

PAULY LAW OFFICES, Inc.
Arthur J. Pauly Jr., JD
Attorney at Law

This document contains important information about what you can expect during the estate planning process. Please read it carefully.

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Our Goal:

TO PROVIDE SUCH A HIGH DEGREE OF CLIENT SERVICE AND TECHNICAL EXCELLENCE THAT OUR CLIENTS CAN'T HELP BUT TELL OTHERS ABOUT US.

"Proper Legacy Planning is doing what ever it takes to ensure that when you are gone: Family harmony is realized, and the inheritance you leave protects, improves and enhances the lives of your beneficiaries."

ARTHUR J. PAULY, JR.

Attorney at Law

Art Pauly obtained his Juris Doctor degree and was admitted to the California State Bar in 1987 after spending 18 years as an insurance claims professional. He holds degrees in General Insurance and Associate in Claims with the Insurance Institute of America.

He was a *Professor of Law* teaching contracts, trusts and ethics.

He is a *former Board President* for the River Oak Center For Children, former Board member for San Jose Christian College, Former *Member of the Advisory Panels* for Special Olympics, Youth For Christ, and the Experimental Aircraft Association.

Art Pauly is a former chapter president of Toastmasters International and holds the prestigious *Accomplished Toastmaster* designation.

Former Pro-Tem Settlement Conference Judge in Sacramento and Placer Counties.

After 5 years as a Staff Trial Attorney for CIGNA and then for Hartford Insurance Companies, Art opened his Estate Planning practice in 1992.

Art Pauly, recognized as an outstanding communicator and as an *authority* in estate planning, business continuity planning and asset protection, has been a *contributing speaker* at the Advanced Skills Workshops sponsored by the National Network Of Estate Planning Attorneys, an international organization of Estate Planning Professionals.

He is a *CONTRIBUTING AUTHOR* of the book "GENERATIONS, Planning Your Legacy", Practical Answers from Americas Foremost Estate Planning Attorneys", 1999. Available through Borders and other fine booksellers.

Art is one of the founding members of *The WealthCounsel, LLC*, who specialize in wealth transfer strategies for clients.

Art volunteers as a Law Enforcement Chaplain in Placer County and enjoys cars, dune buggies and aviation.

Prior to Your Appointment:

We make every effort for the initial client meeting to be as productive as possible. We have found that our time and your time is used much more productively when financial information is properly assembled and provided to us in advance of our meeting. It is also very useful if you invest some time in advance of the meeting giving some consideration to the key goal questions we have posed in the *Client Information Questionnaire*.

We do not charge a fee for our initial estate planning client interview. We will come to that meeting fully prepared, and we expect that you will also. Your time is valuable, and we believe ours is as well. Accordingly, we expect that you will complete the Client Questionnaire, as best as you can, and bring the completed form to

the meeting. This will give us the opportunity to develop some familiarity with you and your situation . We can then use the appointment time to its most productive advantage.

We also ask that if you like what we have to say and our plan for your estate meets all your goals, that you be ready to write a check for the first part of our fee and move forward with implementing your plan. If you decide not to move forward with the plan, there is no charge for the first meeting.

At the initial meeting:

At our initial meeting, we will invest as much time and effort as is necessary to design an estate plan that accomplishes all of your planning objectives in the most effective way possible.

When we schedule an initial appointment with a prospective client, we try to allow sufficient time to fully explore all of the personal and financial issues that affect the development of your estate plan. Our rule of thumb is to set aside 1 1/2 hours for that initial meeting. If you have special issues we need to discuss, we will usually allow an additional half hour for the initial meeting.

This initial meeting is our opportunity to learn about you, your family, your interests and your objectives. Usually, about half of our meeting time is spent getting to know you, learning about your family, your assets and getting clear on your planning goals and objectives. We can usually design a plan for your estate at that first meeting and quote a fee for creating and implementing your plan. All we ask in return is that you be ready to make a decision to move forward with the plan or not. If you decide to move forward, we ask that you be prepared to pay the first part of our fee.

There will be a second meeting to review and sign documents (a Notary will be needed) to implement the plan. These meetings will vary depending on the plan we are creating for you. These meetings are important since they involve dated documents. Any changed or missed meetings will require additional work, and additional fees will be charged.

Our Fees:

In almost every case, we are able to design a plan that accomplishes our client's objectives during the initial meeting.

In some cases with larger estates, more complex design solutions may be appropriate. In those situations, we prefer to carefully analyze the available planning options and present them to you in a later meeting

We fully expect each of our clients to be completely satisfied with our work as well as the fee we charge for our work. The fees for our work are based on three factors:

- The number and complexity of the plan documents;
 - The number and nature of assets to be transferred; and
 - The complexity of the issues presented by your situation.
-

Our business practice is to structure payment for our work over the period of time the work is done. Usually, we ask for part of the fee at the time of engagement, and the remaining fee when the planning documents are signed.

Each plan we create is unique, and the fee for each plan is based solely on the amount of work required to create and implement the plan.

Please keep in mind that we always quote a fixed fee, and the fee is quoted only after you fully understand the scope and value of our work. We take seriously our commitment that every client be completely satisfied with our service and our fee.

The Signing Meeting

The signing meeting is very important. All the documents are pre-dated for that meeting. Any changes in that meeting date will cause additional cost to you for the changes that will need to be made in the documents.

Post-Death Administration:

Once a will or trust has been prepared, many people are left with the impression that there is nothing else to be done. They believe that upon death, the will or trust will administer itself. Unfortunately, that just isn't the case. Just as people have become familiar with the necessity of probate for a will to be effective, there must also be an administration of a trust. Accounts must be properly retitled, tax returns filed, if necessary, and various other administrative items must be taken care of for the trust to function in the manner in which it was designed.

The legal fees we charge in order to administer a trust are based on an hourly fee because in many instances, the trustees are competent to handle some (often most) of the administrative tasks, rather than involving an attorney.

Our point is that there is work to be done after a death. The proper implementation and administration is absolutely critical in order for your plan to work properly.

We look forward to diligently working with you to achieve your goals, dreams, and aspirations for you and your family through your estate plan.

Sincerely,
Arthur J. Pauly, Jr., JD

ESTATE PLANNING WORKSHEET

Pauly Law Offices, Inc.
Estate and Business Planning and Administration

USING THIS ORGANIZER WILL ASSIST US IN DESIGNING AN ESTATE PLAN THAT MEETS YOUR GOALS.
ALL INFORMATION PROVIDED IS STRICTLY CONFIDENTIAL.

IF POSSIBLE, PLEASE RETURN THE COMPLETED WORKSHEET TO OUR OFFICE PRIOR TO YOUR
APPOINTMENT VIA MAIL OR FAX.

PERSONAL INFORMATION

Client's Legal Name _____
(name most often used to title property and accounts)

Also Known As _____
(other names used to title property and accounts)

Prefer to be called _____ Birth date _____ SS# _____ US Citizen? _____

Home Address _____ City _____ State _____ Zip _____

Home Telephone _____ County of Residence _____ Business Telephone _____

Employer _____ Position _____

Business Address _____ City _____ State _____ Zip _____

E-mail Address _____ It is okay to communicate with me via my E-mail address.

Date of Marriage _____

Spouse's Legal Name _____
(name most often used to title property and accounts)

Also Known As _____
(other names used to title property and accounts)

Prefer to be called _____ Birth date _____ SS# _____ US Citizen? _____

Home Address _____ City _____ State _____ Zip _____

Home Telephone _____ County of Residence _____ Business Telephone _____

Employer _____ Position _____

Business Address _____ City _____ State _____ Zip _____

E-mail Address _____ It is okay to communicate with me via my E-mail address.

CHILDREN AND/OR OTHER FAMILY MEMBERS

(Use full legal name. Use "JT" if both spouses are the parents, "H" if husband is the parent, "W" if wife is the parent, "S" if a single parent.)

Name	Birth date	Parent or Relationship
_____	_____	_____

Comments: _____

Comments: _____

Comments: _____

Comments: _____

Comments: _____

Comments: _____

Comments: _____

ADVISORS

Name	Telephone
Personal Attorney _____	_____
Accountant _____	_____
Financial Advisor _____	_____
Life Insurance Agent _____	_____

YOUR CONCERNS

Please rate the following as to how important they are to you:
(H high concern, S some concerned, L low concern, N/A no concern or not applicable)

Description	Level of Concern	
	Husband	Wife
Desire to get affairs in order and create a comprehensive plan to manage affairs in case of death or disability.		
Providing for and protecting a spouse.		
Providing for and protecting children.		
Providing for and protecting grandchildren.		
Disinheriting a family member.		
Providing for charities at the time of death.		
Plan for the transfer and survival of a family business.		
Avoiding or reducing your estate taxes.		
Avoiding probate.		
Reduce administration costs at time of your death.		
Avoiding a conservatorship (“living probate”) in case of a disability.		
Avoiding will contests or other disputes upon death.		
Protecting assets from lawsuits or creditors.		
Preserving the privacy of affairs in case of disability or at time of death from business competitors, predators, dishonest persons and curiosity seekers.		
Plan for a child with disabilities or special needs, such as medical or learning disabilities.		
Protecting children’s inheritance from the possibility of failed marriages.		
Protect children’s inheritance in the event of a surviving spouse’s remarriage.		
Provide that your death shall not be unnecessarily prolonged by artificial means or measures.		

Other Concerns (Please list below):

IMPORTANT FAMILY QUESTIONS

(Please check "Yes" or "No" for your answer)	Yes	No
Are you (or your spouse) receiving Social Security, disability, or other governmental benefits? <i>Describe</i> _____		
Are you (or your spouse) making payments pursuant to a divorce or property settlement order? <i>Please furnish a copy</i>		
If married have you and your spouse signed a pre- or post-marriage contract? <i>Please furnish a copy</i>		
Have you (or your spouse) been widowed? <i>If a federal estate tax return or a state death tax return was filed, please furnish a copy</i>		
Have you (or your spouse) ever filed federal or state gift tax returns? <i>Please furnish copies of these returns</i>		
Have (you or your spouse) completed previous will, trust, or estate planning? <i>Please furnish copies of these documents</i>		
Do you support any charitable organizations now that you wish to make provisions for at the time of your death? <i>If so, please explain below.</i>		
Are there any other charitable organizations you wish to make provisions for at the time of your death? <i>If so, please explain below.</i>		
If married, have you lived in any of the following states while married to each other? <i>Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington, or Wisconsin</i>		
Are you (or your spouse) currently the beneficiary of anyone else's trust? <i>If so, please explain below.</i>		
Do any of your children have special educational, medical, or physical needs?		
Do any of your children receive governmental support or benefits?		
Do you provide primary or other major financial support to adult children or others?		

ADDITIONAL RELEVANT INFORMATION

PROPERTY INFORMATION

INSTRUCTIONS FOR COMPLETING THE *PROPERTY INFORMATION* CHECKLIST

General Headings

This *Property Information* checklist is designed to help you list all the property you own and what it is worth. If you do not own property under a particular heading, just leave that section blank. Under certain headings you may own more property than can be listed on this checklist. If so, use **extra sheets** of paper to list your additional property.

Type

Immediately after the heading for each kind of property is a brief explanation of what property you should list under that heading.

“Owner” of Property

How you own your property is **extremely important** for purposes of properly designing and implementing your estate plan. For each property please indicate how the property is titled. When doing so, please use the following abbreviations:

Owner of Property	Use
If married, Husband’s name alone, with no other person	H
If married, Wife’s name alone, with no other person	W
If married, Joint Tenancy with spouse	JTS
Joint Tenancy with someone other than a spouse, i.e. a child, parent, etc.	JTO
If you cannot determine how the property is owned	?

REAL PROPERTY

TYPE: Any interest in real estate including your family residence, vacation home, time share, vacant land, etc.

General Description and/or Address	Owner	Market Value	Loan Balance
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
	<i>Total</i>	_____	_____

FURNITURE AND PERSONAL EFFECTS

TYPE: List separately only major personal effects such as jewelry, collections, antiques, furs, and all other valuable non-business personal property (*indicate type below and give a lump sum value for miscellaneous, less valuable items.*).

Type or Description	Owner	Market Value
Miscellaneous Furniture and Household Effects (Total)	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
	<i>Total</i>	_____

AUTOMOBILES, BOATS AND RVs

TYPE: For each motor vehicle, boat, RV, etc. please list the following: description, how titled, market value and encumbrance:

BANK & SAVINGS ACCOUNTS

TYPE: Checking Account "CA", Savings Account "SA", Certificates of Deposit "CD", Money Market "MM" (*indicate type below*).
Do not include IRAs or 401(k)s here

Name of Institution and account number	Type	Owner	Amount
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
		<i>Total</i>	_____

Note: If Account is in your name (or your spouse's name) for the benefit of a minor, please specify and give minor's name.

BUSINESS INTERESTS

TYPE: General and Limited Partnerships, Sole Proprietorships, privately owned corporations, professional corporations, oil interests, farm and ranch interests. **ADDITIONAL INFORMATION:** Give a description of the interests, who has the interest, your ownership in the interests, and the estimated value of the interests.

Total _____

MONEY OWED TO YOU

TYPE: Mortgages or promissory notes payable to you, or other moneys owed to you.

Name of Debtor	Date of Note	Maturity Date	Owed to	Current Balance
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
			<i>Total</i>	_____

ANTICIPATED INHERITANCE, GIFT, OR LAWSUIT JUDGMENT

TYPE: Gifts or inheritances that you expect to receive at some time in the future; or moneys that you anticipate receiving through a judgment in a lawsuit. **Describe in appropriate detail.**

Description _____

Total estimated value _____

OTHER ASSETS

TYPE: Other property is any property that you have that does not fit into any listed category.

Type	Owner	Value
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
		<i>Total</i>

SUMMARY OF VALUES

ASSETS	Amount*		Total Value
	Husband	Wife	
Real Property			
Furniture and Personal Effects			
Automobiles, Boats and RV's			
Bank and Savings Accounts			
Stocks and Bonds			
Life Insurance and Annuities			
Retirement Plans			
Business Interests			
Money owed to you			
Anticipated Inheritance, Etc.			
Other Assets			
Total Assets:			

* *Joint Property values enter 1/2 in husband's column and 1/2 in wife's column.*

DESIGN INFORMATION

PERSONS TO ACT FOR YOU:

GUARDIAN FOR MINOR CHILDREN: If you have any children under the age of 18, list in order of preference who you wish to be guardian.

Name and Address

Relationship

INITIAL TRUSTEE(S): Usually the Maker will be the Trustee of his or her own trust. Often, both spouses, jointly. Allows you to continue to jointly control your assets as before.

Name and Address

Relationship

DISABILITY TRUSTEE: If you were unable to make decisions for yourself, who would you want to make decisions for you with regard to your property and assets?

Name and Address

Relationship

Name and Address

Relationship

DEATH TRUSTEE: After your death, who do you want carrying out your instructions, for distribution to and, if desired, management of property for your beneficiaries?

Name and Address

Relationship

Name and Address

Relationship

POWER OF ATTORNEY: If you were unable to make financial decisions for yourself, who would you want to make those decisions for you?

HUSBAND'S AGENT

Name	Relationship	Instructions or Guidelines
_____	_____	_____
_____	_____	_____
_____	_____	_____

WIFE'S AGENT

Name	Relationship	Instructions or Guidelines
_____	_____	_____
_____	_____	_____
_____	_____	_____

Do you want to authorize your Financial Agent to make gifts on your behalf during any period of time you are incapacitated?

Husband: Yes No

Wife: Yes No

Gifting Power Details: _____

LIVING WILL: Do you want to provide that the moment of your death not be unnecessarily prolonged by artificial means or measures? _____ Do you want to provide that your organs and tissues should be made available for transplant purposes? _____

HEALTH CARE: If you were unable to make decisions for yourself, who would you want to make decisions for you with regard to your medical treatment?

HUSBAND'S AGENT

Name	Relationship	Instructions or Guidelines
_____	_____	_____
_____	_____	_____
_____	_____	_____

WIFE'S AGENT

Name	Relationship	Instructions or Guidelines
_____	_____	_____
_____	_____	_____
_____	_____	_____

Do you want to authorize your Medical Agent to take whatever steps are necessary to keep you in a personal residence rather than nursing home? Husband: Yes No Wife: Yes No

Do you want to provide that upon certification by 2 physicians of need for psychological or substance treatment, Agent may arrange for voluntary admission? Husband: Yes No Wife: Yes No

In making distributions during any period of time the client is incapacitated, the successor Trustee shall give primary consideration to:

- Disabled spouse, the needs of others. Disabled spouse and other spouse, and then needs of others
- Disabled spouse needs and the needs of others equally.

REMOTE CONTINGENT BENEFICIARY: Who do you want to receive your property in the remote event that no one listed above is alive to receive your property. Determining the remote contingent beneficiary is not so important that it should cause you to delay completion of your entire estate plan. It can always be changed at a later date.

In the remote event no one listed above is alive to receive my property I want my property distributed as follows:

- To each spouse's heirs-at-law.
- One-half to Husband's heirs-at-law and one-half to Wife's heirs at law.
- To the following named individuals and/or charities:

OTHER ITEMS TO INCLUDE OR DISCUSS: Obviously your estate plan should address all your hopes, fears, and wishes. Please list any other items you want included or want to discuss:
