BRITTON G. SWANK, P.A.

Elder Law Attorney

10175 Six Mile Cypress Parkway, Suite 4 Fort Myers, Florida 33966

CONFIDENTIAL LEGAL PLANNING FORM

This confidential legal planning form is designed to gather the information necessary to review the personal and financial situation and provide advice regarding current legal and long-term planning needs.

Whether you are a new or an established client, we find this form <u>essential</u> and ask your indulgence in completing it fully. The questions that do not apply to your situation may simply be ignored. Please feel free to attach additional pages where space is insufficient, or provide other information you think is relevant. Please do not attach information such as statements in lieu of completing this form. If documentation is requested, please check the box indicating you provided it. \square

Please use proper <u>legal</u> names (*not nicknames*) for all people.

Not only does this completed legal form help you get the most out of your conference, but it also creates a handy resource because your essential information is all in one place. Family members also have found this completed form to be a great help in a crisis.

SECTION 1. NAME AND CONTACT INFORMATION

Person Completing Form:				
(if other than husband or wife)	(first)	(middle)	(last)	
Home Address:				
Relationship to Clients:				
Husband Legal Name:				
1100000110 208011 (01110)	(first)	(middle)	(last)	
Wife Legal Name:				
S	(first)	(middle)	(last)	
Home Address:	-			
	Husband		Wife	
Telephone Numbers:				
•	(home)		(home)	
	(cell)		(cell)	
Date of Birth/Age:	_			
Former/Maiden Names:				

US Citizen?: []	Yes [] No		[] Yes [] No	
Florida Resident?: []	Yes [] No		[] Yes [] No	
Military Service?: []	Yes [] No		[] Yes [] No	
Military Branch:				
During Wartime?: [] *WWII 12/1941–12/1946; I a veteran who served "in co	Korean Conflict 06/			1961 – 05/07/1975 for
	SECTION 2.	MARITAL INFO	<u>PRMATION</u>	
A. Date and Place of Marriage	(date)	(oity)	(state or pro	vrinco)
B. During your marriage, did			` •	,
Arizona California Idah				
		110 / 1/10/11	C	i Wisconsiii
	<u>Husband</u>		Wife	
Name of former spouse:				
	(date and place of ma	rriage)) (date and place of marriage)	
	(termination date / de	ath or divorce)	(termination date / death or dive	orce)
_	(any legal obligation	to/from former spouse)	(any legal obligation to/from for	ormer spouse)
SI	ECTION 3. EST	SATE PLANNING	<u>G DOCUMENTS</u>	
Please provide a complete cop	y of each <u>signed</u>		W:co	
Pre or Post Marit	al Agreement	Husband [] Yes [] No	<u>Wife</u> [] Yes [] No	
	C		[] Yes [] No	
	_		[]Yes []No	
	er of Attorney:		[] Yes [] No	
Health Care Power of Attorney	(or Surrogate):			
	Living Will:	[] Yes [] No	[] Yes [] No	
Other (specify):	:	[] Yes [] No	[] Yes [] No	
Do you have custody of all original ori	-	ning documents? [] Yes [] No	

SECTION 4. CHILDREN

L1	ist <u>all</u> children an	d use legal names;	attach more p	ages if needed.	Total number of	children	n:
1.	(legal name of child)		(date of birth)		Child of [] Husband	[] Wife	[] Both
	(address)				(phone number)		
	[] Adopted	(10.1)					
	[]D1	(date of adoption)		(court granting adoption			
	[] Deceased	(date of death)		[] Yes [] No (child has surviving chil			
2.	(legal name of child)		(date of birth)		Child of [] Husband	[] Wife	[] Botl
	(address)				(phone number)		
	[] Adopted	(date of adoption)		(court granting adoption	<u> </u>		
	[] Deceased	(date of adoption)		[] Yes [] No			
	_ Deceased	(date of death)		(child has surviving chil			
		o they have "special needs"? with this child if ne		_	cluding needs and abilities)		
3.	(legal name of child)		(date of birth)		Child of [] Husband	[] Wife	[]Both
3.			(date of birth)		Child of [] Husband	[] Wife	[]Both
3.			(date of birth)		Child of [] Husband (phone number)	[] Wife	[]Both
3.	(legal name of child)		(date of birth)	(court quarting adoption	(phone number)	[] Wife	[] Both
3.	(legal name of child) (address)	(date of adoption)	(date of birth)	(court granting adoption	(phone number)	[] Wife	[]Both

	(date of	Child of [] Husband [] Wife [] Bot
(legal name of child)	(date of	onui)
(address)		(phone number)
[] Adopted		
	(date of adoption)	(court granting adoption)
[] Deceased		[]Yes []No
	(date of death)	(child has surviving children?)
(Describe this child – d	o they have "special needs"? Conside	er health and general financial status, including needs and abilities)
May we speak v	with this child if needed?	Yes □ No □
(legal name of child)		Child of [] Husband [] Wife [] Bot
(legal name of child)	(date of	birth)
(address)		(phone number)
[] Adopted		
	(date of adoption)	(court granting adoption)
[] Deceased		[] Yes [] No
	(date of death)	(child has surviving children?)
(Describe this child – d	o they have "special needs"? Consider	er health and general financial status, including needs and abilities)
(Describe this child – d		er health and general financial status, including needs and abilities)
(Describe this child – d	o they have "special needs"? Consider	er health and general financial status, including needs and abilities)
(Describe this child – d	o they have "special needs"? Consider	er health and general financial status, including needs and abilities) $^{\prime}$ Yes \square No \square
(Describe this child – d May we speak v	o they have "special needs"? Conside with this child if needed?	er health and general financial status, including needs and abilities) Yes □ No □ Child of [] Husband [] Wife [] Botl
(Describe this child – d	o they have "special needs"? Consider	er health and general financial status, including needs and abilities) Yes □ No □ Child of [] Husband [] Wife [] Bot
(Describe this child – d May we speak v	o they have "special needs"? Conside with this child if needed?	er health and general financial status, including needs and abilities) Yes □ No □ Child of [] Husband [] Wife [] Botl
(Describe this child – d May we speak v (legal name of child)	o they have "special needs"? Conside with this child if needed?	er health and general financial status, including needs and abilities) Yes □ No □ Child of [] Husband [] Wife [] Both
(Describe this child – d May we speak v	o they have "special needs"? Conside with this child if needed?	er health and general financial status, including needs and abilities) Yes □ No □ Child of [] Husband [] Wife [] Both
(Describe this child – d May we speak v (legal name of child) (address) [] Adopted	o they have "special needs"? Consider with this child if needed?	er health and general financial status, including needs and abilities) Yes No Child of [] Husband [] Wife [] Both birth) (phone number) (court granting adoption)
(Describe this child – d May we speak v (legal name of child)	o they have "special needs"? Consider with this child if needed?	er health and general financial status, including needs and abilities) Yes No Child of [] Husband [] Wife [] Both (phone number)

SECTION 5. HEALTH-RELATED ISSUES

Please list your primary care physician's name, address, and phone number.

<u>I</u>	<u>Iusband</u>		Wife		
Physician's Name: _					
Address: _					
- ·					
D 1 C4 (N. 1 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	9			
Do you have any of the f	ollowing nealth care	0	Wife		
Me	edicare Part A & B?:	<u>Husband</u> []Yes []No	Wife	l No	
IVIC		[]Yes []No			
Me	dicare Supplement?:				
IVIC		[]Yes []No		-	
I ong To					
Long Te	rm Care Insurance?:	[] i es [] i vo) [] i es [j No	
Please provide the follow Name of Insurer Best Insurance	ving information for Policy No. 123-45-6789	Medicare Parts A, I Type of Policy Medicare Part D	<u></u>	Monthly Premium \$ 100.00	
(sample)	<u> </u>				
			-	\$	
			-	\$	
				\$	
			-		
Please provide the follow	ving information for	long-term care insu	ırance:		
Name of Insurer	Policy No.	Type of Policy	Monthly Prem.	Daily Benefit	
Acme Insurance	238-4-67	Skilled Care	\$ 3,000	\$300.00 per day	
(sample)			\$	\$	
				Ψ	
			\$	\$	

Please describe any specific health-related prob	olems.	
Husband		
Wife		
Are there any known problems with memory o	or understanding?	
Husband: []Yes []No		
If yes, please explain:		
Wife: [] Yes [] No		
If yes, please explain:		
	Husband	Wife
Able to physically sign name?:	[] Yes [] No	[] Yes [] No
Able to speak?:	[] Yes [] No	[] Yes [] No
Able to recognize friends and family?:	[] Yes [] No	[] Yes [] No
Cognizant of property and possessions?:	[] Yes [] No	[] Yes [] No
Able to manage money?:	[] Yes [] No	[] Yes [] No
Able to come to office and meet in person?:	[] Yes [] No	[] Yes [] No
Is long-term care placement expected?:	[] Yes [] No	[] Yes [] No
Do you need help with any of the following?	Husband	Wife
Bathing?:	[] Yes [] No	[] Yes [] No
Dressing?:	[] Yes [] No	[] Yes [] No
Feeding yourself?:	[] Yes [] No	[] Yes [] No
Using the toilet?:	[] Yes [] No	[] Yes [] No
Taking medications?:	[] Yes [] No	[] Yes [] No
Using the telephone?:	[] Yes [] No	[] Yes [] No
Transferring from bed to chair?:	[] Yes [] No	[] Yes [] No
If you are in cardiac or respiratory arrest, do yo Husband: [] Yes [] No	ou want to be resus Wife: [] Ye	
If you have a terminal condition and cannot spyour life artificially? Husband: [] Yes [] No	·	do you want heroic measures taken to prolong

Do you want t	to be an organ organ of Husband:	donor? []Yes []No	Wife:	[] Yes [] No
Do you want t	to be buried or Husband:	cremated? [] Buried [] Cremated	Wife:	[] Buried [] Cremated
Are your final	arrangements Husband:	made? [] Yes [] No	Wife:	[] Yes [] No
Are your final	arrangements Husband:	paid for? [] Yes [] No	Wife:	[] Yes [] No
Health Care S	Surrogate with	•		unable to do so yourself? In a Designation of referred to as your Surrogate. Consider the
that Surrogate	s be named in a by a healthcare	specified order with only one S	Surroga	, but I strongly discourage that. I recommend te to serve at a time. This is to avoid confusion in from and whether the consent of more than
Husband				
1st (legal name)				(phone number)
2 nd (legal name)				(phone number)
3rd (legal name)				(phone number)
4 th				(phone number)
(legal name)				(phone number)
Wife				
1st (legal name)				(phone number)
2 nd				(phono numbor)
(legal name)				(phone number)
(legal name)				(phone number)

(phone number)

4th

(legal name)

SECTION 6. FIDUCIARIES DURING LIFETIME

There may be a time when you are alive but unable to manage your financial affairs. This could be temporary or long-term, and your inability to effectively manage your property could be an issue related to mental capacity or physical problems. A Durable Power of Attorney allows someone else to manage your financial affairs, and the person you name to act on your behalf is referred to as your Agent. You must consider the trustworthiness and ability of the person to handle this responsibility.

It is possible to name more than one person in Agent's role. Agents can be named individually in a specified order, as Co-Agents that must act together, or as Co-Agents that may act independently of each other.

Husband 1 st (legal name) (phone number) 2nd (legal name) (phone number) 3rd (legal name) (phone number) (legal name) (phone number) Wife (legal name) (phone number) 2nd (legal name) (phone number) (phone number) (legal name)

(legal name)

(phone number)

SECTION 7. ASSETS OWNED

A. REAL ESTATE. Please provide a co	py of <u>each</u> deed a	nd the most recent property	tax bill. \Box
1. Homestead Address:			
Names as they appear on Deed or T	itle:		
Fair Market Value: \$	_	Outstanding Mortgage:	\$
Is this a manufactured home? If yes:	[] Yes [] No		
Do you own the ground?	[] Yes [] No	Did you retire the Title?	[] Yes [] No
Do you own a share of the park?	[]Yes []No	Is the park a Co-Operative?	[] Yes [] No
2. <u>Non-Homestead</u> Address:			
Names as they appear on Deed or T	itle:		
Fair Market Value: \$	_	Outstanding Mortgage:	\$
Is this a manufactured home? If yes:	[] Yes [] No		
Do you own the ground?	[] Yes [] No	Did you retire the Title?	[] Yes [] No
Do you own a share of the park?	[] Yes [] No	Is the park a Co-Operative?	[] Yes [] No
3. Non-Homestead Address:			
Names as they appear on Deed or T	itle:		
Fair Market Value: \$	_	Outstanding Mortgage:	\$
Is this a manufactured home? If yes:	[] Yes [] No		
Do you own the ground?	[] Yes [] No	Did you retire the Title?	[]Yes []No
Do you own a share of the park?	[] Yes [] No	Is the park a Co-Operative?	[] Yes [] No

ask the bank how to print	<mark>ement</mark> (<mark>not</mark> a print-	out of transactions).		ovide the most recent ve statements by mail,
ask the bank now to print	statements from the	ar wedsite.		ш
Name of Financial Inst	Account No.	Account Type	Current Value	Account Title
Big Credit Bank	xxx-0518	Savings	\$ xx,xxx.xx	John and Jane Dough
(sample)				
Is a pay/transfer on death benef	iciary designated at the	financial institution?	\$ [] Yes [] No	
Is a pay/transfer on death benef	iciary designated at the	financial institution?	\$ [] Yes [] No	
Is a pay/transfer on death benef	iciary designated at the	financial institution?	\$ No No	
Is a pay/transfer on death benef	iciary designated at the	financial institution?	\$ [] Yes [] No	
Is a pay/transfer on death benef	iciary designated at the	financial institution?	\$ [] Yes [] No	
C. INVESTMENTS (A	Von-Retirement).	(Bonds, Stocks,	Annuities etc.)	
a print-out of transactions print statements from their	s). If you do not rec	rovide the most rece	ent and complete mo	onthly statement (not
a print-out of transactions	s). If you do not rec	rovide the most rece	ent and complete mo	onthly statement (not
a print-out of transactions print statements from their Name of Financial Inst InvestPro	s). If you do not rec r website.	rovide the most rece eive statements by n Account Type	ent and complete me mail, ask the finance Current Value	onthly <u>statement</u> (<u>not</u> ial institution how to
a print-out of transactions print statements from their	s). If you do not rec r website. Account No.	rovide the most rece eive statements by n Account Type	ent and complete me mail, ask the finance Current Value	onthly statement (not it is institution how to have Account Title
a print-out of transactions print statements from their Name of Financial Inst InvestPro	S). If you do not rec r website. Account No. xxx-1124	rovide the most rece eive statements by n Account Type Brokerage	ent and complete me mail, ask the finance Current Value \$ xx,xxx.xx	onthly statement (not it is institution how to have Account Title
a print-out of transactions print statements from their Name of Financial Inst InvestPro (sample)	S). If you do not recor website. Account No. xxx-1124 Yellow the state of the st	Account Type Brokerage financial institution?	ent and complete menail, ask the finance Current Value \$ xx,xxx.xx \$ [] Yes [] No	onthly statement (not it is institution how to have Account Title
a print-out of transactions print statements from their Name of Financial Inst InvestPro (sample) Is a pay/transfer on death benefit	S). If you do not recor website. Account No. xxx-1124 iciary designated at the iciary designated at the	Account Type Brokerage financial institution?	Current Value \$ xx,xxx.xx \$ [] Yes [] No \$ [] Yes [] No	Account Title John and Jane Dough
Name of Financial Inst InvestPro (sample) Is a pay/transfer on death benefits a pay/transfer on death benefit a pay/transfer on death benefits a pay/transfer on death benefit a pay/transfer on death benefit a pay/transfer on death benefits a pay/transfer on death benefit a pay/transfer on death benefi	Account No. XXX-1124 iciary designated at the iciary designated at th	Account Type Brokerage financial institution? financial institution?	Current Value S xx,xxx.xx S Yes [] No S Yes [] No	Account Title John and Jane Dough

D. BUSINESS INTERESTS. (Partnerships, Limited Liability Corporations, etc.) Please provide a short description giving the name, location, percentage owned, names and relationship of co-owners, and the form of ownership (i.e., sole proprietorship, closely held corporation, partnership, etc.). Please bring a copy of any agreements, financial statements, etc. Please provide business agreement documents and the most recent financial statement.

If you have made a loan to a beneficiary, briefly describe the situation and whether any outstanding amount

is forgiven at your death or will count as an advancement against their inheritance.

F. RETIREMENT ACCOUNTS. (IRA, 401(k), 403(b), etc.). Please provide the most recent and complete monthly <u>statement</u> (<u>not</u> a print-out of transactions) and proof of primary and contingent beneficiary designations. If you do not receive statements by mail, ask the financial institution how to print statements from their website.					
Name of Financial Inst	Account No.	Asset Type	Balance/Value	Account Title	
Retirement Gurus	xxx-8150	IRA Annuity	\$ xx,xxx.xx	Jane Dough	
(sample) Husband					
Name of Financial Inst	Account No.	Asset Type	Balance/Value	Account Title	
		_	\$		
		-	\$		
		_	\$		
Wife					
Name of Financial Inst	Account No.	Asset Type	Balance/Value	Account Title	
		_	\$		
		-	\$		
			\$		
	-	_	\$		

G. LIFE INSURANCE. Please provide the mo of primary and contingent beneficiary designation	st recent annual statement or policy summary and proof \Box
Name of Insurer: <u>Security Insurance</u> Insured: <u>John P. Dough</u>	Policy Number: xxx-xx-0518
Face Value: \$10,000.00	Cash Surrender Value: \$19,750.00
Primary Beneficiary: Jane V. Dough	
(sample)	
Policies Owned By Husband	
1. Name of Insurer:	Policy Number:
Insured:	
Face Value: \$	Cash Surrender Value: \$
Primary Beneficiary:	Contingent Beneficiary:
2. Name of Insurer:	Policy Number:
Insured:	
Face Value: \$	Cash Surrender Value: \$
Primary Beneficiary:	Contingent Beneficiary:
Policies Owned By Wife	
1. Name of Insurer:	Policy Number:
Insured:	
Face Value: \$	Cash Surrender Value: \$
Primary Beneficiary:	Contingent Beneficiary:
2. Name of Insurer:	Policy Number:
Insured:	
Face Value: \$	Cash Surrender Value: \$
Primary Beneficiary:	Contingent Beneficiary:

F. PERSONAL PROPERTY

<u>Description</u>	Fair Market Value	How Titled
2020 Dodge Charger (sample)	\$30,000.00	John or Jane Dough
-	\$	
· (Vehicle)	\$	
(RV)	_\$	
(Boat)	\$	
Home Furnishings	\$	
Jewelry, Furs, etc.		
(other: collectibles, etc.)	\$	
(other: collectibles, etc.)	\$	
(other: collectibles, etc.)	\$	
Do you have any pets? [Yes [] No	
Have you made arrangement	s for the care of your pets after your	death? [] Yes [] No
If yes, please explain:		
*Short-barrel rifles, sl	gulated by the 1968 Gun Control Act nort-barrel shotguns, machine guns, st nades and other explosive ordnance), oth	ilencers, including parts, destructive
Do you have a plan for distri	buting the firearms after your death?	[]Yes []No
If yes, please explain:		

SECTION 8. GIFTS and TRANSFERS WITHIN 60 MONTHS

Has either of you gratuitously transferred pr months? This includes adding another perso without receiving fair market value. Husband: [] Yes [] No Wife: [] Yes [] No	n's name to an asset or transfe	
If yes, please provide the following information	tion:	
A. Husband		
Recipient	Amount/Value of Gift	Date of Gift
1	\$	
2	\$	
3		
B. Wife Recipient	Amount/Value of Gift	Date of Gift
1	\$	
2	\$	
3	\$	
Do you routinely make gifts for holidays or		

Do you routinely make gifts to charitable or religious entities? If yes, please explain:

^{*}If an application for Medicaid benefits is made, documentation of all gifts and transfers made within the prior 60 months must be provided. This is often referred to as the five-year rule. I will explain this during our conference.

SECTION 9. INCOME

GROSS MONTHLY INCOME

<u>onoso</u> montant me		Husband	Wife
Social Security:		\$	\$
Railroad Retirement:		\$	\$
Employment from:		\$	<u>\$</u>
Pension from:		\$	\$
Pension from:		\$	\$
Pension from:		\$	\$
IRA Distribution from:		\$	\$
IRA Distribution from:		\$	\$
IRA Distribution from:		\$	\$
IRA Distribution from:		\$	\$
Rental Income from:		\$	\$
Interest/Dividends:		\$	\$
TOTAL <u>GROSS</u> MONTHLY INCOME:		\$	<u>\$</u>
	<u>SECTI</u>	ON 10. DEBT	
Enter the outstanding bala medical expenses).	ance of all of your d	ebt (mortgages, vehicle	e loans, credit card debt, unpaid
Description/Type of Debt	Whose debt?	<u>Creditor</u>	<u>Balance</u>
Credit card	John and Jane's	US Bank	\$ 525.63
(sample)			
			\$
			\$
			_\$
		·	_\$

[] Yes [] No

Does your monthly income cover your monthly expenses?

SECTION 11. DISPOSITIVE PLANNING

To whom and how do you want your assets distributed upon your death? Consider to whom your assets should go if your first-choice beneficiaries predecease you.

Florida homestead property must pass to heirs to be exempt from creditor claims. If you direct that your homestead property be sold, the sale proceeds will be subject to claims by your creditors.

Tangible personal property refers to household furnishings, appliances, fixtures, works of art, pictures, collectibles, clothing, jewelry, books, sporting goods, hobby paraphernalia, motor vehicles, and pets. You can have a separate writing to devise personal property to individuals; therefore, these items don't need to be included in a Trust or Will. You may make a new list at any time; just be sure to sign and date it and keep it with your original Trust or Will.

SECTION 12. FIDUCIARIES AFTER DEATH

Who do you want to handle your financial affairs after your death? In a Trust, this person is referred to as the Trustee. In a Last Will and Testament, this person is referred to as the Personal Representative. Consider the trustworthiness and ability of the person to handle this responsibility.

Florida law requires that a Personal Representative be a blood relative or a resident of Florida. This restriction does not apply to a Trustee.

It is possible to name more than one person in the role of Trustee and Personal Representative. They can be named individually in a specified order, as Co-Trustees/Personal Representatives that must act together, or as Co-Trustees/Personal Representatives that may act independently of each other.

Husband

1 st		
(legal name)	(relationship)	
(address)	(phone number)	
2 nd		
(legal name)	(relationship)	
(address)	(phone number)	
3rd		
(legal name)	(relationship)	
(address)	(phone number)	
<u>Wife</u>		
1st		
(legal name)	(relationship)	
(address)	(phone number)	
2 nd		
(legal name)	(relationship)	
(address)	(phone number)	
3 rd		
(legal name)	(relationship)	
(address)	(phone number)	

I certify that I have read and understood the information above. I acknowledge that I have answered truthfully and to my satisfaction. I will not hold Attorney Swank or any member of her staff responsible for any errors or omissions that I may have made in completing this form.

DATE:	. 2022.		
, 2022.	Husband Signature		
DATE:, 2022.	, 2022.	Wife Signature	
		whe signature	
DOC	UMENTATION RE	EQUIRED FOR INITIAL CONFERENCE	
	Please provide cop	ies of the following for both spouses:	
☐ A valid driver	's license or other gover	rnment-issued photo identification (front and back)	
☐ A complete co	py of each current sign	ed estate planning document. See Section 3.	
☐ A copy of each	n deed and most recent	property tax bill. See Section 7A.	
retirement) accoun	nt. If you do not receive neir website. See Section	most recent statement for <u>each</u> bank/credit union (<i>non</i> -e statements by mail, ask the financial institution how to print on 7B . You may cover all but the last 4 digits of the account	
account. If you do	not receive statements	most recent statement for <u>each</u> investment (<i>non-retirement</i>) by mail, ask the financial institution how to print statements may cover all but the last 4 digits of the account numbers if	
- ·	•	ents and the most recent account statements. See Section 7D . the account numbers if you wish.	
☐ A copy of loar	n or mortgage document	ts where you are the lender. See Section 7E.	
primary and contin		most recent statement for <u>each</u> retirement account and proof of nations. See Section 7F . <i>You may cover all but the last 4</i>	
	most recent life insuran neficiary designations.	ce annual statement or policy summary and proof of primary See Section 7G.	