POKORNY & ASSOCIATES, LIMITED
A PROFESSIONAL CORPORATION
1000 JORIE BOULEVARD • SUITE 260
OAK BROOK, ILLINOIS 60523

WILLIAM H. POKORNY
WILLIAM H. POKORNY, JR.
JANET RAE MONTGOMERY
www.pokorny.com

TELEPHONE (630) 571-6500
FAX (630) 571-8780

DESIGNATION OF FIDUCIARIES

The Data Sheet we've asked you to complete tells us about your assets. We also need to know:

- **WHO** will be named to act under your documents - during your life (if you cannot act), and after your death.
- Your thoughts about the type of estate plan that you want - that is, (i) who will receive your property after your death, and (ii) what kind of restrictions should be included in your documents.

FIDUCIARY POSITIONS. You must also decide on **AT LEAST ONE** and preferably **TWO** successors to each of these fiduciary positions, in case your first nominee cannot act. Except for attorneys-in-fact, you may nominate two or more fiduciaries to serve together (*e.g.*, name your spouse first, and then name children to act together).

A. EXECUTOR: acts under your **WILL**.

Executors: _____

_____

B. TRUSTEE: acts under your **LIVING TRUST** if you are disabled, or upon your death.

Trustees: _____

_____

C. AGENT or **ATTORNEY-IN-FACT**: acts for you under your **DURABLE POWER OF ATTORNEY** with respect to:

- financial decisions regarding property not in your Trust;
- "quasi-financial" decisions regarding matters which do not pertain to specific assets (*e.g.*, defending you in a lawsuit); and
- personal care and health decisions.

Agents (we must have the **FULL ADDRESS** of all agents):

1. _____
2. _____
3. _____

D. **GUARDIANS FOR MINOR CHILDREN**: will have *physical custody* of your minor children if something happens to you and your spouse.

Guardians (for minors):

1.

2. _

YOUR PLAN. You need to make some basic decisions about the type of estate plan that you want. We have prepared a set of questions which you need to answer and return with the Data Sheet so that proper estate and tax planning can be completed for you.

What are your general ideas for the disposition of your estate?

_____

_____

Please consider the following issues in answering this question:

A. Who will be your primary and secondary beneficiaries?
B. Have you considered charities in your estate planning?
C. Who should receive your household effects and other personal property?
D. Do you wish to make specific gifts of money or property?
E. Are the bequests to your beneficiaries to be made outright or in trust?
F. At what age(s) do you wish the trust to be distributed?

Many of our clients provide for staggered distributions, for example at ages 25 and 30, or at ages 25, 30 and 35. This gives the beneficiary the opportunity to learn how to handle money and property without running the risk that a spendthrift beneficiary will spend the entire inheritance all at once. You are in the best position to judge the beneficiary's maturity and to make the decision at what age they should be permitted to control the property - or if their inheritance should be kept in trust for even longer periods of time than illustrated here.

In addition, many of our clients have "special needs" children or grandchildren for whom they wish to make trust arrangements. Any trust drawn for a physically or mentally disabled child must contain special provisions to avoid confiscation by state and federal agencies who may be paying for the care of the special needs child.

G. Who should receive the property in the event of a family disaster?

Many of our clients take this possibility of a common disaster to make charitable bequests, or to remember family members (e.g., nieces and nephews) who they might wish to benefit if their own family line has died out.

IF YOU NEED MORE ROOM FOR ANY ANSWER, PLEASE ATTACH ADDITIONAL SHEETS.