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**CLIENT CHOICES : ELDER LAW PLANNING**

Estate Planning

- Will
- Remarriage - Protect Children's Inheritance?
- Contract to Make Devise or Will Irrevocable or QTIP Trust?
- Trust
  - Living Trust\*
  - Will Containing Trust for Spouse or Child
  - Disability or Care Trust (Public Benefits?)
- Deeds to Real Property Creating Survivorship\*
- Declaration of Survivorship in Household/Collectible Property\*
- Declaration of Interest in Survivorship Account(s)\*
- Beneficiary Designation Accounts - Review desired? \_\_\_\_\_  
Estimate of value in proportion to total estate: \_\_\_\_\_%
- Community Property State - Moving to or from \_\_\_\_\_/When? \_\_\_\_\_

\*Probate Avoidance Device

Medical Agents and End of Life Treatment Decisions

- Advance Directive (nominate agent, give directions)
- Nomination of Guardian (court appointed)
- Mental Health Treatment Directive
- Assisted Suicide Declaration (only if terminal)

Disability Financial Management

- For Relative or Friend -
  - Are you already an agent or trustee?
  - Are you helping an ill person who has not given you written authority to act?
- For Client
  - Power of Attorney
    - Management for my needs only
    - Prohibit gifts or transfers of property
    - Allow gifts or transfers of property  
If allowed to whom? \_\_\_\_\_
      - Tax - reduce estate or income tax
        - annual exclusion only     other divestment
        - Medicaid transfers - discuss civil, criminal penalties
        - To achieve other goals in estate plan
      - Accounting, notice (to make misuse less likely)
      - Home Care Directions? (Discuss costs)
  - Nomination of Conservator
  - Trust as more elaborate management document
  - Medicaid/Public Benefits Eligibility for \_\_\_\_\_
  - Declaration of Interest in Survivorship Account(s)
  - Insurance - Health, Long Term Care, Disability

Guardian/Conservator/Trustee/Agent/Executor Representation

Retirement Issues Planning?