

# Basic trust package for married couples

Use this worksheet to help make your decisions and prepare your answers before starting the questionnaire.

## SECTION 1 Basic information

Have your family's information ready, including birth dates, addresses and phone numbers of any adult children.

## SECTION 2 Distribution of your estate

### Trust options during your lifetime

#### Joint Revocable Trust

Currently only available in community property states (Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington, and Wisconsin). For now, married couples in all other states can only create individual revocable trusts in Vanilla.



A Joint Revocable Trust treats spouses as a single unit and is easy to manage for couples who own assets jointly.

- Most common option for married couples with children from the same marriage, who live in community property states, and who do not have significant separate property.
- Allows both spouses to specify how assets should be handled during their lifetimes.
- Allows both spouses to specify how assets should be distributed upon each of their deaths.
- Assets can be added or removed from the trust throughout their lifetimes and the trust can be amended as needed.

#### Individual Revocable Trusts

Currently available in all jurisdictions.



Individual Revocable Trusts allow spouses to specify how their individual assets should be managed during their lifetimes.

- Most common option for couples who have children from a prior marriage, have or expect to receive significant separate property (e.g., an inheritance), or who have a marital agreement in place.
- Allows each spouse to specify how their own individual assets should be handled during their lifetimes.
- Allows each spouse to specify how their own individual assets should be distributed upon their deaths.
- Assets can be added or removed from their individual trusts throughout their lifetimes and can be amended as needed.

## Distributing your trust assets after your death

Vanilla

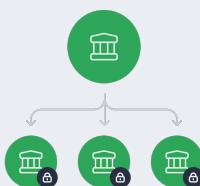
Specific gifts are made before the rest of your estate is distributed. They're typically smaller amounts that you give to loved ones or charities after your death — an example would be \$10,000 to your niece.

### Specific Gifts

Use this space to list out specific gifts you'd like to make — both cash gifts and any personal property.

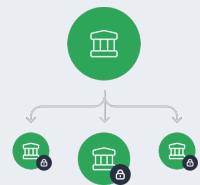
### Trust

Leaving assets in one or more new trusts allows you to control when and how your assets will be received by your beneficiaries (and, potentially, their children). Trusts also provide your beneficiaries with creditor protection and can allow you to maximize the benefit of your tax exemptions.



#### Equal

Your assets will be divided into equal shares and put into individual irrevocable trusts for your beneficiaries and their descendants.



#### Specific unequal percentages

Your assets will be divided into unequal shares and put into individual irrevocable trusts for each of your beneficiaries and their descendants based on percentages you select.



#### Perpetual Pot Trust

This is a single irrevocable trust for the benefit of all beneficiaries. Distributions can be made at any time to any of your children in the trustee's discretion, which allows for maximum flexibility to provide for beneficiaries. The pot trust may be divided into separate trusts later on if and when appropriate. This trust will last for the maximum duration of trusts or until all named beneficiaries have died.

### Outright

Leaving assets outright means exactly that — your beneficiaries receive their assets directly and all at once.



#### Equal

Your assets will be divided into equal shares and directly distributed to your beneficiaries.



#### Specific unequal percentages

Your assets will be divided into unequal shares and directly distributed to your beneficiaries based on percentages you select.

### Everything at one age

Your trust will be distributed to your beneficiaries outright and in its entirety when each reaches the age you specify.

### Tiered in increments

Staggered over a period of 10 years (example:  $\frac{1}{3}$  at 30,  $\frac{1}{2}$  of remainder at 35, rest of remainder at 40).

## Becoming and removing co-trustees

You'll be able to specify if and when your beneficiaries can become and/or remove co-trustees. When a beneficiary **becomes** a co-trustee, they're able to participate in the investment and expenditure decisions related to their trust (generally, a majority of trustees must agree on a decision). When a beneficiary **removes** their co-trustees, they're able to fully manage all investment and expenditure decisions related to their trust.

## Takers of last resort

When making an estate plan, you need to plan for every possible scenario — no matter how unlikely. This includes deciding how your assets would be distributed if you were to outlive all of your beneficiaries.

### Closest living heirs

Your closest living relatives.

### Percentages

To specifically named individuals and/or charities.

### Charities

As selected by your trustee.

## SECTION 3 Fiduciaries & health care wishes

### Roles

#### Guardian of your minor children

Guardians assume responsibility for children who are considered minors under state law, or for adults who need help taking care of themselves.

#### Successor trustee

Trustees hold the legal title to and administer property in a trust arrangement. In a joint trust, the surviving spouse becomes the primary trustee after the first spouse's death. Anyone you appoint will still be a successor trustee, serving after both spouses pass.

#### Personal representative aka executor

Personal representatives administer and settle your estate after your death, according to the terms of your will.

#### Financial agent

aka financial power of attorney

Your financial agent is granted specific powers related to your finances and property should you become incapacitated.

#### Health care agent

aka health care power of attorney

Health care agents are appointed to make health care decisions for you when you are unable to make such decisions for yourself. They are often granted access to your health care information and are allowed to communicate freely with your health care providers.

**Nominations spouse 1**

Check all that apply and indicate 1st or 2nd nomination

**Person 1**

Full legal name: \_\_\_\_\_  
 Relationship: \_\_\_\_\_  
 Phone: (\_\_\_\_) \_\_\_\_\_  
 Address: \_\_\_\_\_

Guardian of your minor children       1st       2nd  
 Successor trustee of revocable trust       1st       2nd  
 Personal representative       1st       2nd  
 Financial agent       1st       2nd  
 Health care agent       1st       2nd

**Person 2**

Full legal name: \_\_\_\_\_  
 Relationship: \_\_\_\_\_  
 Phone: (\_\_\_\_) \_\_\_\_\_  
 Address: \_\_\_\_\_

Guardian of your minor children       1st       2nd  
 Successor trustee of revocable trust       1st       2nd  
 Personal representative       1st       2nd  
 Financial agent       1st       2nd  
 Health care agent       1st       2nd

**Person 3**

Full legal name: \_\_\_\_\_  
 Relationship: \_\_\_\_\_  
 Phone: (\_\_\_\_) \_\_\_\_\_  
 Address: \_\_\_\_\_

Guardian of your minor children       1st       2nd  
 Successor trustee of revocable trust       1st       2nd  
 Personal representative       1st       2nd  
 Financial agent       1st       2nd  
 Health care agent       1st       2nd

**Nominations spouse 2**

Check all that apply and indicate 1st or 2nd nomination

**Person 1**

Full legal name: \_\_\_\_\_  
 Relationship: \_\_\_\_\_  
 Phone: (\_\_\_\_) \_\_\_\_\_  
 Address: \_\_\_\_\_

Guardian of your minor children       1st       2nd  
 Successor trustee of revocable trust       1st       2nd  
 Personal representative       1st       2nd  
 Financial agent       1st       2nd  
 Health care agent       1st       2nd

**Person 2**

Full legal name: \_\_\_\_\_  
 Relationship: \_\_\_\_\_  
 Phone: (\_\_\_\_) \_\_\_\_\_  
 Address: \_\_\_\_\_

Guardian of your minor children       1st       2nd  
 Successor trustee of revocable trust       1st       2nd  
 Personal representative       1st       2nd  
 Financial agent       1st       2nd  
 Health care agent       1st       2nd

**Person 3**

Full legal name: \_\_\_\_\_  
 Relationship: \_\_\_\_\_  
 Phone: (\_\_\_\_) \_\_\_\_\_  
 Address: \_\_\_\_\_

Guardian of your minor children       1st       2nd  
 Successor trustee of revocable trust       1st       2nd  
 Personal representative       1st       2nd  
 Financial agent       1st       2nd  
 Health care agent       1st       2nd

**Healthcare wishes**

Use this space to list out any healthcare wishes you want followed. This could include whether you want lifesaving measures in your medical care, funeral or burial plans, or organ donation plans.