

Will and Trust Planning Data Guide

(Provided as an informational guide for an attorney)



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This is a general form and is not a will. This form should not be used without the counsel of an attorney in that state of your residence. If you have executed a will previously, please provide a copy for your attorney to review.

This simple will and trust planning data guide is divided into three sections.

Section 1 contains data on the **people** of importance to you.

Section 2 contains data on the **assets** you own.

Section 3 contains data concerning your **wishes and plans**.

Effective will and trust planning requires that you first give thought to the people you wish to benefit through will and trust planning. It causes you to think about your assets, and it requires that you clearly state your wishes.

Approximately 60% of people do not have any form of estate plan in place, not even a simple will.

In the absence of either a will or trust, the state in which you reside will determine what happens to your assets at the point of your incapacity or death. Christians, as good stewards, have an obligation to make provisions for the management and disposition of their assets.



Section 1 – PEOPLE

As you think about the people who should benefit from your will or trust, consider family members, other individuals and charitable organizations. There should be two giving principles you should consider.

GIVE TO THOSE DEPENDENT UPON YOU. As Christians we have a duty to help those dependent upon us. Who is dependent upon you? They may be your husband, wife, children or aged parents. Those who would suffer financial loss at your death take priority, both in state law and in Scriptures.

“If anyone does not provide for relatives, and especially his immediate family, he has denied the faith and is worse than an unbeliever.”

- I Timothy 5:8 NIV

GIVE BECAUSE OF LOVE AND OBEDIENCE. For the Christian, the basis for all giving is love. *“For God so loved . . . that he gave . . .”* We have been given the commandment to evangelize and disciple the world. Jesus said, *“if you love me, you will keep my commandments”*. Fulfilling this commandment, may mean that we demonstrate our love by remembering the cause of Christ in our wills or trusts.

“Do not store up for yourself treasures on earth, where moth and rust destroy, and where thieves break in and steal. But store up for yourselves treasures in heaven where moth and rust do not destroy, and where thieves do not break in and steal.”

- Matthew 6:19-20 NIV

Further, Christians should consider obedience, knowing that their wills and trusts are testimonies of their faith.

“Bring the whole tithe into the storehouse, that there may be food in my house.”

- Malachi 3:10 NIV

Over our lifetimes, we all accumulate assets which may have substantially increased in value, yet we have not tithed on that increase. Your will or trust provides you with an opportunity for obedience. Through these documents, you can tithe that increase.

Date: _____

Name: _____ Date of Birth _____

Home Address: _____

Occupation: _____ Social Security # _____

Personal Phone: _____ Business Phone: _____

Email: _____

Marital Status: Single Married Widowed Divorced Separated

Maiden Name, if applicable: _____

Spouse: _____ Date of Birth _____

Home Address: _____

Occupation: _____ Social Security # _____

Personal Phone: _____ Business Phone: _____

Email: _____

Marital Status: Single Married Widowed Divorced Separated

Maiden Name, if applicable: _____

Any former marriages? *Husband* Yes No *Wife* Yes No

Children of this marriage:

<i>Name</i>	<i>Birthdate</i>	<i>Sex</i>	<i>Married</i>	<i>Children #</i>	<i>Ages</i>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Children of prior marriages:

<i>Name</i>	<i>H/W</i>	<i>Birthdate</i>	<i>Sex</i>	<i>Married</i>	<i>Children #</i>	<i>Ages</i>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

Do any of your children have permanent disabilities? If so, please explain:

Deceased children:

<i>Name</i>	<i>Birthdate</i>	<i>Sex</i>	<i>Married</i>	<i>Children #</i>	<i>Ages</i>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Other Individuals to be considered:

<i>Name</i>	<i>Age</i>	<i>Sex</i>	<i>Relationship</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Ministries Important to You/Charitable Organizations:

<i>Name</i>	<i>Address</i>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



Section 2 – ASSETS

When speaking with your attorney, it is very important that you clearly convey to him/her how your assets are held. The five basic types of assets ownership are:

- Individual ownership** – owned by yourself
- Tenants in common** – owned with others with each having an undivided one half interest
- Joint tenants with rights of survivorship** – owned with others with rights of survivorship
- Tenants by the entirety** – owned with your spouse with rights of survivorship
- Community property** – owned by husband and wife in common with each have an undivided one half interest

The type of ownership will control how those assets may be disposed of in either a will or trust.

Additionally, assigned a proper value to the property may have tax consequences, so evaluate your property as realistic as possible. Do not over-value or under-value the property. It is important that your attorney have a realistic value of your estate in order to give you the best will and trust planning.

Checking and Savings Account – Time Certificates – Money Market Funds:

<i>Type of Account</i>	<i>Maturity</i>	<i>Owner</i>	<i>Current Value</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Total \$ _____

Real Estate:

<i>Type</i>	<i>Location (State)</i>	<i>Owner</i>	<i>Purchase Date</i>	<i>Cost Basis</i>	<i>Mortgage Balance</i>	<i>Market Value</i>
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Residence

Total \$ _____

Marketable Securities (Stocks, Bonds, Mutual Funds):

<i>Name of Company</i>	<i># Shares</i>	<i>Owner</i>	<i>Type</i>	<i>Original Cost</i>	<i>Current Value</i>
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Total \$ _____

Retirement Plans/Employee Benefits:

<i>Plan</i>	<i>Owner</i>	<i>Beneficiary</i>	<i>Value</i>
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Total \$ _____

On plans or benefits, describe any unique provisions:



Section 3 – WISHES AND PLANS

If you had died yesterday, how would your **assets** have been distributed to the significant **people** in your life? Would your estate plan have met the needs of your family and glorified God? Well, the good news is that you didn't die yesterday. You're still here. You have the ability to make your wishes and plans known. Do not neglect to do so.

Let's begin by first reviewing any existing plans you might have.

Existing Plans

	You	Your Spouse
Do you have a will?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have trusts been created?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have durable powers of attorney been created . . .		
for property?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
for health care?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have you prepared a living will?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have reportable gifts been made?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, amount of unified credit used:	\$ _____	\$ _____
Are pre-nuptial agreements in effect?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are community property agreements in effect?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

If your answer is yes to any of these questions, please describe the agreement fully or attach a copy of the agreement: _____

Current Desires for Distribution of Assets

If married, at death of first spouse:

- All to surviving spouse
- Other desires

If single, or at death of surviving spouse:

Gifts in Kind:

Recipient

Property

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Gifts of Fixed Amounts:

Recipient

Amount

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

Gifts of Percentages:

Recipient

Percentage

_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %

Other Desires:

Choose a Personal Representative:

This person will be responsible for carrying out the terms of your will at the time of your death. Careful consideration should be given to selecting someone who you think is likely to be in good health at the time of your death and would have the time to devote to handling the affairs of your estate. If you choose someone other than a relative, you should check with your state law to see what residency requirements might exist.

Remember, people are important. Choose your personal representative carefully. You should also name an alternate personal representative.

Name

Address

Personal Representative:

Alternate Representative:

Choose a Trustee:

If you establish a living trust, you need to designate a trustee. Like the personal representative, this person will be responsible for carrying out the terms of your trust. Careful consideration should be given to selecting someone who you think is likely to be in good health and would have the time to devote to handling the affairs of your trust. If you choose someone other than a relative, you should check with your state law to see what residency requirements might exist.

Remember, people are important. Choose your trustee carefully. You should also name a successor trustee who will serve if the trustee is unable or unwilling to continue to serve.

	<i>Name</i>	<i>Address</i>
Trustee:	_____	_____
	_____	_____
Successor Trustee:	_____	_____
	_____	_____

Powers of Attorney:

You should give consideration to who will be in a position to manage your **property** or make **health care** decisions in case of mental or physical disability prior to death.

The use of a simple **power of attorney** may make the costly court proceedings of a conservatorship or guardianship unnecessary. This power does not give the named individual the ability to declare your incompetency, but it does grant specific authority to that individual to act on your behalf once disability has been determined.

	<i>Name</i>	<i>Address</i>
Power of Attorney:	_____	_____
	_____	_____
Alternate:	_____	_____
	_____	_____
Health Care Power of Attorney:	_____	_____
	_____	_____
Alternate:	_____	_____
	_____	_____

Guardian For Minor/Disabled Children:

If you have minor children, you should give consideration to who will be in a position to care for them at your death. In selecting a guardian, give consideration to their age, health, experience as parents, and their lifestyles.

	<i>Name</i>	<i>Address</i>
Guardian:	_____	_____
	_____	_____
Alternate Guardian:	_____	_____
	_____	_____