

# BABINS MILLER LAW, LLC

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## Preparing for Initial Estate Planning Meeting

As of January 2022 our practice is to meet with clients for the initial meeting by phone or zoom. When you make your appointment you can designate your preference.

While there is no charge for the initial meeting, anything you share with us is confidential – for the purpose of this meeting we have an attorney-client privilege. If you decide to use our services and are making your plan with another person, you both will have to sign an agreement waiving the right of confidentiality that no information will be withheld from the other and that both parties will be treated equally as both parties are our clients. If you want us to share information with other people such as your financial advisor you will have to sign an authorization form for us to communicate with them.

At our initial meeting we will discuss your estate planning goals and your assets. It is helpful if you have names, addresses and phone numbers of the people you want to benefit from your estate and those who will help with your estate plan (see designating those who will help). Also helpful is to have a list of your assets, how they are owned (by you alone or jointly); who the beneficiaries are for life insurance and retirement plans and a ballpark value of the assets.

At the end of the meeting, we will make recommendations for the estate plan that fits your needs and we will also specify the cost of the plan. If

you decide not to use us for your estate plan there is no charge for this meeting. If you decide to use us, we will then prepare drafts of your documents and then either email them to you or mail them to you. We will then set up an appointment to review the documents with you through zoom or by phone. At that meeting we will discuss the plan and any changes or corrections that are needed.

If there are no changes or corrections we will then schedule a meeting to sign the documents.

If there are changes/corrections we will make those changes/corrections to the documents and then send them to you again for review. Depending upon the extent of the changes/corrections we may have another meeting via zoom or phone to review the document.

Once there are no changes/corrections needed we will then schedule a meeting to sign the documents.

We are currently meeting our clients in the lobby of our office building at 433 South Main Street, West Hartford, CT. The meeting takes approximately 15 minutes and masks are worn.

## Designating Those Who Will Help

When we meet to plan your estate we will discuss in detail the role each person in your estate plan will have, but in preparation for the meeting, you may want to consider who these people should be. One person can serve in all roles and multiple people can serve together in the same role. However it is important to consider how easy or hard it will be for those persons to work together.

Individuals designated should include relationship, address and telephone number. A successor should be designated in the event the first person is not available.

**Executor-** person responsible to manage your estate upon your death. Responsibilities include paying bills, and distributing property per your will. The executor can hire financial and legal advisors if needed. They should be detailed oriented. You should feel comfortable with them going through all of your personal information and property. Their duties should take no more than 2 years. You may have more than one executor (co-executors).

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number; \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number; \_\_\_\_\_

**Trustee** - The Trustee will manage the assets held in the trust. The length of their duties depends upon the length of the trust term. The Trustee can hire financial and legal advisors if needed but they are ultimately responsible for investing funds and making decisions about distributions if they are given discretion in the trust document. The Trustee and the Executor can be the same person and you can have more than one Trustee (co-trustees).

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number; \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number; \_\_\_\_\_

**Power of Attorney** - The power of attorney (often called the agent) is only effective while you are alive and ceases to be able to act upon your death. Because this person will have complete access to your assets you must trust them implicitly. If you prefer to have court supervision of this person, then you would designate them as a Conservator of your estate. Often the Agent will be the same person as the Executor. You can have more than one Agent. In the event of more than one Agent, you will need to designate if they are to act jointly (must always act together) or severally (either can act on their own).

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number; \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number; \_\_\_\_\_

If more than one, Jointly or Severally \_\_\_\_\_

**Health Care Representative** - This person will make health care decisions for you including end of life decisions if you are unable to do so for yourself.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number; \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number; \_\_\_\_\_

**Guardian** – If both parents have died prior to a child reaching the age of 18, the court will appoint a guardian for the child. If the parents have provided a designation of the guardian in writing prior to their death, the court will appoint that person unless someone can prove it is not in the best interest of the child to do so. The guardian will have responsibility and control of your minor children (until they are 18 years old) and is responsible for their physical/emotional care.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number; \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number; \_\_\_\_\_

**Standby Guardian** – If both parents are incapacitated or out of the country, a standby guardian who was previously designated by the parents in a written statement can take responsibility and control of the minor child for a period of time and if the parents have both died, the standby guardian can take control of the minor child while waiting for a permanent guardian to be appointed. The Standby Guardian can be the same person as the Guardian, but should be someone who could immediately be available to take care of the children.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number; \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number; \_\_\_\_\_