



PLANNING YOUR LEGACY

A Christian Guide to
Planning Your Will & Trust







Planning for the Future

A Guide to Planning Your Will and Trust

During your lifetime, you may work 40 years to accumulate assets and spend 10 to 20 years conserving that accumulation. Through good planning, another wonderful chapter in the book of your life can be completed. However, some people may take two hours or less to plan for the distribution of their assets. Too many times there has been little planning, or sometimes no planning, and the last chapter of life becomes burdensome for family members.

This guide is designed to help you move forward with a plan that writes a very good chapter in the book of your life. In your Christian walk with the Lord, you understand that through proper planning, a legacy of love and care that you leave for your family and friends can be encouraging and even inspiring.

Part of becoming a “good and faithful servant” is to create a good plan for your family. This important stewardship of the property that God has entrusted to you can both protect and provide for your family.

This guide to planning your Will and Trust is designed to encourage you to think about how you want your assets to be distributed at death and to assist you in gathering the information your attorney will need. With this guide, the process will be much easier, less expensive, a comfort to your family, and will fulfill your desires for family and the Lord’s work.

STEPS TO A “SLEEP WELL” PLAN

1. Complete the Will and Trust Guide.

Provide information about your family, Estate and goals.

2. Contact Barnabas Foundation.

Simply contact our office ([1.888.448.3040](tel:1.888.448.3040)) and schedule an appointment with one of our attorneys who will prepare an analysis of your Estate Plan at no cost to you.

3. Bring the Analysis to your Attorney.

Your attorney will be able to create your final Estate Plan from the analysis.

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Introduction

Welcome to *A Christian Guide to Planning Your Will and Trust*. We are very pleased that you are taking steps to protect those you love through an updated Estate Plan. A plan is important, but an estimated 70% of Americans don't even have a Will. This guide will help you by making the process easy and understandable.

What are the benefits of an Estate Plan?

Peace—An Estate Plan is designed to help you provide for those you love and protect both you and your family.

Provision—You have spent most of your lifetime gathering assets and making plans. But many people spend more time planning their vacation than planning their Estate. With a good Estate Plan, you can give loved ones the property you have acquired in the right way, at the right time and at minimal cost.

Protection—In addition, a good plan will protect you in your senior years. It may be important to designate a specific person to manage your property, help doctors and other medical staff with important decisions, and make certain that you are receiving the best possible care. An Estate Plan can increase your lifetime security and also achieve your goals for family and charity.

Spiritual Legacy—1 Chronicles 29:11-12 clearly illustrates God's ownership of all. An Estate Plan acknowledges that ownership helps to prepare the next steward and ensures that your final act on earth is one of good stewardship.

How do I get started?

We have designed *A Christian Guide to Wills and Trusts* for your benefit. It is usually best to move fairly quickly through the different sections. You may need to come back later and fill in some of the information. Most of this information you will know or have readily available.

And if I have questions about some of the information?

When it comes time to decide on the distribution of your property, you may have some questions. The attorneys at Barnabas Foundation are here to help. In addition, we have a wealth of online Estate Planning information on our website. Just visit our website at BarnabasFoundation.com or call us at [1.888.448.3040](tel:18884483040). We are always available to help.

Why do I need a Will?

With an updated Will, you can transfer specific property or assets. In addition, you will be able to direct the residue of your Estate. For those with larger Estates, there could be substantial Estate tax savings. In addition, you know that the executor or personal representative you select (not the one a probate judge chooses) will be managing your property. A Will is also the document used to name a Guardian for minor children. A well thought out Will can save thousands of dollars while transferring property quickly and inexpensively to your loved ones.

What is accidental disinheritance?

Too many times, the “wrong” persons end up receiving property. An “accidental disinheritance” occurs if you either have no Will or the Will doesn’t function properly. Sometimes a Will is unclear and the Estate goes to distant relatives or is simply used up by family members fighting over the Estate. You can avoid an “accidental disinheritance” by creating a good Estate Plan to protect your loved ones.

Can I use my Estate Plan to create a Christian legacy?

A good Estate Plan can indeed create a legacy for family and charity. Many people who have supported Christian organizations throughout their lifetime want to make sure that part of their Estate goes to support Christian causes at their death. They use this opportunity to make one of their largest charitable gifts ever. Through your Estate Plan, you have a wonderful opportunity to bless others in need while making a strong legacy statement to your loved ones about giving back that which God has entrusted to you.

Estate Planning Documents

THERE ARE 3 BASIC STEPS IN THE ESTATE PLANNING PROCESS

1. Write Down What You Own

As a Christian, you naturally want to be a “good and faithful servant” with your property. An important first step is to understand what property you own and what property will be transferred through your Estate. Even though in Job 41:11 the Lord says that, “Everything under heaven belongs to me (NIV),” you have been given responsibility to manage and decide where it will be given.

2. Know How Property is Transferred

Some property is transferred by Will and some is transferred by a beneficiary designation or other form. You need to know how your property will be transferred in order to avoid an accidental disinheritance. With a good plan, your property may be transferred as you desire.

3. Sign Your Will and Medical Directives

Finally, it is important to sign the documents that correctly express your will and desires, both for your property and for your potential future personal care.





BASIC PLANNING DOCUMENTS

Let's start by reviewing the three basic Estate Planning documents—a Will, a durable power of attorney for finances and a durable power of attorney for healthcare.

Current Will

Your Will is a written document, signed by you and by two or more witnesses. In some states, your signature must be witnessed by a notary public. If the Will is believed to be authentic by the probate court, it is used to determine the distribution of your property. If the Will is not valid or you do not have a Will, the court will follow state law for those without a Will. Many of the court decisions might be completely contrary to your desires.

For example, without a valid Will, a judge might choose Guardians for your minor children, select Trustees to manage your property and even award property to your distant relatives. Without a Will, the court will not be able to send anything to charity either.

With a valid Will, you are able to choose who will inherit your property and who will administer your Estate as executor or personal representative. If you have minor children, you can choose a person to raise your children.

A valid Will is an essential part of transferring your property at the right time to the right people at the lowest cost. Without a valid Will, costs, delays and the probability of expensive conflict increase. You can provide a wonderful legacy for family with an updated Will and a sound Estate Plan.

Durable Power of Attorney for Finances

You probably are a very good financial manager. As long as you are able to manage your affairs, things will be fine. However, there may come a time when you are in poor health or perhaps in the hospital. While lying on your hospital bed, you do not want to worry about your property being neglected or bills going unpaid.

A durable power of attorney for finances is the solution that protects your property and yourself. If you are no longer able to manage your property, the person that you select in this durable power has the right to act as your agent. Even if you are disabled or incapacitated, this person will have the legal right to manage your property. If you do not have a durable power of attorney for finances, it will be necessary for the court to appoint a conservator.

The court appointed conservator can be very costly to your Estate. There are numerous reports, audits and other filings which need to be submitted to the court. If you sign a durable power of attorney for finances, the person that you select may manage your property without all the expense of a court-appointed conservator.

Healthcare Directives

There are two general types of healthcare directives—a durable power of attorney for healthcare and a Living Will. In some states, they are combined into one document called an advanced directive.

The durable power of attorney for healthcare allows you to select a person who can assist your doctors in making healthcare decisions while you may be incapacitated. You may have a serious medical condition and the doctor will need the advice of another person regarding the best possible care for you. Your designated holder of the durable power of attorney for healthcare can help the doctors ensure that you have high-quality care.

The Living Will is a second document (in most states) and covers the time before your probable death. In the last days and weeks of life, there are a number of decisions regarding care, nutrition, hydration and resuscitation that need to be made. The Living Will gives you the opportunity to offer recommendations to medical staff about the types of care to be provided to you at that time.





ADDITIONAL PLANNING OPTIONS

Living Trusts

Some people find it desirable to create a Living Trust. The Living Trust is completely within your control during your lifetime. You can add property to the Trust or remove property from the Trust at any time. During your lifetime, the Trust income is taxable to you.

There are at least three major benefits of the Living Trust. If you are sick or in the hospital, your designated successor Trustee can take over and manage your property for your benefit. Second, if you pass away, the property in the Living Trust will avoid probate and potentially save thousands of dollars in costs. Third, the Living Trust is a private document and typically not made public unlike the documents submitted during the probate process.

Custom Estate Plan for Business, Investments or Special Needs Child

If you own a family business, substantial real Estate holdings or a large Estate, then a custom plan that considers your special property goals and requirements should be created. Another custom plan option is important if you have a child with special needs. A child with special needs may be provided for through a "Special Needs Trust." A Special Needs Trust will facilitate care of the child by providing resources and directions in a way that will not jeopardize federal or state benefits which are helpful in providing care for the special needs child.

IRA, 401(k) or Other Retirement Plan

Your IRA, 401(k) or other retirement plan is transferred by a beneficiary designation. Retirement assets are taxed at the time you or your family members withdraw funds from the account. As these assets are subject to income tax, it often makes more sense to name charity as a full or partial beneficiary of a retirement asset as charity is not subject to income tax. You may name your spouse as primary beneficiary and charity or charity/family as contingent beneficiary. Your beneficiary designation should be reviewed every two to four years.

Life Insurance

Life insurance is usually permanent (whole life or universal life) or term. The insurance policy is a contract, and there is a beneficiary designation form. You should select the primary and contingent beneficiary to receive the death benefit if you pass away with a valid insurance policy. Charities may also be named as a beneficiary.

You and Your Family

Please tell us about you and your family. Print names in ink, not pencil.
Spell names exactly as you want them to appear in your Estate documents.
Use full legal names, not nicknames.

Your Personal Information

Date _____

Your Full Legal Name _____

Date of Birth _____ ☐ Male ☐ Female

Social Security # _____

Is this your first marriage?

☐ Yes ☐ No

Present marital status:

☐ Married ☐ Single ☐ Divorced ☐ Legally Separated ☐ Widowed

If you are widowed, what date did this occur? _____

Home Address _____

City _____ State _____ Zip _____

Home Phone () _____ E-mail _____

Employer _____

Job Title _____ Work Phone () _____

Are you a U.S. Citizen or Lawful Permanent Resident?

☐ No ☐ Born in the U.S. ☐ Naturalized ☐ LPR

Check which documents you presently have:

☐ Will

☐ Living Will

☐ Living Trust

☐ Durable Power of Attorney/Health Care

☐ Durable Power of Attorney/Finances



Your Spouse

Spouse's Full Legal Name _____

Date of Birth _____ ☐ Male ☐ Female

Social Security # _____

Is this your spouse's first marriage?

☐ Yes ☐ No

Home Phone () _____ E-mail _____

Employer _____

Job Title _____ Work Phone () _____

Is your spouse a U.S. Citizen or Lawful Permanent Resident?

☐ No ☐ Born in the U.S. ☐ Naturalized ☐ LPR

Check which documents your Spouse presently has:

☐ Will

☐ Living Will

☐ Living Trust

☐ Durable Power of Attorney/Health Care

☐ Durable Power of Attorney/Finances

Do you or your spouse have a Prenuptial agreement that identifies and disposes of separate spousal property? (If yes, attach a copy.)

☐ Yes ☐ No

Church Affiliation

Name of Church _____

City _____ State _____

Your Children

Please list **all** children, whether minors or adults, **including deceased children and children of a prior marriage**. If you need more space, attach additional pages. If you wish to exclude a child as a beneficiary of your Estate, check the "Exclude" box. If you have no children, write "NONE."

1. Full Legal Name _____

Date of Birth _____

Marital Status

☐ Married ☐ Single ☐ Needs Special Care ☐ Dependent ☐ Exclude

Home Address _____

City _____ State _____ Zip _____

Origin

☐ Child of Present Marriage ☐ Child of Prior Marriage ☐ Deceased

2. Full Legal Name _____

Date of Birth _____

Marital Status

☐ Married ☐ Single ☐ Needs Special Care ☐ Dependent ☐ Exclude

Home Address _____

City _____ State _____ Zip _____

Origin

☐ Child of Present Marriage ☐ Child of Prior Marriage ☐ Deceased

3. Full Legal Name _____

Date of Birth _____

Marital Status

☐ Married ☐ Single ☐ Needs Special Care ☐ Dependent ☐ Exclude

Home Address _____

City _____ State _____ Zip _____

Origin

☐ Child of Present Marriage ☐ Child of Prior Marriage ☐ Deceased

Your Estate Planning Family Background

1. **Lifetime Gifts**—you may have made gifts to children or other heirs. Have you ever filed a gift tax return?
2. **Trustee, Guardian or Executor**—are you currently serving as a Trustee of a Trust, Guardian of another person's children or executor of an Estate?
3. **Living Trust**—have you previously created a Revocable Living Trust? Or any other Trust?
4. **Inheritance**—is it likely that you may receive an inheritance from a parent or other relative? Do you know the age of the parent or other person and the probable amount of the inheritance?



You And Your Contacts

YOUR EXECUTOR

Your executor is the manager of your Estate. Because he or she will make many decisions about the management and distribution of your Estate, you should select a trusted person who understands your circumstances. An executor will usually complete eight separate steps to ensure an orderly transfer of all of your property to the right individuals.

1. Submit your Will to the probate court
2. Locate your heirs
3. Determine your Estate assets and values
4. Pay bills
5. Make debt payments
6. Resolve any Estate controversies
7. File your income and Estate tax returns
8. Distribute your assets to heirs

Please name your executor and alternate executor.

Executor _____

Address _____

City _____ State _____ Zip _____

Home Phone () _____ E-mail _____

Relationship, if not a spouse _____

Your Alternate Executor

In case the person above is unable to serve, please name an Alternate Executor.

Name _____

Address _____

City _____ State _____ Zip _____

Home Phone () _____ E-mail _____

Relationship _____



YOUR GUARDIAN FOR MINOR CHILDREN

A very important decision for you is to decide who would be the Guardian of your minor children. Your Guardian will raise your children, teach them values, select the schools they attend and perform the functions of a parent. If you do not have a Guardian selected in a Will, a court may select a person. That person may not share your cultural background, your religion, your general world view or any other aspects of the character that you think important for the person who raises your children. By selecting a Guardian and an alternate in your Will, you have a much better prospect of finding someone that you think is the right person to raise your children.

If there are two parents, the survivor will usually parent the children. If both parents pass away, or there is only one available parent, then it is important to carefully select a Guardian and alternate Guardian.

Guardian _____
Address _____
City _____ State _____ Zip _____
Home Phone () _____ E-mail _____
Relationship _____

Your Alternate Guardian

Guardian _____
Address _____
City _____ State _____ Zip _____
Home Phone () _____ E-mail _____
Relationship _____

POWER OF ATTORNEY FOR HEALTHCARE

There are two primary documents that will provide for your future healthcare. A durable power of attorney for healthcare empowers another person you select to make key decisions on your care. These could include whether an operation should be done or other major healthcare decisions should be made.

A second document is a Living Will. If you are in your final weeks or days of life, then decisions must be made with respect to nutrition, hydration, resuscitation and other critical care.

A durable power of attorney for healthcare is important to ensure that the right person has been selected. It is called a “durable” power because it is effective even if you are ill and not capable of making your own decisions.

In some states the Living Will and durable power of attorney are combined in an “Advance Directive” document.

Please select your primary and secondary healthcare decision makers.

Primary Power of Attorney For Healthcare

Healthcare Power of Attorney _____

Address _____

City _____ State _____ Zip _____

Home Phone () _____ E-mail _____

Relationship, if not a spouse _____

Secondary Power of Attorney for Healthcare

Name _____

Address _____

City _____ State _____ Zip _____

Home Phone () _____ E-mail _____

Relationship, if not a spouse _____



POWER OF ATTORNEY FOR FINANCES

A common concern is, "What if I am sick and am no longer able to manage my property?" Unfortunately, there are far too many cases in which the property of senior persons are mismanaged or taken away by fraud or misrepresentation. A very good plan to protect yourself and your property is to have a durable power of attorney for finances.

If you are no longer able to manage your property or later wish to have someone else manage your property, this durable power of attorney will give the person you select the legal authority to buy, sell and manage your property.

Of course, if you have a Revocable Living Trust, the successor Trustee will manage the property in the Trust. But it is still very possible that you own other property personally. The durable power of attorney for finances enables the individual you designate to manage your property and provide for your care.

Do you want to create a durable power of attorney for finances? ☐ Yes ☐ No

If married, does your spouse want a durable power of attorney? ☐ Yes ☐ No

For the durable power of attorney, please list information about the selected person.

Primary Power of Attorney For Finances

Primary Name _____

Address _____

City _____ State _____ Zip _____

Home Phone () _____ E-mail _____

Relationship, if not a spouse _____

Secondary Power of Attorney For Finances

Name _____

Address _____

City _____ State _____ Zip _____

Home Phone () _____ E-mail _____

Relationship, if not a spouse _____

Estate Finances

Please list all of your assets and liabilities. This will help your advisor plan your Estate.
Most people learn at the end of this exercise that they are worth more than they think!

ASSET	\$ Total Value of Asset	Check if Joint Property	Check if Husband's Property	Check if Wife's Property
Example Property	\$298,000		✓	
REAL ESTATE				
Main Residence Address				
Second Residence Address				
Vacation Home				
CHECKING ACCOUNTS				
Bank, Account Number				
SAVINGS ACCOUNTS/ CDS/ MONEY MARKET FUNDS/CREDIT UNION ACCOUNTS				
Bank, Account Number				
Tax Sheltered Annuity— not in Retirement Plan				



ASSET	\$ Total Value of Asset	Check if Joint Property	Check if Husband's Property	Check if Wife's Property
INVESTMENTS				
Bonds or Bond Fund Custodian, Account Number				
Stocks or Stock Fund Custodian, Account Number				
Saving Bonds				
PERSONAL PROPERTY				
Furniture/Household Furnishings				
Tools & Equipment				
Antiques/Collections				
Jewelry				
Automobiles/Vehicles				
Business Interests				
Life Insurance— Face Amount/Death Benefit				
Retirement (IRA/401(k)/403(b)) Custodian, Account Number				
Miscellaneous				
Total Assets: \$				

LIABILITIES	\$ Total Amount of Debt	Check if Joint Debt	Check if Husband's Debt	Check if Wife's Debt
Mortgage on Personal Residence				
Mortgage on Rental or Vacation				
Mortgage on Vacant or Farm Land				
Vehicle Debts				
Charge Accounts				
Installment Contracts				
Loans on Life Insurance				
Other Debts				
Total Liabilities/Debts: \$				
TOTAL ESTATE: \$ (Assets Less Liabilities)				

Planning Your Estate

When you are planning your Estate, there are several decisions that must be made. Before you begin, you will need to decide whether or not a Simple Will is sufficient or whether you will need to include a Trust in your Will for minor children and those children who are not yet ready to manage an inheritance.

Single Person

- 1. Simple Will.** With a Simple Will, you may transfer items of a personal nature, then distribute what is left (the “residue” of your Estate). Your Simple Will may transfer your property to family members or favorite charities.
- 2. Will With Trust for Minor Children.** If you are a single parent with minor children, and/or children who are not yet ready to manage money, it will be important to select a Guardian and a Trustee to manage assets for their benefit.

Married Couple

- 1. Simple Will.** If you pass away first, your Estate is transferred to your surviving spouse. If you are the survivor, with a Simple Will you may transfer items of a personal nature, then distribute what is left (the “residue” of your Estate). Your Simple Will may transfer your property to family members or favorite charities.
- 2. Will With Trust for Minor Children.** If you pass away first, your Estate is transferred to your surviving spouse. If you are the survivor and have minor children and/or children who are not yet ready to manage money, it will be important to select a Guardian and a Trustee to manage assets for their benefit.



HOW MUCH IS ENOUGH?

Many Christians struggle in deciding the “right amount” to leave for children. Here are some guiding principles:

Principle number one—everyone should provide for the needs of his or her family. We know and understand that God calls us to take care of our families.

Principle number two—an inheritance may provide a reasonable level of care but need not necessarily increase the children’s standard of living.

Principle number three—there are many children who have received an inheritance large enough to cover both needs and wants. An inheritance that covers too many “wants and desires” may lead to unhappiness, greed and a failure to trust in the Lord for provision.

INHERITANCE GUIDELINES FOR CHILDREN

Are there guidelines for leaving children a substantial inheritance? Some parents have been careful with their resources and have accumulated a significant Estate. How can a larger Estate be transferred with a good result for children?

- An inheritance will be used more wisely if it is distributed over a longer time and at a later age. A lump sum at one time may be unwise. Many younger children who receive a large inheritance at an early age spend it within a few months. When asked where the inheritance went they may reply, “Well, I spent it on cars, boats and vacations, and wasted the rest!”
- Transfer a larger inheritance over a period of years. A good plan includes a distribution of principal when the parents pass away, income for a period of years and a second payout of deferred principal.
- Use a percentage of your Estate when determining the inheritance for children and include a percentage for charity. For instance, “90% to my children and a tithe (10%) to charity.” A percentage Bequest gives you a great deal of flexibility in your Will. Including charity in your plan leaves a strong legacy statement to your children. Each child will learn to love the Lord, know the joy and rewards of work, and trust Him for provision.



Estate Plans for Single Individuals

(Please complete #1 or #2, whichever applies)

1. SIMPLE WILL – SINGLE PERSON

For a single person or surviving spouse with adult children, a Simple Will is the best choice. If the Estate is under the federal Estate tax exemption amount, this plan may work well. With a Simple Will, it is possible to transfer a specific property and then divide the balance or residue of the Estate among children and charity.

An option you might consider is to treat your favorite charities collectively as one child, or a “Child Named Charity.” The Estate could be divided among your selected charities and children. Consider an example of a person with three children. Under this plan, the charities together are considered the fourth child. Therefore, the three children and the charitable portion will each receive $\frac{1}{4}$ of the Estate. The $\frac{1}{4}$ transferred to charity could be divided on a percentage basis among your favorite charities.

Specific Bequests

Bequests of items or amounts to family or to charity.

ITEM OR AMOUNT	RECIPIENT, CITY AND STATE
1. _____	_____ _____
2. _____	_____ _____
3. _____	_____ _____
4. _____	_____ _____

Residue of Estate

Percent of residue to family or to charity.

PERCENT	RECIPIENT, CITY AND STATE
1. _____ % to	_____
2. _____ % to	_____
3. _____ % to	_____
4. _____ % to	_____



2. SIMPLE WILL WITH TRUST FOR CHILDREN – SINGLE PERSON

If you are a single parent with minor children or if you desire a Trust for your children, this option can work well. This option assumes that one Trust is created with income distributions made equally to children until the selected age. However, the Trustee may be given the right to invade the Trust for the support or education of children. You will need to select a Trustee and choose the age of the youngest child for distribution of Trust principal.

If a testamentary Trust is created by Will for the benefit of minor children, it does not avoid probate. This Trust would only become operative if neither parent is living. Funds from the Trust are then given by the Trustee to the Guardian to provide for your children's care and living expenses, including college. The Trustee or Guardian may be a single person, but could be two individuals as Co-Trustees or Co-Guardians if you so desire.

The Trustee's responsibilities continue on until your child reaches the age you specify for the final distribution of any unused Trust funds. The Trustee can be the same person as the Guardian if you so choose. Careful consideration should be given to this important position. Integrity and the ability and experience to manage financial assets are important factors to consider. If you die without a Will and leave property to your minor children, the court will appoint a conservator for your Estate unless you establish a Trust for your children.

There are many advantages of a Trust over a conservatorship. A conservator is generally appointed by a court and must follow rigid statutory rules. He or she must file an accounting and petition for approval before the court annually. This can result in expensive court costs and attorney fees. A conservatorship also ends at age 18 for each child and the child receives what is left in a lump sum. Ask yourself, "What will an 18-year-old do with the money?" For obvious reasons, most parents don't like this arrangement. However, with a Trust you can specify the age at which your children will receive the principal from the Trust. You don't have to give it all to them in a lump sum when they reach age 18, but may defer distribution of principal to age 25, age 30 or even longer.



Specific Bequests

ITEM OR AMOUNT

RECIPIENT, CITY AND STATE

1. _____	_____ _____
2. _____	_____ _____
3. _____	_____ _____
4. _____	_____ _____

Name, City and State of Trustee

Name _____

Address _____

City _____ State _____ Zip _____

Home Phone () _____ E-mail _____

Relationship, if not a spouse _____

Distribution ages of children _____

Charity in Trust

It is also possible to include favorite charities in your final Trust distribution. A popular option is to treat the charities collectively as one child at termination of the Trust. **If you would like to choose this option, please check here _____.** In this case, all charities listed will divide one share and your children will each receive one share. **Option: If you want selected charities to have a larger or smaller percentage of your Estate, you may also list that percentage here ____.**

Percent of residue to family and charity

1. _____ % to _____
2. _____ % to _____
3. _____ % to _____
4. _____ % to _____



Planning Options for Married Couples

(Please complete #1 or #2, whichever applies)

1. SIMPLE WILL – MARRIED COUPLE

A married couple with an Estate worth less than the federal exemption amount may desire a Simple Will. The first Estate may include specific Bequests to children or charity with the balance transferred outright to the surviving spouse. The Estate of the surviving spouse may then be transferred by specific items with the residue to children and charity.

An option that you might consider is to treat your favorite charities collectively as one child or a “Child Named Charity.” The Estate of the surviving spouse could be divided among your selected children and charities. Consider an example with three children. Under this plan, the charities together are considered the fourth child. Therefore, the three children and the charitable portion will each receive $\frac{1}{4}$ of the Estate. The $\frac{1}{4}$ transferred to charities could be divided on a percentage basis among your favorite charities.

First Estate — Specific Bequests, Balance to Spouse

Bequests of items or amounts to family or friends.

ITEM OR AMOUNT	RECIPIENT, CITY AND STATE
1. _____	_____ _____
2. _____	_____ _____
3. _____	_____ _____
4. _____	_____ _____

Bequests of Percentage of First Estate to Family or Charities, Balance to Spouse



PERCENT

RECIPIENT, CITY AND STATE

1. _____ % to _____

2. _____ % to _____

3. _____ % to _____

Second Estate — Specific Bequests

Bequests of items or amounts to family or to charities.

PERCENT

RECIPIENT, CITY AND STATE

1. _____ % to _____

2. _____ % to _____

3. _____ % to _____

Residue of Second Estate

Percent of residue to family or to charities.

PERCENT

RECIPIENT, CITY AND STATE

1. _____ % to _____

2. _____ % to _____

3. _____ % to _____

2. SIMPLE WILL WITH TRUST FOR CHILDREN – MARRIED COUPLE

If you are a couple with minor children or if you desire a Trust for children, this option can work well. A married couple with an Estate worth less than the federal exemption amount may choose to protect and benefit children with a Trust. The first Estate may include specific Bequests to children or charity with the balance transferred outright to the surviving spouse. The Estate of the surviving spouse may then distribute specific items with the residue passing to a Trust for children.

This option assumes that one Trust is created with income distributions made equally to children until the selected age. However, the Trustee may be given the right to invade the Trust for the support or education of children. You will need to select a Trustee and choose the age of the youngest child for distribution of Trust principal.

First Estate — Specific Bequests, Balance to Spouse

Bequests of items or amounts to family or friends.

ITEM OR AMOUNT	RECIPIENT, CITY AND STATE
1. _____	_____ _____
2. _____	_____ _____
3. _____	_____ _____
4. _____	_____ _____



Bequests of Percentage of First Estate to Family or Charities, Balance to Spouse

PERCENT	RECIPIENT, CITY AND STATE
1. _____ % to	_____ _____
2. _____ % to	_____ _____
3. _____ % to	_____ _____

Second Estate — Specific Bequests

Bequests of items or amounts to family or friends.

ITEM OR AMOUNT	RECIPIENT, CITY AND STATE
1. _____	_____ _____
2. _____	_____ _____
3. _____	_____ _____
4. _____	_____ _____

Name, City and State of Trustee

Name _____

Address _____

City _____ State _____ Zip _____

Home Phone () _____ E-mail _____

Relationship _____

Distribution ages of children _____

Charity in Trust

It is also possible to include charities in your final Trust distribution. A popular option is to treat charities collectively as one child at termination of the Trust. **If you would like to choose this option, please check here _____.** In this case, all charities listed will divide one share and your children will each receive one share. **Option: If you want selected charities to have a larger or smaller percentage of your Estate, you may also list that percentage here _____.**

Percentage of residue to family and charity.

1. _____ % to _____

2. _____ % to _____

3. _____ % to _____

WAYS TO GIVE OR TRANSFER PERSONAL PROPERTY

Give During Life. Many senior persons start the gift process during life. By giving personal items to children and other heirs, they understand and appreciate the gift.

Consider Preferences. Some children may desire a piano or other instrument. Others may prefer to receive valuable books or china. Discuss the goals of heirs and attempt to make gifts that will be most meaningful to each person.

Leave Instructions. A list is very useful. Other items could be distributed through a “rotating choice” plan. Everyone meets together and each person takes a turn at selecting one item.



PERSONAL PROPERTY DISTRIBUTION

List to Dispose of Personal Property

Your Will or Trust is designed to transfer property to the person you select. However, many states permit you to update and maintain a list of personal items that may be changed whenever you desire. The lists must be signed and dated, and describe the personal property and name the recipient.

Under the laws of most states, you are permitted to make a list of property that may include jewelry, silver, china, furniture, and collections of stamps, coins, art and other personal items that are movable. The advantage of this list is that you may update it as you buy or sell these items or you may change your mind about who should receive china, silver, rings or other personal items.

By making and updating this list, you can change the recipients as your property changes. It is important to be certain that you have signed and dated each list. Only the last list you have completed before your demise will be valid.

If some items on this list are very valuable (especially art and other collections), then it is important to discuss the transfer of these items with your professional advisor.

Anytime you update your list, make a copy and send the original to your attorney or personal representative for safekeeping. Please make your list here:

DESCRIPTION/LOCATION	RECIPIENT, CITY AND STATE
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____

9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____
21. _____
22. _____
23. _____
24. _____
25. _____
26. _____
27. _____
28. _____
29. _____
30. _____



Notes For My Attorney

Disclosure on Attorneys and This Charity

Thank you for completing this form. It is offered by us to you as an educational service. While we attempt to provide helpful Estate and financial background, we are not able to offer specific legal advice on your personal situation. We recommend you consult your own attorney when you are ready to have your Estate Plan complete.





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