



## Elletee Law, PLLC Getting Started Guide

Let's get started! Before we write your estate documents there are a few things I need to know.

- 1) **Who are you?** (What is your full legal name and your complete address).

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- 2) **Who do you want to be in charge of your stuff (not a legal term) after you die? This person is called a personal representative or an executor/executrix (definitely legal terms).** This can literally be anyone you trust to follow your plans. Some people choose their spouse, an adult child, or a sibling, but it can be anyone. I need the full name and address of this person as well. And, in the unlikely event, your ideal person cannot or chooses not to do the job, who is your backup person? (Also, include full name and address for the backup).

First choice: \_\_\_\_\_

Backup: \_\_\_\_\_

- 3) **What do you want your personal representative to do with your stuff?** Put it into a trust? Distribute it equally to your beneficiaries (the people who you want to have your stuff)? Distribute it some other way?

This is also the part where you also think about what happens when one of your beneficiaries dies before you do, do you want to distribute their share to the original beneficiaries, or would you like to distribute their share to their surviving heirs, or something else? If it is something else, define that specifically.

(It may help to write a narrative about this, or put down percentages or specific amounts, objects, and conditions of the gifts, if any, be specific here). I'll give you a 'for example:'

*I would like all my assets to be valued and distributed equally among my living children, Jane and John Doe (you should include things like beneficiary address and date of birth so they can easily be identified). If either or both of my children pre-decease me, I would like my personal representative to distribute that share to the [insert name of organization or optional person here].*

**4) What do you want your representative to do with your body?** If you have a preference, describe it, otherwise you can leave it to your personal representative's discretion. I think this is an opportunity to have a last moment of self-expression if you are into that. Another 'for example:'

*I would like my body to be cremated and the ashes strewn about in any proximate body of water. Or favorite hiking trail. (But not a Disneyland ride, that gunks up the mechanics).*

**5) What about people who are unhappy with the distribution of your stuff and want to raise a stink?** These individuals are legally called contesting beneficiaries. You can, and many people do, exclude them from inheriting anything. Do you want to exclude contesting beneficiaries?  
Yes or No? \_\_\_\_\_

**6) What do you have that you want to pass on?** A list is helpful here, which, if you live in a state that allows for holographic wills, can be hand-written, added to over time, items crossed out, you get the idea. This list should include anything of value such as real estate holdings, bank accounts, financial accounts, original paintings, and jewelry. If it is real estate, you should include an address or legal description, so it can be easily identified. Use as many pages as you need to get it all down.

## **INVENTORY**

(Real Estate, Bank Accounts, Financial Accounts, Life Insurance, Jewelry, etc.)

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