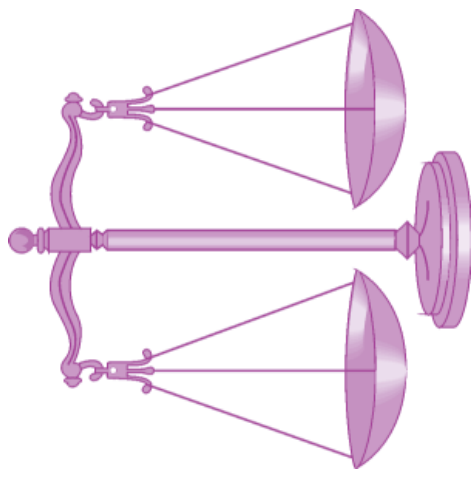


# *Group Prepaid Legal Service Plan*



# *Legal Security Package*





# **I. Health Care Proxy and II. Living Will**

The Health Care Proxy (also known in some states as the "Medical Durable Power of Attorney") allows you to appoint an agent to make all health care decisions for you in the event you are unable to make those decisions. Your agent's authority will begin when physicians determine you lack the capacity to make health care decisions. You may appoint your spouse or domestic partner if you desire. Also, you may appoint an alternate agent in the event your primary choice is unable or unwilling to act as your agent. You may appoint one agent and one (or more) alternate agent(s). However, only one agent can act in that capacity at a time.

The Living Will (also known in some states as "Directives for Health Care" or "Instructions Regarding Medical Decisions") indicates that no heroic measures should be taken in the event survival is dependent upon the use of life-sustaining equipment.

Your Health Care Proxy Agent is required to follow the instructions of your Living Will.

The person you appoint as agent or alternate must be over eighteen (18) years old. If you appoint a physician as your agent, he or she may have to choose between acting as your agent or as your attending physician. Also, if you are a patient or resident of a hospital, nursing home, or mental hygiene facility, there are special restrictions about appointing someone who works for that facility as your agent. You should ask personnel at the facility to explain those restrictions.

## **1. Health Care Proxy Designated Agent (decision maker)**

Name \_\_\_\_\_ Relationship \_\_\_\_\_  
Street \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone: Home(        ) \_\_\_\_\_ Business(        ) \_\_\_\_\_

## **2. Alternate Agent (optional)**

Name \_\_\_\_\_ Relationship \_\_\_\_\_  
Street \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone: Home(        ) \_\_\_\_\_ Business(        ) \_\_\_\_\_

Reciprocal Health Care Proxies are two Health Care Proxies made by two persons in which identical agents and directions are made (i.e., husband to wife, wife to husband; domestic partner to domestic partner). There is no charge for reciprocal Health Care Proxies. Check this box if you want a reciprocal Health Care Proxy.

### III. Durable Power of Attorney for Financial Transactions

The Durable Power of Attorney permits you to designate one or two people as your decision maker(s), referred to as your attorney(s)-in-fact, to handle your financial affairs (as opposed to your health affairs) if you are unable to do so. If you prefer to designate more than one person as your attorney(s)-in-fact, you may do so, but you must specify whether you want those persons to act “**Jointly**” or “**Separately**.” If they are to act **Jointly**, both must sign your financial papers. If they are to act **Separately**, each one can act independently of the other. This Power of Attorney provides your attorney(s)-in-fact with full authority to sign your name to any legal document, in addition to acting as your agent in specific situations, such as making decisions regarding retirement plans, making gifts, tax elections, etc.

1. Attorney-in-fact (decision maker)	2. Co-Attorney-in-fact (optional)
Name _____	Name _____
Address _____	Address _____
_____ (NO P.O. Box)	_____ (NO P.O. Box)
Relationship _____	Relationship _____
Check one if you appoint more than one person:	
<input type="checkbox"/> Act Separately <input type="checkbox"/> Act Jointly	

You may also prefer to appoint an alternate agent(s) to manage your financial affairs in the event your primary agent(s) cannot serve because of death, resignation, incapacity, or any other reason.

1. Alternate Attorney-in-fact (decision maker)	2. Alternate Co-Attorney-in-fact (optional)
Name _____	Name _____
Address _____	Address _____
_____ (NO P.O. Box)	_____ (NO P.O. Box)
Relationship _____	Relationship _____
Check one if you appoint more than one person:	
<input type="checkbox"/> Act Separately <input type="checkbox"/> Act Jointly	

Reciprocal Powers of Attorney are two Powers of Attorney made by two persons in which identical agents and provisions are made (i.e., husband to wife, wife to husband; domestic partner to domestic partner). There is no charge for reciprocal Powers of Attorney. Check this box if you want a reciprocal Power of Attorney.

## IV. Confidential Simple Will Questionnaire

### Review and Consider the Following

- A. The Simple Will prepared for you based upon the information you have set forth in this questionnaire will provide for the distribution of your estate only.
  - B. Reciprocal documents are two sets of documents made by two persons in which identical provisions are made in favor of each other (i.e., husband to wife, wife to husband; domestic partner to domestic partner).
  - C. Non-identical documents are documents made by two persons in which the provisions are not identical. To obtain non-identical documents, you must complete a second Legal Security Package, at no additional charge.
  - D. Your Will affects property held solely in your name. Jointly owned property will pass to the other joint owner. Property "In Trust For" the beneficiary of an insurance policy or an Individual Retirement Account will pass to that person or persons designated on the policy or account. Your Will only disposes of property that is not jointly owned or otherwise controlled by statute.
- If you are requesting a Reciprocal Simple Will, please check here.

### Assets

Your estate may be subject to New York State Estate Taxation if the sum of your assets is at least \$1 million. (Check your state's estate tax exemption.) In addition, your estate may be subject to additional Federal and State estate taxes if you or your spouse or domestic partner are not U.S. citizens. Please call the National Legal Office to obtain estate planning advice, which may reduce any tax burden, if (a) your estate is at least \$1 million, (b) you or your spouse or domestic partner are not U.S. citizens, or (c) your estate exceeds the Federal estate tax exemption.

### Will Provisions

Subsections **A**, **B**, **C**, **D** or **E** below respectively set forth the Will provisions most customarily and usually requested by:

- |  |   |
|--|---|
| <b>A.</b> Married persons or domestic partners with child(ren) or grandchild(ren), or    | <b>D.</b> Unmarried persons without child(ren) or grandchild(ren), or |
| <b>B.</b> Married persons or domestic partners without child(ren) or grandchild(ren), or | <b>E.</b> Individuals desiring an alternative plan of distribution.   |
| <b>C.</b> Unmarried, divorced or widowed persons with child(ren) or grandchild(ren), or  |   |

**Note: Check one box only - A, B, C, D, or E.** A check mark in the box adjacent to section A or section B or section C or section D will indicate that you wish your property distributed precisely as indicated in all of the subdivisions of that section. In the event you do not wish your property to pass exactly as set forth in all of the subdivisions in section A or B or C or D, check the box adjacent to section E, and indicate your plan of distribution in detail in the space provided in section E. Add additional sheets if necessary.

**A.  Married Persons or Domestic Partners with Child(ren) or Grandchild(ren).**

Generally, most married people and domestic partners with child(ren) or grandchild(ren) provide that upon their death their property will be distributed as follows:

1. Your estate (all property and assets not owned jointly with another person) will be distributed to your surviving spouse or domestic partner, but
2. If your spouse or domestic partner predeceases you, then your estate will be divided in equal shares among all of your living children, but
3. If your spouse or domestic partner and one or more of your children predecease you, then that child's share will be distributed to his or her child(ren), in equal shares, but
4. If your spouse or domestic partner and all of your children and grandchildren predecease you, then your estate will be distributed to your living parent, or equally to your living parents, but
5. Should both of your parents predecease you, then your estate will be distributed equally to your brothers and sisters or equally to the children of a predeceased brother or sister.

(Please check box A above only if you wish your property distributed precisely and exactly as indicated in section A, 1 through 5, above.)

**Note:** If you have checked section A above, do not check section B, C, D, or E. If you have children under the age of eighteen (18) years, you must appoint a Guardian for those children by completing the "Guardians" Section.

**B.  Married Persons or Domestic Partners without Child(ren) or Grandchild(ren).**

Generally, most married people and domestic partners with no child(ren) or grandchild(ren) provide that upon their death property will be distributed as follows:

1. Your estate (all property and assets not owned jointly with another person) will be distributed to your surviving spouse or domestic partner, but
2. If your spouse or domestic partner predeceases you, then your estate will be distributed to your living parent, or equally to your living parents, but
3. Should both of your parents predecease you, then your estate will be distributed equally to your brothers and sisters or equally to the children of a predeceased brother or sister.

(Please check box B above only if you wish your property distributed precisely and exactly as indicated in section B, 1 through 3, above.)

**Note:** If you have checked section B above, do not check section A, C, D, or E.

**C.  Unmarried, Divorced or Widowed Persons with Child(ren) or Grandchild(ren).**

Generally, most unmarried, divorced or widowed persons with child(ren) or grandchild(ren) provide that upon their death property will be distributed as follows:

1. Your estate (all property and assets not owned jointly with another person) will be distributed in equal shares to all of your living child(ren), but
2. If one or more of your children predeceases you, that deceased child's share will be distributed to his or her child(ren), your grandchild(ren), in equal shares, but
3. If all of your children and grandchild(ren) predecease you, then your estate will be distributed to your living parent, or equally to your living parents, but
4. Should both of your parents predecease you, then your estate will be distributed equally to your brothers and sisters or equally to the children of a predeceased brother or sister.

(Please check box C above only if you wish your property distributed precisely and exactly as indicated in section C, 1 through 4, above.)

**Note:** If you have checked section C above, do not check section A, B, D, or E. If you have children under the age of eighteen (18) years, you must appoint a Guardian for those children by completing the "Guardians" Section.

**D.  Unmarried Persons without Child(ren) or Grandchild(ren).**

Generally, most unmarried persons without child(ren) or grandchild(ren) provide that upon their death their property will be distributed as follows:

1. Your estate (all property and assets not owned jointly with another person) will be distributed to your living parent, or equally to your living parents, but
2. Should both your parents predecease you, then your estate will be distributed equally to your brothers and sisters or equally to the children of a predeceased brother or sister.

(Please check box D above only if you wish your property distributed precisely and exactly as indicated in section D, 1 through 2, above.)

*Note: If you have checked section D above, do not check section A, B, C, or E.*

**E.  Alternate Plan of Distribution**

Because your Will is a statement of your wishes and instructions, you may distribute your assets in any manner you choose. However, the following statutory limitations and rights may apply. These limitations and rights may vary by state.

1. In the event you do not give your spouse at least a one-third share of your estate, your spouse may then, upon your death, contest the Will and assert his or her statutory right to receive a one-third share of your estate. For Florida Wills, the applicable percentage is 30%. **Note:** *A separated spouse retains statutory rights, unless he or she has waived these rights in a separation agreement or other document.*
2. If you have children under age 18 whom you named as beneficiaries of your estate, the person(s) you appoint as their Guardian will oversee your children's inheritance until your children reach age 18. Should you wish to establish a Trust for your children in your Will, instead of having their inheritance placed in a Guardianship account, please indicate so below, and you will be contacted by the National Legal Plan Office. **Note:** *The creation of a Trust is included in the free Simple Will benefit provided by the Group Prepaid Legal Service Plan.*
3. For Wills prepared in Florida: In the event any lineal descendants or spouse survives you, and your Will gives part or all of your estate to charities, your surviving spouse or descendants may, upon your death, contest your Will in Florida and assert their statutory right to receive a share of the charitable gift, unless the Will is executed at least six (6) months prior to your death.

If, after considering all the preceding provisions and limitations, you choose to provide an alternative method of distribution, check box E above and describe, in detail, every provision that you desire to be included in your plan of distribution. Please include the full names and relationships of all beneficiaries.

You may list specific gifts to individuals and /or divide your estate among several individuals by listing percentages to each, making sure the percentages total 100%. Type or print clearly. Add additional sheets if necessary.

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## **Estate Executor (Male) - Executrix (Female) - Personal Representative (Florida)**

The person charged with administering your estate; paying taxes and/or other debts; and preserving, managing, and distributing estate assets and property is called an Executor, Executrix, or Personal Representative. This person should be one in whom you have complete trust and confidence. **Your spouse or domestic partner may be named if you so desire.**

Please provide the following information about the person you wish to name to serve in this capacity.

<p><b>1. Primary</b> choice of Executor, Executrix, or Personal Representative (can be your spouse or domestic partner).</p> <p>Full name: _____</p> <p>Relationship: _____    <input type="checkbox"/> Male    <input type="checkbox"/> Female</p> <p>If you wish to have an individual serve with your primary choice as <b>co-executor, co-executrix, or co-personal representative</b>, then insert that individual's name below:</p> <p>Full name: _____</p> <p>Relationship: _____    <input type="checkbox"/> Male    <input type="checkbox"/> Female</p>	<p><b>2. Alternate</b> choice of Executor, Executrix or Personal Representative. This individual will serve in the event either the primary or co-executor(trix)/personal representative is not available or alive at the time of your death.</p> <p>Full name: _____</p> <p>Relationship: _____    <input type="checkbox"/> Male    <input type="checkbox"/> Female</p> <p><b>“Joint” Alternate</b> Executor, Executrix, or Personal Representative (if you so desire).</p> <p>Full name: _____</p> <p>Relationship: _____    <input type="checkbox"/> Male    <input type="checkbox"/> Female</p>
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### **Guardian(s) of Minor Children**

The surviving parent of a child under the age of eighteen (18) is ordinarily entitled to be the Guardian of that child. In the case of simultaneous death of you and your spouse, or if you are a single parent, you should appoint a Guardian for your child(ren) under the age of eighteen (18). Prior to the completion of this Questionnaire, you should make sure your proposed Guardian(s) is (are) willing to serve as Guardian(s). This Guardian will have legal custody of your children in the event you and your spouse die before your children reach age eighteen (18). To appoint a Guardian in your Will, please complete the Guardian section below.

An individual will be disqualified from acting as a Guardian or Executor/Executrix/Personal Representative if that individual is:

1. Less than eighteen (18) years of age, or
2. A judicially declared incompetent, or
3. A non-United States citizen who does not reside in the United States, or
4. A convicted felon.

**For Wills being prepared in Florida:** When naming a Guardian/Personal Representative, the individual must be a Florida resident unless the individual named is your spouse, or blood relation, or the spouse of a blood relation. These individuals can serve even if they are not residents of Florida.

**Important information concerning Guardianship:** Another important factor to consider is how your children will inherit from your estate if they are under age eighteen (18). If you have a Simple Will prepared and only complete the Guardian section, assets passing under your Will to your children will be placed under a Court-supervised Guardianship Estate. The Guardian of your children will account to the Court annually for the funds in the estate until your children reach age eighteen (18). The Guardian will also have to request the Court's permission to withdraw funds from the Guardianship accounts for your children's needs.

Many parents prefer to establish a Trust for their minor children in their Wills. Through the Trust, parents can name Trustees (who may also be the same persons as the Guardians) to hold assets inherited by their children, and use the funds for the children's needs (health, education, maintenance, support, etc.). The Trustees do not need Court permission to withdraw money from the Trust for the children's needs. In addition, parents may even choose to stagger the outright distribution in equal portions, for example, at ages 21, 25 and 30.

*Continued*

If you wish to establish a Trust for your beneficiaries, no additional fees will be incurred. Please contact the National Legal Office for further instructions, (800) 832-5182 in New York and (800) 292-8063 in all other states.

Provide the following information about the person(s) you select to be Guardian(s). In the event my spouse predeceases me, I name as Guardian(s):

<b>1. Primary</b> choice of Guardian:	<b>2. Alternate</b> choice of Guardian:
Full name: _____	Full Name: _____
Relationship: _____	Relationship: _____
<b>“Joint”</b> Guardian (if you so desire):	<b>“Joint” Alternate</b> Guardian (if you so desire):
Full name: _____	Full name: _____
Relationship: _____	Relationship: _____

### **Sign, Date and Mail**

\_\_\_\_\_  
Signature of Covered Individual for whom all documents are to be prepared Date

\_\_\_\_\_  
Signature of Spouse or Domestic Partner if Reciprocal Documents have been requested Date

*Note: If you are requesting non-identical documents, at no additional charge, you must complete the second Legal Security Package.*

*If you'd like to purchase additional Legal Security Packages at \$45 each; \$55 effective September 1, 2010, contact the Plan's National Legal Office.*

**Four to six weeks** following our receipt of this Legal Security Package, your legal documents and a copy of your Will will be forwarded to you along with the name, address and telephone number of an attorney in your geographical area who will supervise the execution of your Will at no cost.

### **Where to mail your completed Legal Security Package**

1. For documents prepared for residents of all states *except Florida*, mail your completed Legal Security Package to: **Feldman, Kramer & Monaco, P.C., Attorneys at Law, 330 Vanderbilt Motor Parkway, Hauppauge, NY 11788-5110.**
2. For documents prepared for residents of *Florida*, mail your completed Legal Security Package to: **Glantz & Glantz, P.A., Attorneys at Law, Wellesley Corporate Plaza, 7951 S. W. 6th Street, Suite 200, Plantation, FL 33324.**

**Please Do Not Detach This Portion**

Your completed Legal Security Package documents and copy of same will be forwarded to you along with appropriate instructions and the name of an attorney in your geographical area who will supervise their execution. Provide the information requested below to facilitate mailing.

**Your Mailing Address**

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_