

GATHERING INFORMATION ABOUT YOUR ESTATE

Editor's note: The following discusses how to save time and money by gathering your important information prior to meeting with professional advisers. Theodore Feitshans of NC State University is the author.

Gathering information for estate planning is critical. Organization is extremely helpful. The following information categories will help you start collecting and organizing the needed estate information that an attorney or a tax adviser needs. The list is very complete; don't let it worry you. Just gather readily available information that can make your initial meeting with your professional adviser(s) more productive. Organize asset, debt, and real estate information into files for your initial professional meeting. Delays in finding and sharing information will waste time and cost you money.

Like the worksheets on the following pages, many attorneys, tax advisers, and financial advisers have their own forms that they will ask you to use when compiling this information prior to your initial meeting. Organizing and gathering information by the following categories can greatly facilitate that process.

Personal Information

List everyone who has a legal right, or may believe that they have a legal right, to any part of your estate, your retirement, or other assets under a divorce settlement, divorce decree, or a premarital agreement. Copies of any divorce settlements or decrees and any premarital agreements from your current or earlier marriages should be included with this information. Make photocopies of your original documents to bring to your first meeting with a professional unless he or she specifically asks for originals.

Make a list of all family members. Include the names of your children— adopted, natural, legitimate, and illegitimate; grandchildren; parents; your spouse; your spouse's parents, and ex-spouses. Provide contact information for everyone on your list, and include their birthdates, addresses, e-mail addresses, telephone, including cell phone numbers, occupations, and social security numbers. Any other relatives and

friends who may play a role in your estate plan as an heir, executor, guardian, agent under a durable power of attorney, or health care agent under a health care power attorney should be included in this list. Though stepchildren may be excluded as beneficiaries in a will, information on them should be included in this list.

If you have illegitimate children or paramours that are unknown to your spouse, you must make your attorney aware of these individuals. This means that you cannot use the same attorney as your spouse to develop your estate plan. If you do so, that attorney must, under legal rules of ethics, reveal the names of those illegitimate children or paramours to your spouse.

Adults who cannot care for themselves represent especially challenging estate planning issues. Your personal information should include information about special needs children who may need help when they become adults. Also include information about parents or siblings who may need special provisions in your estate plan due to degenerative diseases or other conditions.

Bank Accounts

Provide information for all bank and credit union accounts. Include the account number(s), the exact name(s) on each account, and the name and location of the branch at which you do business. You should also provide the name and contact information for any beneficiary named on each account. For joint accounts, describe the form of ownership used to the extent that you know it and include a copy of the signature card or other document under which the account was created.

Stocks, Mutual Funds and Bonds

Include a description of all stocks, mutual funds and bonds, the years purchased, the number of shares or bonds, the exact name of the owner(s), the face value, the cost, and the name and contact information for the brokerage firm, if any, that holds the shares or the bonds on your behalf.

Life Insurance

List the company(ies), contact information for each company, the policy number(s), the type of life insurance (such as term, universal life, whole life),

the face amount, the cash value (if any), and the exact name(s) of owner(s), the insured(s), and the beneficiary(ies) of each policy.

Trusts

List the type, contact information for the trustee(s), by whom the trust was established and when, the exact name(s) of beneficiary (ies), the value, and the owner. You should also bring copies of supporting documents, including the trust document.

Personal or Business Loans Owed to You

Describe moneys owed to you. Include the debt description, the year acquired, the value, and the person who owes you. Include copies of documents that provide evidence of or secure the debt.

Real Estate

List the type of property and describe it. Include the acreage, its location (the town or rural road, state, and county where it is located), the year acquired, the purchase price and the cost of all improvements, the tax value, and your best estimate of current market value. Also provide the names of all owners in addition to you and their contact information. Bring copies of deeds and any survey maps that you have. Copies of deeds may be obtained from the land records office in the county where the property is located.

Personal Property

List livestock, motor vehicles, farm machinery, crop inventory, home furnishings, jewelry, art, antiques, and personal items. Describe each item's cost and value, and include the names of any co-owners and their contact information. For titled personal property such as automobiles, a copy of the title should be included with the information brought to the initial meeting.

Personal and Business Debts

Compile a list of all money that you owe to others. This list should include complete contact information for each creditor, the amount and terms of the debt, and the security, if any, for the debt. For debt secured by your real property, include a copy of the note and the mortgage or deed of trust, in addition to the name of the creditor, the contact information for the creditor, the due date of the debt (including periodic payments), and the remaining amount due. If your spouse or some other person is also liable for the debt, include that person's name and contact information.

If you have other debt attached to your real property, such as tax liens, judgment debt or workmen's liens, include all information to the extent known.

Section Four: Meeting with Professional Advisers

Information about all other personal liabilities, whether secured or unsecured, should be included. These may be credit card debt, unsecured notes, insurance loans, notes that you cosigned for children, unpaid real estate taxes, unpaid personal property taxes, unpaid state taxes (including income and inheritance taxes), unpaid federal taxes (including income and gift taxes), and unsettled claims (such as for automobile accidents). Include the name of each creditor and contact information, the date due (including periodic payments), and the amount remaining to be paid. Also designate which debts are insured by credit life or other insurance. Include the names of others, such as cosigners, who are also liable for payment of these debts.

Retirement Benefits

List and describe all pensions, profit sharing, deferred compensation, death benefits and social security benefits. Provide full contact information for each account, the amount, and the terms for each account. A copy of the description provided to you by both the provider of each account or your employer should be included in the package of information for your initial professional meeting. Also include the level of annual benefits, names of beneficiaries, and the age of eligibility or years of service needed. Many providers of pensions and related benefits, and some employer personnel offices, will provide a comprehensive analysis of benefits for you upon request.

Other Financial Information

Before meeting with your financial or legal advisor, summarize your income for previous year(s), your current income, including salary, retirement income, annuities, rents, interest, bonuses, dividends, trusts, and capital gains. Bring copies of income tax returns for at least the last three years to the first meeting with a lawyer or other professional.

Safe Keeping; Safety Deposit Boxes, Safes and Fireproof File Cabinets

List and describe the locations where you keep your important papers. Include the exact location of your will (and your spouse's will, if married), deeds, insurance policies, certificates for stocks and bonds, financial statements, income tax returns for last five years, gift tax returns, contracts, partnership, LLC and corporation documents, profit sharing plans, pre- and post-nuptial agreements, employment contract(s), and evidence of pension benefits.