

Dear New Estate Planning Client:

Your first consult with me is free of charge and I want you to get the most out of this very important meeting.

During our initial consult we will likely be discussing Wills, Powers of Attorneys, Health Care Directives Living Wills, and Trusts.

Here is a list of what to bring to your initial consult and some terms you might want to know:

**What to Bring:** If you have already filled out the estate planning intake (also on this website), bring it with you. If you don't have time, don't worry, you can complete it at my office.

I will need a list of your assets (including bank accounts, investment accounts, real estate, retirement accounts) and the individuals who are listed as owners of these accounts.

If you are updating older documents, bring them, too. I do not need to see your account statements, but bring them along if it will help you explain your finances.

I also want you to start thinking about who you will name as your representatives to act as your Personal Representative (Executor), your agents under your Power of Attorney and Health Care Directive, and possible Trustee if you need or want to have a Trust. These might be individual family members, financial planners, accountants, or close friends. Make sure that they are not only people you trust to do the job, but they are willing to do the job. Bring along their addresses and phone numbers as well.

You might also want to understand some of the important terms I will use. Don't worry – I explain everything as we go along, so don't try to memorize this.

**Assets:** Possessions of value that you own, either individually, or with someone else. This can be a bank account, IRA, investment accounts, real estate, vehicles, and other personal property.

**Beneficiaries:** The people (or charities) named in your Will, IRA, or life insurance policies to receive your assets upon your death.

**Personal Representative:** In some states this person is called the Executor. This is the person named in your Will to manage the estate upon your death and carry out your instructions. In Florida, it is required that this person be a blood relative or a resident of the state of Florida.

**Durable Power of Attorney:** A Power of Attorney document names someone to act on your behalf if you cannot manage your affairs. The word "Durable" means the document continues to be valid even after you become incapacitated. It is very strong document because it allows others to access your finances. You must completely trust the person you name in this document. The person need not be a resident of the state of Florida.

**Health Care Agent:** A person who you give, through your health care directive document, to make health care decisions for you if you are unable to do so yourself. This can be a family member, close friend, and does not need to be a resident of the state of Florida. It is a good idea to have an open conversation with this person about what kind of care you want.

**Living Will:** This is a legal document that allows your doctors to withhold or withdraw medical interventions (such as respirators) when you are at the end of life and there is no likelihood of any recovery. Some people know this as the “Pull the Plug” document. I prefer to call it a Dying Declaration.

**Probate:** Even if you have a Will, if you own assets in your individual name (without a co-owner), your assets cannot pass to your beneficiaries without first going through a court process known as probate. This is to ensure that your rightful beneficiaries receive the assets and to make sure there is clear title on your real estate. There are ways to avoid this costly and lengthy legal process and we can discuss the options during your consultation.

I always strive to educate and empower my clients. I do believe that failure to plan is planning to fail.

Thank you for choosing my law office!

I look forward to meeting you.

Respectfully,

Debra G. Simms