



Benjamin G. Bartage
10000 Celtic Dr.
Baton Rouge, LA 70809
(O) 225.364.9182
(F) 225.421.1076
ben@bartagelaw.com

ESTATE PLANNING QUESTIONNAIRE

This questionnaire will help us prepare a Last Will and Testament, Living Will and Durable Power of Attorney for you to ensure that your assets are distributed according to your wishes upon your passing away and that your financial and healthcare affairs are managed with care if you become physically or mentally incapacitated before your death. If a particular blank or section does not apply, please simply write "N/A." If you have any questions or need any assistance in preparing this questionnaire, please call us at (225) 364-9182 or email me at ben@bartagelaw.com

Client's Full Name: _____

CONTACT INFORMATION:

Telephone No.: _____

Alt. Telephone No.: _____

Fax No.: _____

E-mail address: _____

Mailing Address: _____

Date of birth: _____

MARITAL STATUS :

() Single () Married () Widowed () Divorced () Separated

Spouse's name: _____

Spouse's date of birth: _____ Citizenship (if other than U.S.):

Former marriages? Husband: () Yes () No Wife: () Yes () No

I. LAST WILL AND TESTAMENT

Your Last Will & Testament is the document which ensures your assets are distributed according to your desires when you pass away. The answers to the questions below will assist us in drafting your Last Will & Testament.

CHILDREN & OTHER PERSONS TO BE CONSIDERED:

Children of current marriage (including legally adopted children):

Name: _____

Birthdate: _____ Sex: _____

Is child married? () Yes () No # of Children: _____ Ages: _____

Name: _____

Birthdate: _____ Sex: _____

Is child married? () Yes () No # of Children: _____ Ages: _____

Name: _____

Birthdate: _____ Sex: _____

Is child married? () Yes () No # of Children: _____ Ages: _____

Name: _____

Birthdate: _____ Sex: _____

Is child married? () Yes () No # of Children: _____ Ages: _____

If, Applicable Husband's prior children (including legally adopted children):

Name: _____

Birthdate: _____ Sex: _____

Is child married? () Yes () No # of Children: _____ Ages: _____

Name: _____

Birthdate: _____ Sex: _____

Is child married?? () Yes () No # of Children: _____ Ages: _____

Name: _____

Birthdate: _____ Sex: _____

Is child married?? () Yes () No # of Children: _____ Ages: _____

If Applicable, wife's prior children (including legally adopted children):

Name: _____

Birthdate: _____ Sex: _____

Is child married?? () Yes () No # of Children: _____ Ages: _____

Name: _____

Birthdate: _____ Sex: _____

Is child married? () Yes () No # of Children: _____ Ages: _____

Name: _____

Birthdate: _____ Sex: _____

Is child married? () Yes () No # of Children: _____ Ages: _____

Deceased Children:

Name: _____

Age at Death: _____ Sex: _____

of Children: _____

Names & Ages of Deceased Child's Children: _____

Name: _____

Age at Death: _____ Sex: _____

of Children: _____

Names & Ages of Deceased Child's Children: _____

Are any of your children, your spouse's prior children, or a deceased child's children disabled? If yes, list name, age and type of disability:

Do you and your spouse have a Prenuptial Agreement (also known as a Separate Property Agreement)?

Other People to be considered in your Estate:

Name: _____

Age: _____ Sex: _____ Relationship : _____

Name: _____

Age: _____ Sex: _____ Relationship : _____

Name: _____

Age: _____ Sex: _____ Relationship : _____

Do you have an ownership interest in one or more privately held companies?

Yes

No

Does your spouse have an ownership interest in one or more privately held companies?

Yes

No

**** An important note about forced heirship:** Louisiana has a doctrine known as forced heirship. It is designed to ensure the posterity of young children and children who have been judicially deemed as incapable of caring for themselves (including adopted children). Forced heirship cannot be opted out of. Forced heirship provides that, if you have one child under the age of 24, or who is permanently incapacitated (regardless of age), by law, that child is entitled to 1/4 of your estate. If you have multiple children under the age of 24, or children who are permanently incapacitated (regardless of age), the children, combined, are entitled to 1/2 of the estate. Further, if you have a child pass away before the age of 24 and that child had children of his/her own, your grandchildren will step into the deceased child's shoes and be entitled to forced heirship rights.

Despite the mandate of forced heirship, we can protect your spouse's rights to use your property and to ensure the children's assets are protected and spent wisely through a spendthrift trust. There is a section in this questionnaire that covers trust beginning on page 7.

Distribution of Estate:

ARE THERE ANY SPECIFIC ITEMS YOU WISH TO BEQUEST TO A DESIGNATED PERSON/PEOPLE?

If yes, describe the items below. The residual of your estate may be distributed as follows:

___Residual according to Option A below. Any specific bequests to a child will be taken into account when determining his/her equal share of my estate.

___Residual according to Option B below. Any specific bequests to a child will be taken into account when determining his/her equal share of my estate.

___Residual according to Option C below

Specific bequests:

Select an option below to designate how you would like your estate to be distributed

_____ **Option A:** I want my assets to pass to my spouse and children as follows:

- After any specific bequests, the entire remainder of my estate to spouse, if surviving.
- If my spouse predeceases me, my assets will be divided in equal shares among my children.
- If any of my children predecease me, that child's share shall be distributed to his or her children in equal shares.
- In the event my spouse and all of my children and descendants fail to survive me, I want assets to be distributed as follows:

_____ **Option B:** I want my assets to pass: • In equal shares to my children. • If one or more of my children predeceases me, that child's share in my estate is distributed to his or her children in equal shares. • In the event all my children and descendants fail to survive me, I want my assets to be distributed as follows:

_____ **Option C:** Neither Option A or B. I want my estate to be distributed as follows:

NOTE: Life Insurance benefits, annuities, retirement accounts, and pensions each inure to the beneficiary listed on the policy. No provision in a will may alter that. If you wish to change the beneficiaries listed on any of the types of policies or accounts listed at the beginning of this paragraph, you must notify the Company that issued the policy/ accounts/etc.

DEBTS

Other than mortgages or loans/liens on specific items, it is recommended that all taxes, fees and expenses be paid out of the estate prior to any distributions. Is this satisfactory?

___Yes

___No

EXECUTORS & TRUSTEES

Designate an independent executor (the person you appoint to carry out the directions and requests in your will and to dispose of the property according to your will):

Name: _____

Address: _____

Alternate Executor Name: _____

Alternate Executor Address: _____

Would you like your estate to be held in trust if your spouse predeceases you and one or more of your children are disabled or not mature enough to manage their inheritance at the time of your passing?

___Yes

___No

If yes, please designate a Trustee (the person you appoint to manage the assets and distribute it to your heirs for the heirs' benefit

Name: _____

Address: _____

Relationship: _____

Alternate Trustee:

Name: _____

Address: _____

Relationship: _____

At what age(s) do you want the monies to be distributed to your children/beneficiaries?

List percentages: ____% at ____ years old; ____% at ____ years old; ____% at ____ years old.

Other: _____

NOTE: In addition to ensuring funds for minor children and/or irresponsible/incapable heirs are not wasted, there are numerous other reasons to establish a trust, such as:

- Tax benefits
- Ensuring your heirs comply with certain requirements such as getting married, graduating college, getting a job, etc. before receiving access to funds
- Conservation of assets
- Avoidance of probate
- Trusts are also the best way to accomplish charitable giving over an extended period, if that is something you desire to do.

In order to avoid an unnecessarily long questionnaire, please ask me more about establishing a trust that will meet your specific goals.

Appointment of Tutor/Tutrix (Guardian for children under 18):

Name: _____

Address: _____

Relationship : _____

Alternate (undertutor/undertutrix):

Name: _____

Address: _____

Relationship: _____

II. DURABLE POWER OF ATTORNEY

The Durable Power of Attorney document names an Agent to manage your financial and healthcare affairs in the event you become physically or mentally incapacitated.

Who would you like to designate as Agent via Power of Attorney to manage your financial and health affairs in the event you become physically or mentally incapacitated?

Name: _____

Address: _____

Relationship: _____

First Alternate Agent

Name: _____

Address: _____

Relationship: _____

Second Alternate Agent

Name: _____

Address: _____

Relationship: _____

III. LIVING WILL

A Living Will is also known as the life support decision. It helps relieve the burden off of your loved ones in the unfortunate event there is a question of whether or not you should be put on life support. This document takes the pressure of making that decision off of your loved ones because you've already made it in a Living Will. No questions need to be answered at this time to help us prepare your Living Will. You will make an election on the document itself as to what your wishes are.

END OF QUESTIONNAIRE