EQUES
LAW GROUP

ESTATE PLANNING CONSULTATION PACKET

Explainer & Questionnaire

PURPOSE

This packet explains the most common estate planning tools and collects the information we need to draft your documents.

Please complete what you can before your meeting.

If you do not know an answer, write "Unknown" and bring any supporting documents.

We look forward to helping you!

Sincerely,

Christopher M. White, Esq.

Executive Partner | EQUES® Law Group

234.360.0671 | cmw@eques.law

How to Use This Packet

1. Complete the questionnaire sections that apply to you. *Most people can finish in 20-40 minutes.*
2. Bring the checklist items listed at the end. For real estate, a deed copy is ideal; a parcel ID is usually enough for us to pull the deed.

We will confirm choices and fill gaps during your consultation.

THIS PACKET IS NOT LEGAL ADVICE FOR YOUR SPECIFIC SITUATION.
IT PREPARES YOU FOR THE CONSULT SO WE CAN USE THE MEETING TIME WELL.

What We Usually Prepare

In a standard estate planning consult, we normally prepare:

- Last Will and Testament
- Durable Financial Power of Attorney
- Health Care Power of Attorney
- Living Will

We also discuss these common add-ons *(sometimes handled by you outside our office)*:

- Payable-on-death (POD) and beneficiary designations for bank accounts, retirement accounts, and life insurance (you usually update these with your financial institutions).
- Transfer-on-death (TOD) options for Ohio real estate (often done by a recorded affidavit; separate fee if we draft/record).
- Vehicle title TOD options (handled at the BMV).
- Revocable living trusts (sometimes needed depending on your goals and facts).
- Family holding companies (LLCs) for families with multiple businesses or shared assets.

The Big Picture

Most estate plans answer three questions:

1. If I am alive but cannot act, who can make decisions for me?
2. When I die, who gets what?
3. Who is in charge of executing the plan?

Good plans also reduce confusion, reduce family conflict, and make it easier for the right person to help at the right time.

Last Will And Testament

What it is: A written document that says who receives your probate assets when you die, and who will be in charge (your executor).

What it does: Names an executor, names guardians for minor children, and directs where your probate assets go.

What it does NOT do: A will does not control assets that pass by beneficiary form, joint survivorship, or TOD/POD designations.

Choices you make:

- Who is your executor (and backups).
- Who receives your estate if your first choice is not living.
- If you have minor children, who should be guardian (and backups).
- Whether you want specific gifts (money or items) to named people.

Common Mistakes:

- Assuming your will controls your bank/retirement/life insurance beneficiaries (it usually does not).
- Picking one executor and no backups.
- Not planning for minor children or a disabled beneficiary.

Durable Financial Power Of Attorney (Financial POA)

What it is: A document that lets you name a person (your agent) to handle money and property matters for you.

What it does: Allows your agent to pay bills, work with banks, manage real estate, and handle other financial tasks if you cannot.

What it does NOT do: It does NOT give authority over health care decisions. It also does not replace bank-specific paperwork; some banks have their own forms.

Choices you make:

- Who is your primary agent and your backups.
- Any limits you want (example: gifts, changing beneficiaries, selling real estate).

- Whether your agent should have access to digital accounts.

Common Mistakes:

- Naming an agent who is not organized or not trustworthy.
- Not telling the agent where the document is stored.
- Not updating bank records or online account access.

HEALTH CARE POWER OF ATTORNEY (HCPOA)

What it is: A document that names a person to make medical decisions for you if you cannot make them yourself.

What it does: Allows your agent to talk to doctors, access protected health information, and consent to or refuse treatment (within Ohio law).

What it does NOT do: It does NOT control your finances. It also does not replace day-to-day discussions with your family and doctors about your values.

Choices you make:

- Who is your health care agent and backups.
- Who can receive medical information (HIPAA release).
- Whether you want to nominate a guardian (optional).
- Any special instructions you want written into the form.

Common Mistakes:

- Not naming backups.
- Naming someone who will not follow your wishes.
- Assuming your family "already knows" your wishes without discussing them.

LIVING WILL

What it is: A document that tells doctors what you want if you are terminally ill or permanently unconscious and cannot communicate.

What it does: Directs whether life-sustaining treatment should be withheld or withdrawn in the situations covered by Ohio law.

What it does NOT do: It is NOT the same thing as a will. It does not control property. It also does not cover every medical situation.

Choices you make:

- Your choices about life-sustaining treatment in the situations covered by the form.
- Any additional instructions you want added (if you choose to add them).
- Whether you want organ donation options addressed (optional).

Common Mistakes:

- Thinking it covers all health care decisions (HCPOA handles most other situations).

- Not keeping copies available for the agent and family.

Beneficiary Designations And POD Accounts

What it is: Many accounts let you name a beneficiary who receives the account at your death. Banks may call this "POD" (payable on death). Retirement plans and life insurance use beneficiary forms.

What it does: These designations usually control the account, even if your will says something different.

What it does NOT do: It does not name guardians for minor children, and it does not handle all assets.

Choices you make:

- Who is listed as primary beneficiary and contingent (backup) beneficiary.
- Whether minors are named (often not ideal without additional planning).
- Whether the beneficiary choices match your will and your overall plan.

Common Mistakes:

- Leaving an ex-spouse or outdated beneficiary on a form.
- Naming minor children directly without a plan for management.
- Assuming the will overrides a beneficiary form.

Transfer On Death (TOD) For Ohio Real Estate And Vehicle Titles

What it is: In Ohio, you can sometimes name who receives real estate at death using a recorded TOD designation. Vehicles may have TOD options through the BMV.

What it does: TOD can avoid probate for that specific asset if done correctly.

What it does NOT do: TOD does not automatically solve tax issues, creditor issues, or family conflict. It also does not replace a full plan if there are minors or other complexity.

TOD is often a good fit when:

- You are leaving the property to an adult beneficiary (not a minor).
- Your plan is simple and consistent (example: spouse first, then adult children).
- You want a straightforward way to avoid probate for a specific property.

TOD needs a closer look when:

- Any intended beneficiary is a minor.
- Blended family or unequal distributions (yours, mine, ours).
- You want to disinherit someone or expect conflict.
- A beneficiary has special needs or receives means-tested benefits.
- You have creditor/Medicaid concerns, or you are planning for long-term care.
- The property is owned with someone else, owned by an LLC, or has unusual title issues.

Revocable Living Trusts

What it is: A trust is a legal “container” that can hold assets during life and after death. In a revocable living trust, you usually control it while you are alive.

What it does: A trust can help with management if you become incapacitated and can help avoid probate for assets that are actually placed into (funded into) the trust.

What it does NOT do: A trust does not work unless it is funded. A trust is not automatically “better” than a will. It is a tool for certain situations.

Choices you make:

- Who is the trustee now and who is the successor trustee later.
- Who receives the trust assets after death and under what terms.
- Whether you want added protections for young beneficiaries or vulnerable beneficiaries.
- Which assets will be transferred into the trust (funding plan).

Common Mistakes:

- Signing a trust but never transferring assets into it (an unfunded trust).
- Naming a trustee who will not do the job well.
- Assuming a trust eliminates all taxes or all risk.

Family Holding Companies (LLCs)

What it is: A family holding company is usually an LLC used to hold and manage assets (like rentals, land, equipment, or multiple businesses).

What it does: It can simplify ownership, create rules for management, and make it easier to transfer ownership over time.

What it does NOT do: An LLC does not replace a will or trust. It also needs good records and a good operating agreement.

Common reasons families use a holding company:

- You own multiple LLCs or business interests and want simpler structure.
- You have shared family assets that need clear rules.
- You want a plan for what happens if an owner dies or becomes disabled.

Fee Snapshot

(for planning purposes – this is not a promise or guarantee of set fees)

Fees depend on facts and complexity. These are common starting points. Court costs, recording fees, and third-party fees (if any) are separate.

Service	Typical fee	Notes
Standard Estate Plan Package	$850 Single / $1,700 Couple	Will + Financial POA + HCPOA + Living Will
Complex Estate Plan Retainer (Hourly)	$2,500	Used when the plan requires additional drafting/analysis *(examples: disinheritance, multiple specific gifts, special needs, complex family structure)*
Revocable Living Trust Retainer	$2,500 Single / $3,000 Couple	Trust package when a trust is recommended/needed.
Transfer On Death (TOD) Designation Affidavit	$500 + Recording	Real estate TOD
Simple Deed / Affidavit Work	$500 + Recording	*Examples: simple deed, survivorship affidavit, etc., as needed. Be aware that survey and county approval issues could increase the cost.*
Edits After Drafting	$250 per Document	Flat fee per EQUES-drafted document when changes are requested after drafts are produced.

If your situation triggers a “complex” plan, we will discuss scope and next steps in your consult before moving forward.

Questionnaire

Please answer as completely as you can. If a question does not apply, write "N/A".

Part 1 - Your Information

Full Legal Name	
Other Names Used (Maiden, Prior Legal Names)	
Date Of Birth	
Address	
Phone / Email	
County Of Residence	

Part 2 - Marital Status And Family

Current Status:

☐ Single ☐ Married ☐ Widowed ☐ Divorced ☐ Separated ☐ Other: ______________________

If Married, Spouse Information:

Spouse Full Legal Name	
Spouse Date Of Birth	
Spouse Address (If Different)	
Spouse Phone / Email	

Children *(include adult, minor, adopted, stepchildren)*. Add more pages if needed.

Name *(Full Name)*	DOB *mm/dd/yyyy*	Relationship *(Son, Daughter, Adopted)*	Minor? *Y/N*	Special needs? *Y/N*

Special Situation Check *(check any that apply)*:

- ☐ Minor children
- ☐ Blended family *(yours/mine/ours)*
- ☐ You want unequal distributions
- ☐ You want to exclude/disinherit someone
- ☐ A beneficiary has special needs or receives means-tested benefits
- ☐ You own a business or multiple LLCs
- ☐ You own real estate in more than one state
- ☐ You expect family conflict
- ☐ You are concerned about long-term care / Medicaid planning

Part 3 - Who Is In Charge

(your decision-makers)

Choose people who are trustworthy, organized, and willing to serve. Always name backups.

Executor *(person who manages the estate after death)*

Priority	Name	Relationship *(child, friend, sibling, etc.)*	Phone / Address
1st Choice			
1^{st} Backup			

2nd Backup			

-The Rest of the Page Left Intentionally Blank-

Guardian for Minor Children *(if needed)*

Priority	Name	Relationship *(child, friend, sibling, etc.)*	Phone / Address
1st Choice			
1^{st} Backup			
2nd Backup			

Financial POA Agent *(handles money and property)*

Priority	Name	Relationship *(child, friend, sibling, etc.)*	Phone / Address
1st Choice			
1^{st} Backup			

2nd Backup			

-The Rest of the Page Left Intentionally Blank-

Health Care POA Agent *(makes medical decisions)*

Priority	Name	Relationship *(child, friend, sibling, etc.)*	Phone / Address
1st Choice			
1^{st} Backup			
2nd Backup			

Part 4 - Your Will Plan

(who gets what)

General plan (choose one):

☐ Spouse first, then children equally

☐ Children equally (no spouse)

☐ Other (explain): ____
______

If a beneficiary dies before you, do you want their share to go to their children *(per stirpes)* or be re-divided among the remaining beneficiaries?

☐ Per stirpes *(to their descendants)*

☐ Re-divide among remaining beneficiaries

☐ Unsure

Minor Children: If any child inherits while under 18, how should money be managed?

Choose one *(we will confirm details in the meeting):*

☐ Custodian under Ohio Transfers to Minors Act until age 18

☐ Trust management for minors (more complex; discuss in meeting)

☐ Not applicable / no minors / unsure

Specific Gifts *(optional)*. List any items or specific dollar gifts you want to leave to a person or charity.

Gift Type *(item / $ / charity)*	Description / Amount	Beneficiary Name	Relationship	If beneficiary is not living *(fallback)*

Disinheritance / Exclusion *(important)*:

☐ No, I am not excluding anyone.

☐ Yes, I want to exclude someone.

Name and explain briefly: ____
______
____
______

____

______

Note: *Excluding someone, multiple specific gifts, special needs planning, or complex family structure usually means the plan is "complex" and may require different drafting than a standard package.*

Part 5 - Powers of Attorney and Health Care Wishes

Financial POA Preferences

Do you want any limits on your agent's authority? *(Check any)*

☐ No special limits (broad authority)

☐ Limit gifts to others

☐ Limit changing beneficiaries on life insurance/retirement

☐ Limit real estate transfers/sales

☐ Limit access to digital accounts

☐ Other: ______________________________

Any special instructions for your financial agent? ____

____

____

Health Care POA Preferences

Any special health care instructions you want written into the document? *(Example: religious preferences, nursing home preferences, visitors, etc.)*

____

____

____

Do you want to nominate a guardian in your health care documents *(optional)*?

☐ No

☐ Yes

☐ Unsure

Living Will Preferences *(end-of-life)*

The Ohio Living Will form covers terminal condition and permanent unconsciousness. If you have special instructions, note them here:

____

____

____

Organ Donation *(optional)*

☐ I want to be an organ/tissue donor.

☐ I do not want to be a donor.

☐ Unsure / will decide later

-The Rest of the Page Left Intentionally Blank-

Part 6 - Assets Snapshot

(high level)

We do not need exact values today. We need a clear list so we can spot issues and match your plan to how things are titled.

Real Estate

If you want TOD work or trust funding, please bring a deed copy or provide the parcel ID.

Property Address	County/State	Parcel ID	How Titled *(if known)*	Approx Value *(optional)*	TOD Desired? *(Y/N)*

Vehicles *(for BMV TOD discussion)*

Year/Make/Model	VIN (last 6 ok)	Titled Owner(s)	Lien? *(Y/N)*	TOD Desired? *(Y/N)*

-The Rest of the Page Left Intentionally Blank-

Bank Accounts / Investment Accounts

List the institution and the type of account. Note whether a beneficiary/POD is already set.

Institution	Account Type	Owner(s)	Beneficiary / POD set? *(Y/N/Unknown)*

Retirement Accounts and Life Insurance

Institution/Company	Account Type *(401k/IRA/Policy)*	Owner/Insured	Beneficiary / POD set? *(Y/N/Unknown)*

-The Rest of the Page Left Intentionally Blank-

Business Interests *(LLCs, corporations, partnerships)*

If you have multiple LLCs, we will discuss whether a holding company makes sense.

Entity Name	State Formed	Type (LLC/Corp)	% owned	Other Owners? (Y/N)	Is There An Operating Agreement? (Y/N)

Part 7 - Planning Screens

(helps us choose the right tools)

Trust Screen

Check any that apply:

☐ I want to avoid probate as much as possible.

☐ I own real estate in more than one state.

☐ I want a plan for managing assets if I become incapacitated, beyond what POAs can do.

☐ I have a beneficiary who needs extra protection (young, vulnerable, special needs, addiction, creditor risk).

☐ I have a complex family situation (blended family, second marriage, unequal gifts).

If you checked any above, we will discuss whether a revocable living trust is recommended.

-The Rest of the Page Left Intentionally Blank-

TOD Screen *(real estate)*

For real estate TOD, check any that apply:

☐ All intended beneficiaries are adults.

☐ I want the property to pass to my trust (not directly to individuals).

☐ I am okay recording a TOD designation in the county land records.

☐ I have minor beneficiaries (this usually needs additional planning).

☐ I have a blended family or expect conflict (this needs closer review).

Complex Plan Triggers

Check any that apply:

☐ I want to exclude/disinherit someone.

☐ I want multiple specific gifts (items or cash) to different people/charities.

☐ A beneficiary has special needs or receives means-tested benefits.

☐ Unequal distributions among children/beneficiaries.

☐ I want protective trust terms (spendthrift, delayed distributions, addiction/creditor concerns).

MARRIED COUPLES

joint representation and confidentiality

Many married couples choose joint representation for estate planning. If we represent both of you jointly:

1. We owe duties to both spouses equally.
2. Information shared with us by one spouse is not confidential from the other spouse.
3. If a conflict develops between spouses about the plan, we may have to withdraw from representing both of you.

If you want joint representation, both spouses must sign below. If you are unsure, you may seek independent counsel.

Client: ________________________________ Date: __________________

Spouse: ________________________________ Date: __________________

How Prepare For Your Consultation

(checklist)

☐ Review and complete this packet. Bring it to your in-person meeting or email/fax it back to the office *(for phone meetings, we can review this packet together)*

☐ Gather copies of any prior wills, trusts, powers of attorney, or advance directives

☐ For Real Estate: gather copies of your deed(s) or parcel ID number(s)

☐ Gather a list of bank and investment institutions you use *(listed above)*

☐ Gather a list of retirement account and life insurance beneficiary pages *(listed above)*

☐ Gather your vehicle titles or a list of vehicles *(year/make/model/VIN)*

☐ Business Documents: Gather a list of LLCs/entities and operating and buy-sell agreements

☐ If you want TOD real estate work: Decide how you want the property to pass *(to whom, and backups)*

Thank you.

Completing this packet helps us use your consultation time to make decisions, not chase missing information.