Main Topics

- Identify the five important documents that you should have ready
- Understand the basics of estate planning, will planning, guardianships, and trusts
- Discuss tips for identifying the best financial advisor
- Discuss the importance of communicating your wishes and desires to family members and other individuals

Survey

Where are you in the process of getting your affairs in order?

A. Feel very comfortable about having things in place
B. Have started thinking about it
C. Haven’t really thought about it at all
Organize Your Family’s Future

- Prepare your family for the future and the unexpected
- Do not leave your family in the dark about your plans
- Allow your family members (if they are old enough) to have an opinion on your wishes

3 Questions to Ask Yourself

1. Whom do you want to inherit your assets?
2. Whom do you want handling your financial affairs if you’re unable to?
3. Whom do you want making medical decisions for you if you’re unable to make these decisions?

Source: money.cnn.com/magazines/moneymag/money101/lesson21

The Five Essential Documents

1. Will
2. Power of Attorney
3. Durable Power of Attorney for Health Care
4. Living Will
5. Letter of Instruction
Will (Last Will and Testament)

- Describes how your estate is to be distributed
- Must have an Executor of Will to:
  - Manage the estate
  - Make sure all of your provisions are followed
  - Pay estate taxes and expenses
  - Clear up any debts
- Be sure to keep it up-to-date and valid for your state

Power of Attorney

- Authorizes someone to act on your behalf
- Allows your family to avoid having to go to court for guardianship
- Only goes into effect if you are found to be unable to make your own decisions

Advance Directives

- Includes a Living Will and Durable Power of Attorney for health care
- Outlines your wishes concerning end-of-life medical care
- Gives a trusted friend or family member the authority to make health care decisions
Letter of Instruction

- Personal letter from you to the Estate Trustee of your will

- Should include:
  - Names of those to notify
  - Particular funeral arrangements
  - Last messages you would like to pass along

- Should NOT include:
  - Transfer of assets
  - Any differences from your will

Survey

How many of the five essential documents do you already have completed?

A. One - two
B. Three - four
C. All five
D. None of the documents are completed

Guardianship

“A legal guardian is a person who has the legal authority (and the corresponding duty) to care for the personal and property interests of another person, called a ward.

Usually, a person has the status of guardian because the ward is incapable of caring for his or her own interests due to infancy, incapacity, or disability.

Most countries and states have laws that provide that the parents of a minor child are the legal guardians of that child, and that the parents can designate who shall become the child’s legal guardian in the event of death, subject to the approval of the court.”

Trust

- Specifies how and when assets are distributed
- Reduces estate taxes
- Provides for disabled relative
- Ensures majority of estate goes to heirs after spouse dies
- Assets given without cost and delay of probate court

Difference Between “Trustee” and “Beneficiary”

<table>
<thead>
<tr>
<th>Trustee</th>
<th>Beneficiary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Holder of property on the behalf of the beneficiary</td>
<td>This named person receives the trust income/assets</td>
</tr>
<tr>
<td>Carries out the terms of the trust</td>
<td>Best if over 18 years of age</td>
</tr>
<tr>
<td>Keeps beneficiaries informed of the trust</td>
<td>This person should be trusted to divide your money in a way that you want</td>
</tr>
<tr>
<td>Legally necessary to be at least 18 years old</td>
<td></td>
</tr>
</tbody>
</table>

Inventory of Finances

List of your financial and legal documents
- Accounts, account numbers, and contact information
- Online login information
- Give locations
- Keep one copy in your home or other safe location

Tip: Do NOT keep all of your financial and legal documents in bank safe deposit boxes. The safe deposit boxes may be kept closed while your estate is in probate.
Additional Documentation

- Investment and retirement account information
- Life insurance policy information
- Deeds
- Car title
- Marriage license/divorce papers
- Tax returns for the last 3 years

What is a Financial Advisor?

- NOT a stockbroker
- NOT an accountant

Guides you on best ways to:
  - Save
  - Invest
  - Grow your money

Choosing a Financial Advisor

- Certified Financial Planner (CFP)

Pay structure

Code of ethics

Resources:
  - The National Association of Personal Financial Advisors
    http://www.napfa.org/
  - Garrett Planning Network
    http://garretplanningnetwork.com/
Minimizing Estate-Related Taxes

- Taxable assets to charities
- Tax-free assets to other beneficiaries
- Give money to your beneficiaries while you’re still living
- Life insurance policy to beneficiary for estimated amount to cover taxes

Additional Estate Planning Resources

- EstatePlanning.com
  https://www.estateplanning.com/
- American Bar Association – Estate Planning FAQs
  http://www.americanbar.org/groups/real_property_trust_estate/resources/estate_planning.html
- AARP
  http://www.aarp.org/

Importance of Being Prepared

- Your family will not have to figure out what you would have wanted
- Your affairs will be in order
- Your family will get exactly what you wish
- Your estate will be taken care of by the person of your choice
- Family discord can be avoided
Your EAP Services at a Glance

- Telephone and crisis counseling 24-7, 365
- Face-to-face or telephone based short term counseling
- Professional referrals to community resources as needed
- Legal and financial services and referrals
- ElderCare/Childcare assistance and referrals
- Take the Highroad Program - $45 max reimbursement
- Employee and supervisor training seminars
- Unlimited Crisis Intervention Services (CISD)
- Enhanced website with interactive will preparation, identity monitoring, monthly newsletters, and more...

Thank You!

Questions?

Works Cited

Last will and testament (2011). Retrieved from www.lastwillandtestament.us
Turner, J. & Gillen, M. Estate planning: Preparing a letter of last instructions (2011, December). Retrieved from edis.ifas.ufl.edu/fy537
Works Cited cont’d


