

Please call the Legal Assistance Office for an appointment (301)619-2221/2065

Directions: Enter the Main Gate (7th Street), take an immediate left turn onto Porter Street, take your third right onto Fraim Street. We are located on the left side in front of the water tower, Bldg 521.

ESTATE PLANNING INFORMATION

ESTATE PLANNING has a lasting effect on you and your family. What you do now affects what they may have after you die. Your plan may include one or more of these: Will; Advance Medical Directive (“living will”) ; Durable Power Of Attorney for Health Care; Durable Power Of Attorney in case of incompetence; Life Insurance; a trust (possibly in a will); a Letter of Instruction, and an anatomical gift designation (often on your driver’s license).

A properly executed will leaves instructions to a probate court about your intended property distribution. It may provide simple instructions or may contain a trust. **A will is especially important for parents with young children.** In this situation, you should name a guardian (and preferably a backup) for your children in case the natural parent also dies while the children are minors. You may name a trustee to manage your property and properly invest on behalf of your children until they attain the age of majority (21). Consider carefully who you trust with these important duties. You should also discuss your wishes with all of those named to ensure that they know that you named them, and what your desires are.

You must plan carefully and that requires you think about your situation, family, and desires. **If you are active duty military, don’t wait until the SRP to consider this important matter.** Do so now while you have the time to reflect.

For more information about preparing your will read the Federal Consumer Information Center’s Life Advice publication, *Making a Will*, http://www.pueblo.gsa.gov/cic_text/money/will/makewill.htm.

This questionnaire will help you organize the information that your legal assistance attorney needs to advise you and prepare your estate plan. Some individuals need very complex plans that may require you obtain assistance beyond what is available in your local legal assistance office. Your legal assistance attorney will advise you if that is necessary in your case.

Getting Started. You and, if married, your spouse, should read the attached questionnaire. Please bring your completed personal and financial questionnaire with you when you consult with your attorney.

NOTE:

1) If both husband and wife have similar estate plans complete one questionnaire together and sign the attached Joint Representation Memo.

2) If either spouse was previously married (children by a prior marriage) you will need to complete separate questionnaires and sign the attached Joint Representation with Separate Families Memo.

MEMORANDUM TO Joint Representation Clients

1. It is commonplace for spouses to engage the same firm for estate planning. However, when this office represents both spouses with regard to common or related matters, certain conflicts of interest can arise within the ethical codes of the legal profession.

2. This is to confirm that our office is to represent you jointly as husband and wife. As such:

a) We will not maintain confidentiality between the two of you; the information we receive from either of you or from third parties will be shared with both of you.

b) Each of you waive any objection to our representation of the other regarding potential conflicts of interest between you (such as involving spousal rights of election, property ownership and transfer matters, and trust as well as other asset arrangement matters).

3. Joint representation is appropriate in our experience. However, strict ethical requirements dictate that we thoroughly disclose the ethical ramifications.

4. Please sign below to indicate your acknowledgment of these terms.

Print Name: _____

Print Name: _____

Signature: _____

Signature: _____

Date: _____

Date: _____

BRETT C. CONYERS
Attorney-Advisor
Legal Assistance Office

MEMORANDUM OF UNDERSTANDING

SUBJECT: Joint Representation **Clients with Separate Families** for Estate Planning

1. It is commonplace for spouses to engage the same attorney for estate planning. However, when a legal assistance attorney represents both spouses with regard to common or related matters, certain conflicts of interest can arise within the ethical codes of the legal profession. This is especially true when providing estate planning for your respective separate families.
2. Matters to which such representation likely will extend include the following:
 - a) Analysis of your wills, trusts, and property agreements, if any.
 - b) Analysis of the assets owned by each of you, including consideration of their value and the nature in which title is or should be held, and the categorization of such assets as separate or community property.
 - c) Discussions about the manner in which you wish to dispose of such property and whether there exists a moral obligation to provide for minor children.
 - d) Analysis of the tax impact of such disposition and recommendations relative thereto.
 - e) Preparation of the documents necessary to accomplish the desired disposition.
3. Differences may arise between spouses with respect to the ownership of your property and its desired disposition, particularly in view of your respective separate families. **For this reason, it is advisable that spouses with separate families obtain independent legal counsel.** Seeing independent legal counsel will prevent the possibility that advice to one spouse will be influenced by representation of the other. One spouse may choose to engage the Fort Detrick Legal Assistance Office and the other may seek representation at a neighboring military installation's legal office.
4. Such differences, under our ethical rules, do not prevent the same legal assistance attorney from continuing to represent both of you unless there is an *actual* conflict. If you conclude there is no actual conflict, a legal assistance attorney may represent both spouses. However, if an actual conflict arises after the initial interview, be advised that the attorney cannot continue dual representation. Ethical rules require the attorney to withdraw from representing either spouse and advise both of you to obtain independent legal counsel.
5. Dual representation also impacts an attorney's duty to protect information as confidential. In undertaking dual representation, both spouses and the attorney must have an understanding that there will be a complete and free disclosure and exchange of all information between attorney and client notwithstanding both spouses being present in a

conference. You must agree that the information that the attorney receives from either one or both of you in the course of his/her representation shall not be confidential between the spouses regardless of whether the attorney obtains such information in conferences with both of you or in private conferences with only one of you.

6. Assuming you are satisfied with the foregoing explanation, please sign below (1) expressing your consent to dual representation and (2) waiving appropriate waivers. Bring the consent form with you for your appointment.

Sincerely,

BRETT C. CONYERS
Attorney-Advisor
Legal Assistance Attorney

I have read the foregoing memorandum and (understand the same) (have written my questions on the back).

a) I consent to the disclosure and exchange of all information received by my legal assistance attorney from either one of us with the other one of us; I agree that my legal assistance attorney will not maintain confidentiality between my spouse and me; I agree the information the attorney receives from either of us or from third parties may be shared with both of us.

b) I understand that advice to me may be influenced by representation of my spouse; I consent to the same legal assistance attorney representing both my spouse and me in the aforementioned estate planning services; I waive any objection to my legal assistance attorney's representation of my spouse regarding potential conflicts of interest between us (such as those involving spousal rights of election, property ownership and transfer matters, and a moral obligation to support my minor children that are not my spouse's children).

c) I understand that the attorney may choose to withdraw from dual representation if an actual conflict arises and such withdrawal will require both spouse to seek independent representation for estate planning.

Husband's Name: _____ Wife's Name: _____

Signature: _____ Signature: _____

Date: _____ Date: _____

WILL TERMINOLOGY

I. WHY SHOULD I MAKE A WILL? If you die without a valid will, the laws of your domicile or state of legal residence determine what happens to your property. Your state of domicile may or may not be the state where you die. Without a will, your wishes may not be considered.

II. WHAT IS A WILL? A will is a legally effective declaration of a person's wishes as to the disposition of their property upon their death. It must be executed with the formalities required by statute. The provisions of a will do not take effect until after the death of the maker.

III. LEGAL RESIDENCE (DOMICILE): The state you consider your permanent home and to which you have every intention of returning. When you die, the laws of your state of domicile will be used to interpret and implement your will. For military members, your domicile is often your legal residence (e.g., your home of record), not the place you are currently living.

IV. IS ALL OF MY PROPERTY CONTROLLED BY MY WILL WHEN I DIE? No! For example, proceeds of life insurance policies (including SGLI) are distributed as you designated in the insurance policy, and property that you own jointly with another person will normally go to the other joint owner. Likewise, certain bank accounts which are payable on death go directly to the beneficiary. Property passed to beneficiaries in these ways avoid the probate proceeding.

V. WHAT IS YOUR PROPERTY: 1) **What is personal and tangible property?** Property which is moveable. 2) **What is real property?** Property that has a fixed location, such as land or a house. 3) **Disposition of property:** You can dispose of your property any way you wish, although state law may give your spouse and/or children a right to a portion of your property regardless of your stated intentions. You can give away property item by specific bequests or all to one person or a group of persons equally. Many married persons leave all their property to their spouse, and, if their spouse predeceases them, then to their children.

VI. WHAT IS YOUR ESTATE: All property, real and personal, in which a person has an interest, such as money, savings accounts, stocks, house, furniture, insurance policies, etc. **WHAT DOES RESIDUARY ESTATE MEAN?** Your residuary estate is whatever property remains after paying debts and expenses of administration, and any specific bequests. Because many people do not make specific bequests, the "residuary" usually describes all the property left to your beneficiaries.

VII. SPECIFIC BEQUESTS: You may make specific gifts of cash, real estate, or personal property to specific people or charities in your will. For a number of reasons, these bequests are discouraged. These bequests will be distributed first and may deplete your estate. Specific bequests may complicate the probate of your estate if the property given cannot be found at your death. Therefore, if you make any specific bequests, you should only give property or amounts of cash that you are almost certain you will have when you die. If you make no specific bequests, all of your property will pass to your primary beneficiaries. Many states allow you to make a "personal memorandum," in which you can give specific items of personal property to named beneficiaries in writing separate from your will. While in most states memorandum gifts are not legally binding, your executor will give these gifts as much weight as state law allows.

VIII. PROBATE: Probate is a court administered procedure for settling your estate as provided in your will or under state law. Probate involves petitioning a court for letters of appointment, settling creditor claims, finding and distributing assets, filing any necessary tax returns and the guardianship of children, etc. There are often some fees and costs associated with probate procedures. These costs come out of your estate.

IX. PERSONAL REPRESENTATIVE: A personal representative or executor is a person that you name in your will to carry out your desires, as expressed in your will, and to settle your estate. Settlement includes paying, from your estate, any taxes and debts you may owe. Many married people name their spouse as their personal representative. Your personal representative will have an important role and it should be someone you trust. Any adult may serve as your executor, although **many states prefer or require an executor who is a legal resident of the state where probate is conducted.**

X. METHODS OF DISTRIBUTION: 1) **Per Stirpes** is a method of distribution whereby the descendants of a beneficiary receive that beneficiary's share of the estate if the beneficiary has died before the estate is distributed. 2) **By Survivorship** distributes the share of a deceased beneficiary to the surviving members of the group.

XI. GUARDIAN: A guardian is the person who is responsible for caring for the person and/or property of a minor child. If your children are minors when you die, and if the other natural parent is not alive or for any reason cannot act as guardian, the court will normally appoint the person(s) you name to act as legal guardian(s) of the children. The guardian(s) named will have physical control and custody of the children until they reach age 18. If you are comfortable appointing an individual as guardian of your children, but not their property, you may appoint a different individual to be responsible for the property of the children. If you are divorced, remember the court will usually appoint your former spouse to be the guardian (as the children's other natural parent) even if you provide otherwise in your will. You should still name a guardian, however, in case your former spouse dies before you or for any reason cannot act as the guardian.

XII. LEAVING PROPERTY TO MINOR CHILDREN:

1) You may leave your property to your minor children in the care of a custodian (**almost always the Guardian of the children**) named under the Uniform Transfer to Minors Act (**UTMA**) to manage the property of the children until they reach the age of 21. The custodian you appoint establishes an UTMA account for each minor. Like a trustee, the custodian will be charged with administering the funds for the benefit of your children. Unlike a trustee, the custodian's duties and responsibilities are defined in state law rather than in your Will. 2) You may leave your property in **TRUST** for the benefit of your minor children until they reach an age older than 21. A trust is similar to a bank account that you create for your children; the property you leave to your children automatically goes into it if you establish one. When your children reaches a certain age that you specify in your will, all the money that remains in the account is distributed to the children, in equal shares. You appoint a "trustee" who is legally responsible for the account to watch over the account and distribute money to your children. A disadvantage is that the trust must earn enough money to pay accountants, financial advisors, and lawyers. In addition to these costs, a trust costs your trustee a lot of time and energy. **Generally, it is not a good idea to set up a trust unless you have substantial investments and life insurance proceeds to leave to your children.**

XIII. FINANCIAL INFORMATION SHEET: Property may not be controlled by a will at your death. Investments may be transferred by law or by a contract. To assist the attorney in discussing such non-testamentary transfers, please complete the attached Financial Information Sheet *jointly* before seeing counsel.

Circle or fill in your answers	You	Your Spouse
1. Are you a U.S. citizen?	Yes No	Yes No
2. Do you have a will or trust now?	Yes No	Yes No
3. Are you expecting to receive property or money from (circle all that apply):..... If so, approximately how much?.....	Gift Inheritance Lawsuit - Other \$	Gift Inheritance Lawsuit - Other \$
4. How many living children do you have?.....		
5. Are all your children legally yours (natural or legally adopted)?	Yes No	Yes No
6. How many stepchildren do you have?		
7. In which state do you vote?		
8. Which state issued your driver's license ?		
9. In which state is your car registered?.....		
10. In which state(s) do you own real estate?.....		
11. Do you pay state income tax? If yes to which state?.....		
12. In which state do you plan to retire/live permanently?.....		
13. Have you ever lived in a Community Property State? (AZ,CA,ID,LA,NV,NM,TX,WA,WI & PR)	Yes No	Yes No
14. Do you have a pre-nuptial or post-nuptial agreement?.....	Yes No	Yes No
15. Do you have a divorce decree affecting your pension or other property rights?.....	Yes No	Yes No
<i>If "yes" to questions 2, 14 or 15, you should bring these documents to your appointment.</i>		

FINANCIAL INFORMATION

1. Do you own a home or any other real estate? Indicate which is your residence/homestead.

Description and Location	Titled in whose name Indicate if Joint or Beneficiary and name	Purchase Price	Market Value	Mortgage	Market Value - <u>Mortgage</u> Equity
Total Net Value					

2. List motor vehicles, boats, and other titled property for which your name appears as owner. Include items for which there is a lien holder.

Description	Titled in whose name Indicate if Joint or Beneficiary and name	Market Value	Less Loan balance	= Equity
Total Net Value				

3. Do you have any checking accounts?

Name of Bank	Titled in whose name If owned jointly, write "joint." If transfers at death to a beneficiary, provide name. Call bank to confirm.	Approx. Balance
Total Value		

4. Do you have any interest bearing accounts (savings, money market) and/or CD's?

Name of Bank	Titled in whose name If owned jointly, write "joint." If transfers at death to a beneficiary, provide name. Call bank to confirm.	Approx. Balance
Total Value		

5. Do you own any stocks, bonds or mutual funds (including company stock)?

Number Shares	Name of Security	Titled in Whose Name If jointly owned, write "JTROS" for joint tenants with right of survivorship. If TOD, name the beneficiary.	Purchase Price	Current Value
Total Value				

6. Do you have any profit sharing, IRAs or pension plans?

Provide employee's name with description.	Beneficiary	Current Value
Total Value		

7. Do you have any life insurance policies and/or annuities?

Name of Company	Insured	Policy Owner	1 st Beneficiary	2 nd Beneficiary	Death Benefit
SGLI					
Total Value					

8. Does anyone owe you money?

Description	Approx. Value
Total Net Value	

9. Do you have any special items of value such as coin collections, antiques, jewelry, etc.?

Description	Approx. Value
Total Net Value	

10. What is the approximate total value of all your remaining personal property--whatever you own that has not been included above? (clothes, furniture, etc.) Just estimate.....\$ _____

11. Do you have any debts other than mortgage(s) and loans listed above (credit cards, personal loans, etc.)?

Description	Amount Owned
Total Debt	

12. Total value of everything you (and your spouse) own (add totals of line 1 thru line 10 above).....\$ _____

13. Total amount you (and your spouse) owe (total of line 11 above) \$ _____

14. Subtract line 13 from line 12.

TOTAL NET ESTATE VALUE \$ _____

15. Do you have a safe deposit box(es)?

Location	Titled in whose name

General information for completing our will questionnaire. The word "spouse" is inserted in certain places where a spouse is often the choice. If you are not married or do not want your spouse, just line through and insert your choice. Names requested are full names simply because it is best for identity purposes to insert the name that the person's uses on official documents to prove identity. The first page is asks for your fiduciaries. These are adults who have specific responsibilities to perform your behalf.

WILL QUESTIONNAIRE

[OFFICE USE: Software Answer File # _____ DCST _____ State of Residence _____ and _____]

FIRST SPOUSE COLUMN

SECOND SPOUSE COLUMN

1. **Personal Representative/Executor:** This person administers your estate. You may name your spouse, children age 21 or older, trusted friends, and/or a corporate fiduciary. (Mark out "spouse" if not applicable.)

Full Name: SPOUSE _____

Full Name: SPOUSE _____

2. **Successor Personal Representative:** Succeeds your primary personal representative if he or she dies/resigns. You may appoint your adult children, trusted friends, and/or a corporate fiduciary. *It is strongly recommended that you name at least one successor.*

1st Successor: Full Name: _____

Full Name: _____

2nd Successor: Full Name: _____

Full Name: _____

3. **Guardians For Minor Children:** This person will raise your children if both you and the other parent die. Since parents are "natural" guardians, you do not appoint the other parent of your children as guardian in your will. It is strongly recommended that you appoint **at least one** person as guardian. If you are not married, provide the name of the other parent: _____

#1 Successor: Full Name: _____

Full Name: _____

#2 Successor: Full Name: _____

Full Name: _____

4. **Split Guardianship:** If you have children from more than one marriage/relationship, you may want to appoint different guardians for the child or children of this prior marriage/relationship. If so, there will be a separate guardianship paragraph in your will for this second group. Provide the names of the children of a second group here: _____ Provide the name of the other parent of this child or children: _____ Use other back side to provide for a third group. Again, the persons named below take over if the other parent and then you die.

#1 Successor: Full Name: _____

Full Name: _____

#2 Successor: Full Name: _____

Full Name: _____

5. **Conservator/Guardian of Property:** This person manages the investments for your children under the supervision of a judge until age 18. The person can be the same as who you named above to raise the children. (This is the "guardian of the person.") If so, leave blank. But if you feel someone else is more financially responsible and better qualified to manage the money and property of your children, provide the person's name and a successor's name below.

#1 Successor: Full Name: _____

Full Name: _____

#2 Successor: Full Name: _____

Full Name: _____

6. **Trustee Minors' Trust:** If you want your child's estate managed until an age older than 21, your only option is to create a trust. The trustee will manage your child's investments and make important discretionary decisions with no court supervision unless there is a lawsuit. Therefore, the trustee must be someone who is very responsible and experienced on financial matters.

1st Choice: Full Name: _____

Full Name: _____

2nd Choice: Full Name: _____

Full Name: _____

You may provide that the Personal Representatives and/or Trustees be insured, or bonded, to protect the beneficiaries:
The Personal Representative should be bonded Yes No The Trustee should be bonded Yes No

BENEFICIARIES

1. Specific Gifts To Organizations

Do you want to make a gift (cash or a specific item) to a charity, foundation, religious or fraternal organization? If so, provide its address.

Description of Gift	Name & Address of Organization	Alternate Beneficiary

2. Specific Gifts To Individuals

Do you want to give any specific real estate or tangible items or cash gifts to a family member or other individual? (For example: wedding ring to your daughter, gun collection to a son or nephew, etc.) **CAUTION:** Only provide for those gifts that **MUST** be enforced by the probate process.

Description of Gift or Amount	Full Name of Person/Relationship	Alternate Beneficiary/Relationship

3. Primary and Secondary Beneficiaries

Who do you want to receive the "rest, residue and remainder" of your estate after these Specific gifts have been distributed? Circle "spouse" if the primary beneficiary is your spouse. If not, cross out. Circle "children" if they are the alternate beneficiary. If not, cross out.

CAUTION: If you and your spouse do not agree on the same primary and secondary beneficiaries, you should consider seeing separate attorneys.

Full Name of Primary Beneficiary(ies)	Percentage	Secondary Beneficiary(ies)	Percentage
[SPOUSE]		[CHILDREN]	

4. **Third Alternative Beneficiaries** Who do you want to receive your estate if you (and your spouse) outlive the beneficiaries you've named above? Note: It is rarely a problem seeing the same attorney if you and your spouse do not agree on this third contingency (tertiary beneficiaries).

1st Spouse

Full Name of Person/Organization and Address/Relationship	Amount/Percentage

2nd Spouse

Full Name of Person/Organization and Address/Relationship	Amount/Percentage

5. Disinheriting

Are there any persons related to you by birth or adoption who you specifically do not want to receive anything from your estate (full name and relationship)?

LEAVING PROPERTY TO MINOR CHILDREN

6. **When is a child no longer a minor?** There are three processes whereby an adult will manage the inheritance of a minor child. Advice on the best process to choose depends on the age of distribution that you choose. Guardianship (and the court supervision that goes with it) ends for each child at age 18. Management by a custodian under the Transfers to Minors Act must end at age 21 (in most states). You will need a trust in your will if you want a minor child to wait to control his/her inheritance until an age older than 21 or if you want the inheritance paid in installments at certain ages. A trustee will manage a child's inheritance until they are at any age you chose (21, 25, 30) and make distributions of principal and interest for their education and other needs until that time. Naming an age of distribution for a minor child applies to any child who may inherit from you, not just your own children. **What age of distribution for minor children do you want in your will?** _____

7. **Gifts to groups, including your children.** If you give property to a group of people in equal shares, you must think about what will happen to the share of a deceased member of the group if you do not change your will. If a member dies, do you want that person's share to go to that person's children or more remote decedents?

For instance, if one of your children dies before you, do you want that child's share to go to that child's children, your grandchildren?

If so, mark here. The latin phrase that present day legal drafting still uses to describe this intent is "per stirpes."

OR, if you want a deceased child's share to be divided among *only* your other living children, **mark here.** This is called "by survivorship," the group remains intact but shrinks after a member dies before you. No grandchildren receive anything unless all your children predecease you.

8. **Stepchildren.** Do you want your stepchildren to receive the same share of your estate as your children? Yes No 1st Spouse 2nd Spouse
 CAUTION: A potential conflict arises if your answers do not match your spouse's answer. Yes No

9. **Children with Special Needs.** List Dependents Who Require Special Care _____
 Do you want to provide for "basic" care or luxuries and other extras to supplement government benefits? **Yes** **No**

If you answered "yes," then you will need a Supplemental Needs Trust. You may be referred to a private attorney on a reduced fee basis.

SPECIAL INSTRUCTIONS FOR FUNERAL/BURIAL

1. What type of service do you want, military honors? Do you want cremation?

2. If you have a cemetery lot, where is it located?

Cemetery Name

City

State

SPECIAL INSTRUCTIONS FOR INCOMPETENCY FOR A HEALTH CARE DIRECTIVE (LIVING WILL)

An Advance Medical Directive, often still called a "living will" makes your wishes known to family and doctors regarding life support in the event you (1) become terminally ill or (2) suffer from a "persistent vegetative state" with no hope for recovery. Do you want a living will to record your end-of-life decisions?	1st Spouse <input type="checkbox"/> Yes <input type="checkbox"/> No	2nd Spouse <input type="checkbox"/> Yes <input type="checkbox"/> No
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Please answer the following for your Advance Medical Directive (Living Will):

If you have a terminal condition, diagnosed by two (2) doctors, or are declared to be permanently unconscious (what the medical profession calls "persistent vegetative state") do you want	1st Spouse	2nd Spouse
Your life artificially prolonged by machines?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Nutrition and Hydration (Food and Water) by tube?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Upon your death, do you wish to donate your organs?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
For transplants	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
For science or medical research	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you wish to die at home rather than in a hospital or nursing home?	<input type="checkbox"/> At home <input type="checkbox"/> Hosp / Nur Home	<input type="checkbox"/> At home <input type="checkbox"/> Hosp / Nur Home

Separate from a specific document that provides instructions in the event you suffer from a terminal illness or are declared to be in a persistent vegetative state (your end of life instructions), you should consider signing a **Durable Power of Attorney For Health Care**. This power of attorney allows you to appoint someone (spouse, parent, adult child, friend) to make any and all health care decisions for you when you are incapacitated and unable to answer the doctor's questions yourself. If you do not sign an advance medical directive (living will), your medical agent will be the person to whom the health care providers turn for answers regarding your end of life decisions.

<p>1st Spouse</p> 1st Choice: Full Name: _____ Relationship _____ Address: _____ _____ _____ Tel: (H) _____ (W) _____	<p>2nd Spouse</p> Full Name: _____ Relationship _____ Address: _____ _____ _____ Tel: (H) _____ (W) _____
<p>2nd Choice: Full Name: _____ Relationship _____ Address: _____ _____ _____ Tel: (H) _____ (W/Cell) _____</p>	<p>Full Name: _____ Relationship _____ Address: _____ _____ _____ Tel: (H) _____ (W/Cell) _____</p>

The below statement can be inserted for women of childbearing age. Do you want this statement inserted _____ ?

If I am pregnant, my decisions concerning life-sustaining procedures shall be modified as follows [insert any desired modifications]: Example: If there is a choice between saving my life and saving my unborn child's life I want my life saved. If I am pregnant while I am incapacitated and there is no chance for me to live, keep me alive by any means necessary until my unborn child has reached full term or can live on its own outside of my womb. When my child has been taken from my womb then, at this time, you may fulfill the "living will."

Durable General Power of Attorney

A **Durable General Power of Attorney** appoints an agent that can make any decision and do any act that you can, and it will continue to be in force even after you become incapacitated. It is a very powerful document and should only be granted with great care, and then only to a person that you have the utmost trust in. Signing a general power of attorney that takes effect in the event you are incapacitated prevents your family from having to petition a court to be named your guardian. If you have someone whom you trust to manage your financial affairs until you are well enough to take over, it is strongly recommended that you sign a "springing" general power of attorney.

A Power of Attorney may be revoked by you at any time, but you must destroy it to ensure that it is not misused. **A Power of Attorney terminates on your death.** No one is required to accept your Power of Attorney. It will be accepted in most places, if it is clear and current. You should check with the places where your Power of Attorney is likely to be used to make sure it will be accepted. Make your choices below:

_____ **GENERAL:** A General Power of Attorney gives your agent the power to do anything you could do. To give a General Power of attorney, you should have complete trust in your agent:

_____ To take effect now? (We recommend that a General Power of Attorney be given for no more than two years)

Termination Date: _____

OR

_____ To take effect **only upon disability** ("**Springing**" General Power of Attorney)? A Springing General Power of Attorney only becomes effective if you are disabled. It does not expire until the disability ends.

1st Spouse

2nd Spouse

1st Choice: **Full Name:** _____
Relationship _____
Address: _____

Full Name: _____
Relationship _____
Address: _____

2nd Choice: **Full Name:** _____
Relationship _____
Address: _____

Full Name: _____
Relationship _____
Address: _____
