

FUNERAL ARRANGEMENTS

You should immediately make known to your family members your preferences for funeral arrangements. Funeral arrangements are normally complete by the time a Will is located and read. Finding out after the fact that the arrangements were contrary to your Will may cause distress for your survivors. You should communicate your desires to your next of kin now, either in writing or by verbal direction. You should make sufficient inquiries to insure your preferences may be accomplished, what costs might be incurred, and who will incur any cost associated with carrying out your burial wishes.

If you are unmarried and your parents are not living together, you should complete DA Form 7302, Disposition of Remains Statement. In that form you can identify the person authorized to direct disposition of your remains. If you do not make this designation, it is possible your parents will not agree about your burial arrangements. Disputes of this nature can cause serious hardship to your surviving family members. DA Form 7302 is processed by your Personnel Administrative Center (PAC).

- Put no burial preference statement in my Will
- Cremation (A)
- Donate my body for medical or scientific purposes (B)
- Burial at sea (E)
- Buried with full military honors (available with other options) (C-D)
- Burial at a specified location: _____
- Other: _____



Office Use Only

- Drafted
- Telephoned
- Emailed
- Scanned
- Lawyer
- other

Date received: _____

USASETAF ESTATE PLANNING QUESTIONNAIRE

For people with minor or adult children

Privacy Act Statement: AUTHORITY: 10 USC § 3013. PRINCIPAL PURPOSE: To assist USASETAF legal personnel who advise and prepare estate planning documents. ROUTINE USES: To provide legal personnel with sufficient information to advise on and prepare estate planning documents. MANDATORY OR VOLUNTARY DISCLOSURE AND EFFECT ON INDIVIDUAL BY NOT PROVIDING INFORMATION: Disclosure is voluntary. Nondisclosure prohibits effective estate planning assistance.

Read this questionnaire carefully, answer all questions completely, and print all information clearly. Do not separate, fold, spindle, or mutilate: We must be able to read your handwriting!

Return this completed questionnaire to the legal office for preparation of estate planning documents. You will be contacted at the telephone number or email address you list below for an appointment to review and sign your documents as soon as they have been prepared.

You can contact Legal Assistance at DSN 634.7041.

PERSONAL INFORMATION

Your full name: _____

Social Security Account Number: _____

You are (check all that apply):

- on Active Duty a Military Retiree a Civilian Employee a Family member
- Single Married Separated or divorcing Divorced
- a U.S. Citizen a Non-U.S. Citizen Male Female

Sponsor Unit _____ Rank _____

Current mailing address: _____

Telephone numbers: _____

Electronic mail address: _____

Spouse full name: _____

Your spouse is a: U.S. Citizen Non-U.S. Citizen

YES NO

- Do you have a current Will or Trust?
- Do you have a pre-nuptial or post-nuptial agreement?
- Do you own a farm or family business?
- Do you have a power of appointment? (A power of appointment is NOT a power of attorney.)
- Are you named in a divorce decree that divides pension, insurance or other property rights?
- Do you expect to inherit or otherwise receive a substantial amount of property?
- Have you lived in a community property jurisdiction while married?
- (AZ, CA, ID, LA, NV, NM, TX, WA, WI, or PR)

If you answer yes to any of the above questions, bring relevant documents to your appointment.

Legal Residence. Your state of legal residence will govern disposition of your estate. Your answers to the following questions will help determine what state may consider you a resident for purposes of preparing estate planning documents. You should have only one state of residence. All residency and administrative ties should be with that state. If you list more than one state in this section, you risk future tax assessments by each state providing you services.

What state do you consider your legal state of residence? _____

If you listed Louisiana or Puerto Rico, STOP. Army lawyers are not permitted to write Wills for Louisiana or Puerto Rico residents unless licensed and practicing within those jurisdictions. Louisiana residents may request a Louisiana Will Questionnaire from the Legal Office.

- In what state/country do you intend to retire and live permanently? _____
- In what states do you file state tax returns? _____
- What state issued your driving license? _____
- What state issued your vehicle titles? _____
- In what states or countries do you own real estate? _____
- In what state are you registered to vote? _____
- In what state did you last vote, personally or by absentee ballot? _____
- When did you last vote, personally or by absentee ballot? _____

YOUR EXECUTOR

Executor or Personal Representative: Your Executor ensures your estate is settled upon your death. The terms Personal Representative and Administrator are used by some states, and mean the same thing as Executor. Settling the estate ordinarily involves going through probate, a court-administered procedure for settling an estate as provided in a Will or under state law. Probate involves petitioning a court for letters of appointment or administration, settling creditor claims, finding and distributing assets, and filing necessary tax returns. Once the court accepts the Will as valid, the court officially appoints the person as Executor. Any adult may serve as your Executor, although many states require an Executor who is a legal resident of the state where probate is conducted. You should select a lawyer, family member, or responsible friend who is a resident of your state of legal residence or where you own real estate. An Executor may be entitled to compensation for services, and a bond may be required of an Executor.

Primary Executor:

- My spouse.
- Other. Complete the following:

Full name of person	Relationship to you

CARE OF MINOR CHILDREN AND THEIR PROPERTY

Guardian of the Person: If your children are minors when you die, and the other natural parent is not alive or cannot act as guardian, the court will normally appoint the person or couple you name to act as legal guardian of the children. The Guardian of the Person will have physical control and custody of the children until they reach age 18. If you are divorced, the court will usually appoint the other natural parent to be Guardian, even if you request someone else. You should still name a Guardian, in case your former spouse dies before you or cannot act as Guardian for any reason. In some states the Guardian must be a resident of your state or related to the child by blood (or the spouse of a blood relation). The guardian with whom the child lives is called the *guardian of the person*, and does not have to be the same person that manages the child’s money or other property. If you have children from a previous relationship, be sure to disclose this information at your appointment with a lawyer.

Primary Guardian of the Person:

- My spouse.
- Other. Complete the following:

Full name of person or couple (if co-guardians)	Relationship to you

Alternate Guardian of the Person: Identify the person to be the Guardian for your children if your Primary Guardian of the Person dies before you.

Full name of person or couple (if co-guardians)	Relationship to you

Guardian of the Property: If your children are minors when you die and they inherit property (tangible property, land, or money), the court will normally appoint the person you name to act as legal guardian of the property the children inherit. The Guardian of the Property will have control and custody of the property until the children reach age 18 or 21, or the distribution age of any trust you establish. If you have children from a previous relationship, be sure to disclose this information at your appointment with a lawyer.

Primary Guardian of the Property:

- My spouse.
- Other. Complete the following:

Full name of person or couple (if co-guardians)	Relationship to you

Alternate Guardian of the Property: Identify the person to be the Guardian for your children’s property if your Primary Guardian of the Property dies before you.

Full name of person or couple (if co-guardians)	Relationship to you

Guardians are often bonded or insured. The bond will be purchased and paid for with funds from your estate. Do you want your Guardians to be bonded or insured to protect your children?

Yes No

benefit of the child, and this is ordinarily less complicated and less expensive than a Trust. Unless you have children from a prior marriage, disabled children, or a very large estate, you might prefer not to use a trust. A disadvantage to the UGMA is that your estate will be divided in as many equal shares as there are minor beneficiaries designated, and each beneficiary will receive the remainder of their share as they turn 18 or 21. A Trust may be more appropriate if you want the Trustee or Guardian to have authority to spend more money on one child than another.

Office Use: Insurance Beneficiary Language :

At what age do you want children to receive their inheritance?

18 21 Other _____

Do you want to establish a Trust for minor children? Yes No

Indicate your preference: Single (pooled) Trust for all children
 Separate Trust for each child

If property and money in the Trust has not been spent for the children's health, education, and welfare by the time they reach the final distribution age, indicate how the remainder should pass:

- (A-D) Give the money to my children in one lump sum at age _____
- Give it to my children in installments as follows (choose one):
 - (E) Half at age 21; remainder at age 25 (distribution in two payments)
 - (F) One-third at age 21; half of remainder at age 25; remainder at age 30 (distribution in three payments)
 - (G) One-third at age 25; half of remainder at age 30; remainder at age 35 (distribution in three payments)
- Customized installments (provide written trust instructions separately)

If you picked a final distribution age over age 21, your Trustee has the discretion to begin paying Trust income to a child when the child reaches age 21. Each child can begin receiving such payments at age 21, with the final Trust distribution coming when the youngest child reaches the final age of distribution you selected above.

Do you want these income payments to be mandatory? Yes No

Trustee: Your Trustee should be a corporation (bank or other institution) or person you trust, and must be a U.S. corporation or citizen. Your Trustee should *not* be an older child or anyone else who may share in the Trust, as they will have a conflict of interest each time they make decisions distributing Trust assets.

Primary Trustee:

Full name of corporation or person	Relationship to you

Alternate Trustee:

Full name of corporation or person	Relationship to you

Trustees are often bonded or insured to protect against the misuse of property. The bond will be purchased and paid for with funds from your estate. Do you want your Trustee to be bonded or insured to protect your beneficiaries? Yes No

Alternate Executor: Identify the person to be your Executor if your Primary Executor fails to serve as Executor for any reason.

Full name of person	Relationship to you

Executors and Personal Representatives are often bonded or insured to protect against the misuse of your property. The bond will be purchased and paid for with funds from your estate. Do you want your Executor or personal representative to be bonded or insured to protect your beneficiaries?

Yes No

YOUR ESTATE ASSETS

To effectively plan your estate, it is important to know what kind of property you own and exactly how you own it or how it is titled. We can help you only if you take the time to gather the necessary information. Some states have special rules regarding real estate, so you must bring in copies of deeds for the lawyer to review. You may not have some of the types of assets listed below. If not, print "NONE" in the relevant spaces. If you need more room to describe additional assets, use a separate piece of paper.

SGLI/VGLI: Provide information *exactly* as listed in your (or spouse's) service record (SGLV-8286). NOTE: Completing this section does not constitute your SGLI designation. If want to change your SGLI designation you must do so through your unit records section.

Complete name and address of each beneficiary	Relationship to you	Share to each beneficiary (Use %, \$ amounts or fractions)	Payment Option (Lump sum or 36 equal monthly payments)
Principal			
1.			
2.			
Contingent			
1.			
2.			
3.			
4.			
Office Use: SGLI/Civilian Insurance Beneficiary language given to client: <input type="checkbox"/>		ITEM 1: Value of SGLI/VGLI:	

Commercial life insurance: Provide information about policies or annuities held by you or your spouse (do not list SGLI/VGLI here).

Name of company	Name of insured	Owner of policy	Primary beneficiary	Contingent beneficiary	Death benefit amount

ITEM 2: Total value of commercial life insurance policies:

Real Estate: Provide information concerning homes or land owned by you or your spouse. *Bring a copy of all deeds to your appointment.*

Property type and location	Name(s) on deed	Purchase price	Market value	Mortgage balance	Equity

ITEM 3: Total net value of all real estate:

Investments: Provide information concerning stocks, bonds, and mutual funds owned by you or your spouse (do not include IRAs or other retirement accounts).

Name of investment account	Name(s) on account Indicate exact ownership description (individual or joint) and beneficiary name	Current approximate value

ITEM 4: Total value of investments:

Titled Property: Provide information concerning titled property (such as cars or boats) owned by you or your spouse.

Property description	Ownership description	Market value	Loan balance	Equity

ITEM 5: Total net value of titled personal property:

Receivables: Provide information concerning money owed to you or your spouse by other people.

Description of loan	Amount owed

ITEM 6: Total value of receivables:

If you desire to disinherit your spouse, do you want your Executor to minimize what your spouse can receive? **Yes** **No**

Special care requirements:

Provide information concerning dependents for whom you desire special treatment by your estate because they require special care or have a disability. Eligibility for some care programs may depend on assets owned by the dependent.

Name and relationship of dependent	Aid, care, or program now in effect (e.g., full care by Medicaid)	Amount you wish to provide

You may desire to provide for basic care for the dependent, or only for luxuries and extras that may not affect eligibility for continued care. Indicate your preferences and be prepared to discuss your dependent and care programs at your appointment.

Basic Care **Luxuries and extras only**

LEAVING PROPERTY TO MINOR CHILDREN

If you leave money to minor children without further instructions, the money will be placed in a guardianship of the property. This method does not provide as much flexibility for managing the funds as other options allow, and all of the money will be given to your children when they reach age 18. An alternative is to give your property to a Trustee IN TRUST, for the benefit of beneficiaries until the beneficiaries reach the distribution age you choose. The Trustee will manage the Trust under some court supervision. Although the Trustee's primary purpose is to safeguard the inheritance, the property can also be used for a beneficiary's health, education, welfare, or maintenance, at the Trustee's discretion.

If you have life insurance, including SGLI, you may direct that the proceeds of the insurance policy be placed into any Trust you create. If you include Trust language in your Will, you should ask your lawyer for specific language to use to identify your life insurance beneficiaries. You should be sure your SGLV-8286 shows the beneficiary language your lawyer helps you choose.

If you have more than one minor child, you must decide whether to set up separate Trusts for each child, or a single Trust pooling your estate for all beneficiaries. This is an individual decision for you to make. Through pooling, your estate and insurance proceeds remain in a single Trust until all the beneficiaries reach the distribution age you choose. The Trustee may provide funds from the Trust to each beneficiary as each has a need. Not all beneficiaries will necessarily receive equal amounts from the Trust. A pooling arrangement may be useful where some beneficiaries are likely to need more financial assistance over a longer period of time than other beneficiaries. If your children are close in age and have similar needs, you may want to set up separate Trusts. Most parents do not necessarily manage their finances to save money for an older child. If you have a young child or a child with special needs, your Trust can control your estate as you might if you were still alive, and continue to care for the young child or a child with special needs without regard to an older child's inheritance.

For many people, a trust is unnecessary because the Uniform Gifts to Minors Act (UGMA) will direct your Executor (and Guardian after probate) to control gifts to beneficiaries until age 18 or 21, without establishing a Trust. The Executor or Guardian can still use the child's inheritance for the

YOUR BENEFICIARIES

Your Will describes how you want your property distributed at your death. If you need more room or have another preferred distribution scheme, attach additional information. You may prefer that your property go to your spouse, if you die first, or to your children if your spouse dies before you. Or, you may prefer that your property be distributed to a group of beneficiaries (e.g., “my brothers and sisters”). You may identify alternate beneficiaries in case your primary beneficiary dies before you. Check the appropriate blocks below to identify your beneficiaries. *If you do not see your preferred property distribution plan listed here, you should write out your plan and provide that information to the lawyer assisting you with your Will.*

Specific Gifts: If you have specific gifts of either money or property you want to give to someone, list the beneficiary and gift here. Be sure to name an alternate beneficiary for the gift in case the beneficiary dies before you.

Name and relationship to you	Dollar amount or accurate description of gift	Alternate beneficiary (if any)

Primary Beneficiaries: When you die, who is to receive the remainder of your property?
Check only one block.

- All to my spouse, if I die first, and to our children if my spouse dies before me.
- All to my spouse, if I die first, and to our *anticipated children* if my spouse dies before me.
- All to my spouse.
- All to my children.
- Other: _____

Alternate Beneficiaries: In the event your Primary Beneficiaries die before you, identify alternate beneficiaries to receive your property.

Full name of person or organization	Person’s relationship to you	Percentage (this column must add up to 100%)

If one of your children dies before you, do you want that child’s share to go to that child’s children, your grandchildren? *per stirpes*

OR

Do you want that share to be divided among your surviving children (*nothing* to a grandchild whose parent died before you)? *per capita*

Disinheriting: List the name and relationship of relatives or others you specifically want to disinherit (you want them to receive nothing). Note that if you wish to disinherit your spouse, in most states a spouse has a “right of election” by which the spouse may elect to receive a statutory share instead of receiving an inheritance provided by a Will. In many states the statutory share is one-third or more of the augmented estate, which includes all assets, account, properties, and life insurance policies. For example, if you leave your spouse nothing or a small amount of property, your spouse may be able to receive one-third of the estate value instead of what you desired.

Accounts: Provide information concerning accounts owned by you or your spouse.

Name of institution and type of account (Savings, checking, money market, certificates of deposit)	Name(s) on account Indicate exact ownership description and beneficiary name	Approximate balance
ITEM 7: Total value of cash accounts:		

Retirement Plans: Provide information concerning profit sharing, IRAs, Thrift Savings Plan, 401 contribution accounts, and other pension or retirement plans owned by you or your spouse.

Description of plan or IRA	Name of plan or IRA Owner	Name of designated beneficiary if owner dies	Current value
ITEM 8: Total value of retirement accounts:			

Personal Property: Provide information concerning special items of significant value such as collections, antiques, or jewelry, owned by you or your spouse.

Description of asset	Approximate value
ITEM 9: Total value of listed assets:	

Business Assets: Provide information concerning business or other assets owned by you or your spouse.

Description of business or asset	Approximate value
ITEM 10: Total value of listed assets:	

Unlisted Personal Property: Estimate the value of remaining personal property owned by you or your spouse not included in Items 1 through 10, above. This estimate includes clothing, furniture, and other personal items you own (\$10,000 is often a good estimate).

ITEM 11: Estimated value of unlisted personal items:	
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ITEM 12: VALUE OF ALL ASSETS, ITEMS 1 THROUGH 11:	
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