, etc. If this is what you need, you will need to seek the advice of another law office.

Our office CAN assist you with your estate plan to hold assets in trust for your beneficiaries, to protect the assets you leave to them, from Medicaid, government benefits, etc.

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