



Welcome Letter

&

Introduction to Our Practice

Thank you very much for considering our firm for your estate planning needs. Before we meet, please review this information to best be prepared for our discussion. Below is brief outline of the documents and planning we will discuss:

1. **Last Will & Testament** - A Will provides for the distribution of property, appoints who can be responsible for overseeing the transfer of property and paying debts, appoints guardians for minor children, establishes trusts for children to ensure that they are provided for in the event of your death. You may also develop tax savings trusts through your Will if your estate is large enough.
2. **Living Will (Directive to Physicians)** - This document instructs physicians to withhold or administer artificial life-sustaining procedures in the event of a terminal condition. Many people wonder why they should get a living will (Directive to Physicians). It is critical to have a Living Will because it allows you to make your wishes clear to your family and loved ones and eases their pain in having to make those decisions for you.
3. **Medical Power of Attorney** - A Medical Power of Attorney (or Durable Power of Attorney for Health Care) designates an agent to make medical decisions if you are unable to make them.
4. **Medical Record Release (HIPAA)** - A HIPAA Release Authority is a document that specifies who may have access to your medical records. For example, most clients will name the same individuals as in their Medical Power of Attorney so that they may have access to your medical records if they have to make medical decisions on your behalf. If you are over 18, no one is automatically entitled to access your medical records, even your spouse.
5. **Financial Power of Attorney** - A Statutory Durable Power of Attorney (or financial Power of Attorney) designates an agent to make financial decisions and control property on your behalf. A Power of Attorney gives great financial responsibilities. For example, if you are in an accident and are in the hospital, your agent could help pay your bills and manage your financial affairs in your absence.



6. **Declaration of Guardian in Event of Later Incapacity or Need of Guardian** – This document allows adults to designate one or more individuals to be his or her guardian if s/he is declared incapacitated or incompetent. If a guardian is appointed for you, your Medical and Financial Powers of Attorney are null and void; therefore, it is critical to complete this document so that the right people are making decisions for you under all circumstances.
7. **Appointment of Agent to Control Disposition of Remains** – This document allows you to specify one or more individuals to be in control of your funeral and burial arrangements. This document also allows you to specify your wishes regarding such arrangements.
8. **Gift By A Living Donor** – This document allows you to make organ, tissue or body part donations and to specify whether such donations can be used for medical, scientific or education purposes.
9. **Designation of Agent to Make Health Care Decisions for Children** – This document allows you to appoint one or more individuals to make health care decisions for your child or children. Consent may be given for medical, dental, psychological, and surgical treatment. This document also gives the appointed individuals the right to travel with the child or children if needed.

*** **PLEASE NOTE:** You should always consider having at least one or two back-ups to your primary choices for executors, trustees, guardians, financial and medical power of attorney agents, etcetera.

Your particular planning will be customized to your specific needs and desires, which may include strategies not discussed above. In addition to such planning, I also ensure that beneficiary designations on life insurance and retirement are coordinated with their Will. For example, if you have a minor child, you want to ensure that life insurance and retirement would funnel through the trust established in your Will, but this would not happen if you simply named the child as a beneficiary on those assets. Instead, you need to carefully word the beneficiary designation so that life insurance and retirement accounts coordinate with your Wills and Trusts. Additional beneficiary assistance may be needed if any tax planning is needed for larger estates. Furthermore, I provide clients with a number of resources to assist them in truly making an unforeseen event as easy as possible for family and loved ones including an online portal to provide access to signed copies of your finalized documents.



THE PROCESS – HOW IT WORKS

1. **The Initial Step:** We provide a one hour, complimentary, no obligation consultation. Should you decide to move forward in the first visit, then the full fee will be due. If you do not move forward in this visit, your consultation fee will be applied to any planning package within 30 days. Please let us know if we need to clarify the fee policy. At our initial meeting, we can find out your specific circumstances and your overall wishes and goals. Based upon that information, we can make recommendations regarding what planning should be done. We usually can quote you a flat fee for all of the services at the initial meeting and many clients decide to move forward in our initial meeting.
2. **The Drafting Process:** After our initial meeting, we will prepare drafts based on what planning we discussed. We generally have drafts sent to you within 2 weeks after our initial meeting. This gives you the opportunity to make any changes or corrections to your documents before they are finalized. This also allows you to become familiar with the legal language that is used and to ask any questions to make sure you are comfortable that your wishes are being expressed. You do not need to make an appointment to discuss any changes or questions, but you are more than welcome to meet with us prior to the final stage.
3. **The Signing Appointment:** Once you have communicated any changes and/or corrections to me, we will finalize your documents and we can set a final appointment for you to come in and sign. We will arrange two witnesses and a notary who will need to be present. Believe it or not, the actual signing of your estate planning documents is critical and can invalidate your documents if not done correctly.

For more information about our firm or the services I provide, please feel free to explore our website at www.burch-law.com. *For our fee structure, please review the Wills & Estate Planning Packages Overview that accompanied this letter.*

Thank you and we look forward to our visit!

Very truly yours,

Lorie L. Burch