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*Estate Planning Assessment Guide*

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There are three main goals you should have in mind as you assess your current estate plan:

- Determine who will get what assets and when they should receive them;
- Ensure your partner and children are financially secure;
- Avoid administrative hassles for your heirs by organizing the necessary documents and paperwork.

**PERSONAL**

Have you reviewed your estate plan and documents with an attorney in the last three years?    Y            N            N/A

Do you and/or your partner currently have:

- |    |                                    |   |   |     |
|----|------------------------------------|---|---|-----|
| a. | Wills?                             | Y | N | N/A |
| b. | Trusts?                            | Y | N | N/A |
| c. | Powers of Attorney?                | Y | N | N/A |
| d. | Living Will/Health Care Surrogate? | Y | N | N/A |

If you have a blended family, has your estate plan properly provided for:

- |    |   |   |   |     |
|----|---|---|---|-----|
| a. | Your partner and your or your partner's children from previous and current relationships? | Y | N | N/A |
| b. | what happens if no children are living at the time of the surviving partner's death?      | Y | N | N/A |

Do you know how your loved ones will be financially secure in the event of:

- |    |  |   |   |     |
|----|--|---|---|-----|
| a. | your death?  | Y | N | N/A |
| b. | the death of your partner?                           | Y | N | N/A |
| c. | the event of the death of both you and your partner? | Y | N | N/A |

Will your loved ones be financially secure in the event of:

- |    |                                 |   |   |     |
|----|---------------------------------|---|---|-----|
| a. | your disability?                | Y | N | N/A |
| b. | the disability of your partner? | Y | N | N/A |

If you have a child with special needs, is your estate plan structured to allow the child to receive applicable government benefits (Social Security) in lieu of using trust assets for basic support?    Y            N            N/A

Does your estate plan have the right person(s) designated as:

- |    |   |   |   |     |
|----|---|---|---|-----|
| a. | Executor(s) under the Will?                           | Y | N | N/A |
| b. | Guardians for minor children?                         | Y | N | N/A |
| c. | Trustees of Living Trust and/or Life Insurance Trust? | Y | N | N/A |
| d. | Power of Attorney?                                    | Y | N | N/A |
| e. | Persons to make health care decisions on your behalf? | Y | N | N/A |
| f. | ALTERNATES for all of the above?                      | Y | N | N/A |

In the event both you and your partner die, do you want the Guardian and Trustee in your estate plan to be the same person?    Y            N            N/A

Do you want to have any special requirements for the Guardian and/or to request that certain persons have visitation rights?    Y            N            N/A

Have you discussed with your partner and those appointed under your documents what you want them to do and where your important paperwork is located?	Y	N	N/A
Are your Power of Attorney and health care documents up-to-date with HIPPA (2003 law) provisions so your loved ones don't have any delays in consenting to treatment on your behalf and/or in obtaining necessary medical information from your doctors?	Y	N	N/A
Is your Power of Attorney up-to-date with the new provisions of KRS Chapter 457 (2018 law) so that it is effective?	Y	N	N/A
Have you made funeral plans so your loved ones don't have to during their period of grief?	Y	N	N/A
Do you want to specifically provide for bequests to charities?	Y	N	N/A

### **BUSINESS OWNERS**

Does your business have a succession plan in place?	Y	N	N/A
Do you have a Buy/Sell Agreement in place for transition in the event of death or disability of yourself or another business owner/partner?	Y	N	N/A
Do you have the right people in place to manage your business in the event of the disability of an owner or key employee?	Y	N	N/A
Does your business have the legal structure in place to allow for a continuity of operations in the event of the death or disability of an owner or key employee?	Y	N	N/A
Do you have asset protection plans in place to protect your personal assets from creditors or lawsuits?	Y	N	N/A

### **BENEFITS OF A LIVING TRUST**

Which of these benefits are important to you?			
a. Protect your beneficiaries from quickly depleting their inheritance;	Y	N	N/A
b. Ensure that assets and IRA/pension plans are used to provide for the surviving partner for life;	Y	N	N/A
c. Control how assets are allocated among children and step-children upon death of surviving partner;	Y	N	N/A
d. Maximize federal estate tax savings;	Y	N	N/A
e. Control/hold assets in trust and limit distributions if beneficiaries have alcohol/drug issues;	Y	N	N/A
f. Create asset protection for beneficiaries from their creditors;	Y	N	N/A
g. Avoid probate delays and costs; and/or	Y	N	N/A
h. Keep estate plan private from the public.	Y	N	N/A

### **AND MOST IMPORTANTLY...**

Are your assets titled and beneficiaries properly designated to ensure your estate plan functions the way you intended?	Y	N	N/A
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This estate planning assessment is designed to help you identify important issues you still need to address. If you would like to discuss how these issues affect you in more detail, please contact us at (859) 344-6742. We will be more than happy to review your estate plan with you and get it to where you need it to be! For more information, please visit our website at [www.ruberglaw.com](http://www.ruberglaw.com).