

ESTATE PLANNING

Preparing for your first meeting with your estate planning attorney



Whether you are building an estate plan for the first time or revisiting one that no longer fits your life, your first meeting with an estate planning attorney can be more productive and less expensive, if you give advance thought to a few key questions.

An estate plan is designed to address three main areas

BENEFICIARIES	ASSETS	CONTROL
Who are the people and organizations you want to provide for at your death? Do you have obligations at death, such as to creditors, joint owners or ex-spouses?	What are all of your assets, their location, approximate value, titling and any beneficiary designations?	Who should be in charge of making sure your wishes are carried out before and after your death? Executors, personal representatives or trustees settle the estate; trustees may manage assets for decades; agents, health care and financial agents can step in if you're incapacitated.

Things to think about before meeting with your estate planning attorney

At your first meeting, your attorney will likely ask you to make a number of decisions before drafting can begin.

Distribution philosophy Will your assets be distributed outright, in stages or held longer in trust? In equal shares or unequal? Factors to include: Your beneficiaries' ages and financial maturity, the size of the inheritance relative to their own assets, whether the assets are liquid or complex and any exposure you want to guard against, such as a divorce or creditors. Special circumstances A blended family (think of children from a prior marriage), a beneficiary with special needs, an intentionally unequal division or concerns about a beneficiary's spending. Naming these candidly — including deciding whether you'll explain your reasoning to the family — is often the difference between a plan that works and one that surprises. Cross-border issues Are you or any of your intended beneficiaries or fiduciaries not U.S. citizens or living outside the U.S.? Do you have assets located outside the U.S.? These elements may require additional planning or a specialist, and it's important to flag them early.	Fiduciary roles Who serves as executor, trustee and guardian? And who backs each of them up? The best choices aren't automatically the oldest child or the closest friend; they're people who are organized, impartial and genuinely willing. It's worth considering whether a professional belongs in the mix: professionals bring neutrality and permanence and also keep trust decisions from complicating holiday dinners. Business and illiquid assets Should a business interest or real estate holding be sold, retained or passed to a specific heir? If one child gets the company, do the others receive equivalent value? Will the estate have enough liquidity to cover taxes without a forced sale?	Incapacity planning Who makes financial decisions and who makes medical ones if you're ever unable to? These may be different people, matched to different strengths. A financial agent needs diligence and comfort with detail; a healthcare agent needs emotional steadiness to carry out your wishes under pressure. Charitable intentions Decide whether philanthropy plays a role in your plan and in what form — during life or at death, via a simple bequest or a vehicle such as a foundation. If giving matters to you, consider whether you'd like your children to carry it on.
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Investments are not FDIC-insured, nor are they deposits of or guaranteed by a bank or any other entity, so they may lose value.

Before your first attorney meeting: Documents and information to gather

You don't need every complete file or precise financial figures to have a productive first meeting.

PERSONAL & FAMILY	FINANCIAL SNAPSHOT	EXISTING DOCUMENTS
▪ Full legal names, dates of birth and contact information for your spouse or partner and children ▪ Names and contact information for those you're considering as executor, trustee, guardian, health agent or agent under a power of attorney	▪ A general list of assets and approximate values: real estate, investment and retirement accounts, business interests, life insurance, significant personal property ▪ How major assets are titled — individually, jointly or in trust ▪ Current beneficiaries on retirement accounts and life insurance policies ▪ Significant liabilities, such as mortgages or loans ▪ State of residency and any past or future moves between states	▪ Any current will, trust or powers of attorney — even outdated ones provide useful context ▪ Business agreements with succession or buy-sell provisions, if applicable

At your first attorney meeting: what to expect

Discovery, not decisions The first meeting is mainly for your attorney to learn your full picture — family, assets, goals. You're not expected to arrive with every answer.	Candid questions about your situation Expect direct questions about your wealth, family dynamics and sensitivities. These questions are confidential, provided the conversation is between you and your attorney only, and necessary to give you proper advice.	A framework, not a final draft You'll likely leave with a proposed structure and next steps, not finished documents. Plans are typically refined over several meetings.
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At your first attorney meeting: questions to ask your estate planning attorney

Beyond the plan itself, it's worth understanding how your attorney works:

▪ What's the process from here and roughly how long will it take to go from this meeting to signed documents? ▪ What's included in your fee — is it flat, hourly or a combination — and what falls outside that scope? ▪ Once documents are signed, what's involved in funding the trust?	▪ How will you coordinate with my financial advisor, CPA and other professionals? ▪ If I'm married, can you represent both spouses? Can you help my loved ones in the event of my death? ▪ How often should this plan be reviewed going forward? What triggers an update?
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After your first attorney meeting: Things to discuss with your loved ones

Estate planning decisions may hold up better over time when the people affected aren't hearing about them for the first time after you're gone. Consider raising the following during the planning process in whatever level of detail feels appropriate:

▪ Your intentions, in general terms. Family members don't need dollar figures, but understanding your broad approach helps prevent surprise or resentment later. ▪ Who you're considering for key roles, including guardianship, if you have minor children. Speak candidly with the people you're considering about their willingness, their own circumstances and how they'd approach raising your children.	▪ Any situation that calls for extra care. Blended families, a family business or unequal financial need among children are worth discussing before decisions are finalized. ▪ Your wishes around incapacity and end-of-life care. Who would you want managing your affairs and making medical decisions if you couldn't? These conversations are uncomfortable but valuable.
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