



**ABSOLUTE**

**TRUST COUNSEL**

**Documents Everyone 55 &  
Up Should Have Completed**



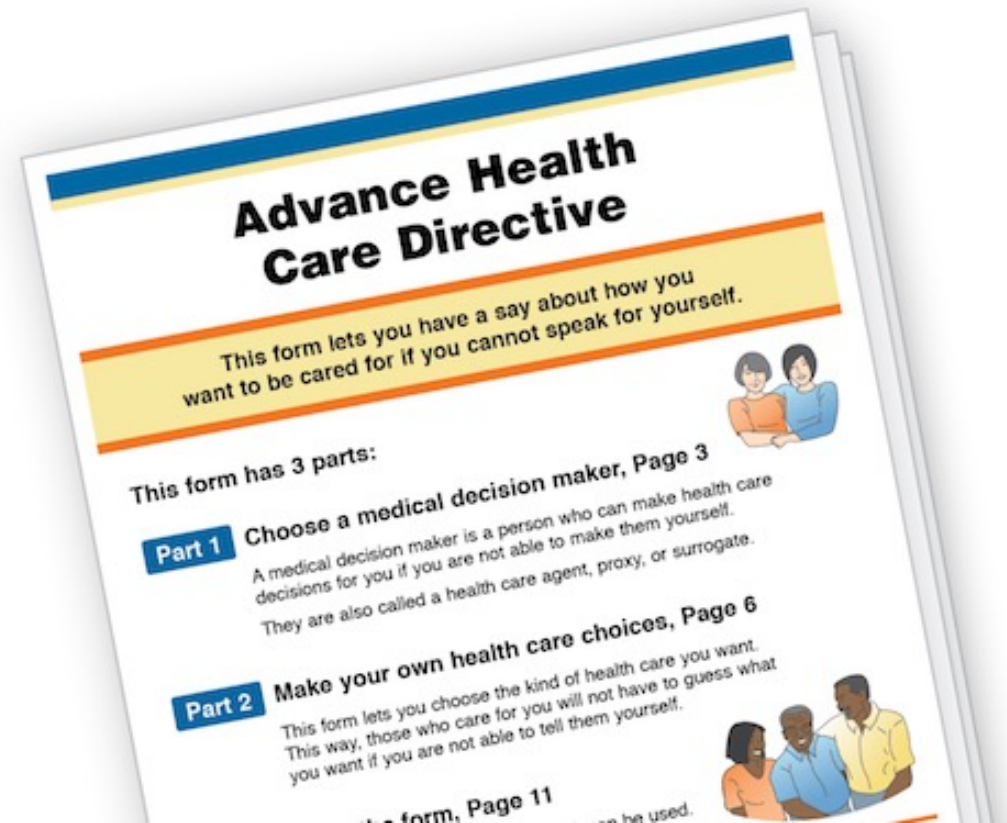
# What We'll Cover:

- Advance Healthcare Directive
- General Durable Power of Attorney
- Will or Will and Trust
- Top 10 Crucial Questions When Planning Your Trust

# ADVANCED HEALTHCARE DIRECTIVE

## Agent Makes Medical Decisions

- Care/Treatment – Including Refusing Care
- Placement
- Disposition of Remains
- Organ Donation
- Other Wishes



# GENERAL DURABLE POWER OF ATTORNEY

## Agent Performs Legal and Financial Tasks

- Non-Trust Assets
  - Checking Accounts
  - Retirement Accounts





# GENERAL DURABLE POWER OF ATTORNEY

## Agent Performs Legal and Financial Tasks

- Non-Asset Accounts
  - Utilities
  - Service Providers (Netflix)



# GENERAL DURABLE POWER OF ATTORNEY

## Agent Performs Legal and Financial Tasks

- Consider Also Using Institutions'

Power of Attorney



# WILL OR WILL AND TRUST

## Dispose of Property on Death

- Trust Avoids Probate: \$184,500
- Trust Controls Property on Incapacity



# TOP 10 CRUCIAL QUESTIONS WHEN PLANNING YOUR TRUST

## 1. What if I become incapacitated?

- Who do you support financially
  - Who lives in your home?
  - Who lives in your rental property?





# TOP 10 CRUCIAL QUESTIONS WHEN PLANNING YOUR TRUST

## 2. Who will be your trustee on incapacity?

- Lives near you
- Has time to help or hire and manage help



# TOP 10 CRUCIAL QUESTIONS WHEN PLANNING YOUR TRUST

## 3. Who will be your trustee on death?

- Can be remote
- Responsible to get it done
- Trustworthy
- Consider Using a Professional



# TOP 10 CRUCIAL QUESTIONS WHEN PLANNING YOUR TRUST

## 4. Who might need some help on your death?

- Elderly Parents
- Education Funds



# TOP 10 CRUCIAL QUESTIONS WHEN PLANNING YOUR TRUST

## 5. Who will receive property on death?

- Specific Assets
- Specific Amount or Percentage
- Individuals
- Charities





# TOP 10 CRUCIAL QUESTIONS WHEN PLANNING YOUR TRUST

## 6. What if...?

- Beneficiary dies before you?
- Beneficiary is a minor/immature/irresponsible
- Beneficiary is receiving government benefits
- Beneficiary is married to someone you don't like



# TOP 10 CRUCIAL QUESTIONS WHEN PLANNING YOUR TRUST

## 7. What assets will the trust own?

- During Life
- After Death



# TOP 10 CRUCIAL QUESTIONS WHEN PLANNING YOUR TRUST

## 8. Will it work?

- Equal v. Equitable
- Prop. 19
- Cash on hand

**APPROVED**

# TOP 10 CRUCIAL QUESTIONS WHEN PLANNING YOUR TRUST

## 9. Married couples – how many trusts?

- Before death – 1, 2 or 3?
- After death – A/B





# TOP 10 CRUCIAL QUESTIONS WHEN PLANNING YOUR TRUST

## 10. What will cause a need to update?

- Change in beneficiaries
- Change in trustee
- Death/Divorce/Disability



# TOP 10 CRUCIAL QUESTIONS WHEN PLANNING YOUR TRUST

## 10. What will cause a need to update?

- Change in assets
- Change in wealth  
(up or down)



# TOP 10 CRUCIAL QUESTIONS WHEN PLANNING YOUR TRUST

## 10. What will cause a need to update?

- Change in law
- Change in your health



# HELPFUL RESOURCES

- For more information on Incapacity Planning:  
[www.AbsoluteTrustCounsel.com/Incapacity-Planning/Change In Your Health](http://www.AbsoluteTrustCounsel.com/Incapacity-Planning/Change%20In%20Your%20Health)
- For more information on Trust Administration:  
[www.AbsoluteTrustCounsel.com/Practice-Areas/Trust-Administration](http://www.AbsoluteTrustCounsel.com/Practice-Areas/Trust-Administration)
- Schedule Your Free Discovery Call Today!  
<https://AbsoluteTrustCounsel.com/scheduling>





# Questions? Comments?

## Thank You!



### Kirsten Howe, Esq.

2890 N. Main St., Suite 206

Walnut Creek, CA 94597

925-943-2740

[AbsoluteTrustCounsel.com](http://AbsoluteTrustCounsel.com)

