THE ESTATE PLANNING QUESTIONNAIRE

DISCLAIMER

This article is intended for informational purposes, only. It does not constitute legal advice. Nor is it a substitute for legal advice.

The first step in preparing to make an estate plan is to gather and set down information. The assembly of this information is useful, however, not merely for *making* a plan. It is also an exercise in assembling end-of-life information. Essentially, it is part of putting the house in order so that the things which need to happen at the time of death can proceed efficiently. It saves time and costs.

The questionnaire is broken down into two principal sections: 1) personal information and 2) assets & liabilities. These first two sections primarily comprise fill-in-the-blank answers to straight-forward questions about family, professional advisors, existing documents, property interests, values and liabilities. In addition, there follows a series of questions to consider in determining your estate planning wishes, as well as a list of documents to compile.

Documents

After completing the first two sections, to the extent you are uncertain about titling or ownership of real estate, it would be best to review the most recently recorded deeds. Tilting is a central part of estate planning (see article on *Joint Tenancy & Tenancy in Common*) and it is important to be accurate. You may wish to obtain copies of your real estate deeds, or, at the very least, your real estate tax statements. A current balance sheet should be part of your assembled documents.

Whether you are preparing to make changes in your estate plan, redoing that plan, or simply assembling end-of-life information, you will want to make sure to have your will, trust, power of attorney for health care, durable power of attorney, living will/health care directive, closely held business documents (partnership agreement, by-laws, operating agreement, shareholder agreement, articles of incorporation, buy-sell agreement), recent account statements indicating any beneficiary designation (checking, savings, CDs, IRAs, mutual funds, brokerage accounts, cooperative capital account statement, life insurance record), land contracts (any contracts which are not completed), credit card accounts (with reward point information), frequent flier account information, and tax returns for the last three years.

Wishes & Worries

This is often the most difficult part of an estate plan: what do you want to see happen with your property? It is not strictly speaking a legal question, though at times legal concerns will shape, direct or restrict those wishes. In outlining your wishes, one useful exercise is to set down on paper or at the computer a list of things you'd like to see happen. Do not concern yourself with what is or is not permissible or advisable under the law: simply set down your thoughts. In undertaking this exercise, you may wish to consider some of the following questions, though it is not necessary to do so. These questions simply represent some of the basic considerations that go into many estate plans.

Outline your current thinking about your estate, i.e.

- To whom do you wish to transfer your property at death?
- Do you wish to consider making any lifetime transfers of property?
 - What are the reasons for making lifetime transfers? After all, there is a fair book of human experience that says "don't give away your clothes too soon." Nonetheless, there may be strong, if not compelling, reasons to make lifetime transfers, such as:
 - Transfer tax planning: is there a need to reduce the size of your taxable estate in order to minimize or eliminate federal estate tax?
 - Protecting the estate from future contingencies, like health care costs. Are you concerned about the costs of long-term care? Long term care planning is an important part of estate planning. How will that care be paid for if it goes on beyond the 90 days covered by Medicare? Do you have long term care insurance? Is there sufficient income (rent, savings, social security) to pay the monthly cost of care without liquidation of business assets such as land? Is long-term care insurance affordable? In some families, in particular those families in which more than one generation takes its livelihood from the family business, planning for long-term care may also include reliance on Medicaid. How does Medicaid work? What about the family farm or ranch?
 - Is it simply time that your successor in the family business comes to own more of the business? Perhaps the health of the business and the family suggests that the transfer of ownership should not all wait until death.
- Will you transfer ownership of property (whether during life or at death) outright or will you impose restrictions on ownership?
 - In some farm and ranch families, almost all of the wealth is in the farm or ranch itself, often primarily in the land. How will this be transferred? Is one child to take over as a successor? If so, will that child receive all of the farm or ranch to the exclusion of the other children? In other words, will the on-farm heir inherit it all and the other kids be disinherited? If not, is there enough to go around and still keep the farm or ranch yiable? Are there ways to share the ownership among all the children while still keeping the farm or ranch together as a viable operation under the control of the successor down through time? The answer is yes, but deciding on which of the possible tools to accomplish this wish depends on the facts of each family's situation and the intentions of the present owners. In general, such tools impose certain restrictions or limitations on ownership. For example, and only as an example, the farm or ranch stead, with the buildings and yards, as well as the equipment and livestock, may all be left outright to the on-farm heir. The remainder of the land may be left to all the kids, in a way that allows the on-farm heir to continue to have access to the land and also benefits the off-farm kids with, perhaps, an annual rental. Such structures might also give the on-farm heir a chance to buy out his or her siblings, whether in a lump sum or over time, at a price that the parents believe is workable or at full fair market value, if different. Such structures might also effectively restrict ownership to the family down through time.
- Do you wish to consider the use of a trust for management of the property either during your life or after your death? A trust has numerous possible uses, ranging from mere probate avoidance to

detailed management of property through time, sometimes by institutional trustees. (See article on *Trusts*.) Who will manage the trust property – who will be trustee? Who will benefit from the trust property and how? How long will the property stay in trust? What happens when the trust ends?

- Is the foremost thought in mind to protect the estate from the financial and family circumstances of the heirs? In other words, is asset protection planning the foremost concern?
 - Are there concerns about heirs' ability to manage property?
 - Are there heirs in financial distress?
 - Are there marital uncertainties among the heirs?
- Planning for incapacity is a sometimes neglected yet very important part of an estate plan.
 - o What would happen should you become unable to manage your affairs and property? Who would take over for you?
 - A person should have both a durable power of attorney for property management, and a durable power of attorney for health care (often including a health care directive or living will).
 - o Will you rely on the use of a revocable trust with its appointment of a successor trustee to manage property in the event of disability or incapacity?
- What about security and cash flow? Will you have enough of each for your own purposes? Estate planning often involves the transfer if not of ownership then of control over property. This can sometimes lead to a loss of cash flow. Have you considered this? Have you run the numbers on retirement? This is sometimes referred to as liquidity planning.
- Do you wish to make charitable contributions? Does the desire to accomplish charity motivate part of your estate plan? In addition to the accomplishment of charity, there are numerous possible tax benefits to charitable giving. And numerous tools to take advantage of those benefits. In the field of charitable giving, it is often possible simultaneously to accomplish charity and retain some benefit of property that is transferred to charity. (See article on *Charitable Giving.*)
- Again, it is possible to keep it simple: To whom will you transfer property? When will it be transferred during life or at death? How will it be transferred which tool(s) will you use to accomplish the transfer of ownership? In general, broadly, there are three basic tools to be used: wills, titling or trusts. (See separate articles on each of these subjects.)
- What are the obstacles to accomplishing your estate plan?
 - Set down on paper what it is you believe to be the principal obstacles to deciding on your estate plan. This is not a legal exercise; it does not require the use of a specialized language. There is no right or wrong to answering this question. In your words, what are the difficulties in deciding on a plan?
- What are your chief concerns about your estate plan?
 - As with the previous question, this one is meant to prompt you to simply set down on paper what your main concerns are in planning your estate: These can be wishes (what do you want to see happen) or worries (what problems do you see) or facts. No right or wrong.

It is hoped that by thinking about these issues and questions, by answering the following questionnaire,

and by outlining your own thoughts on planning your estate, that you will not only save costs in putting together an estate plan but that you will end up with a plan that is your own, one that is truly tailored to meet your circumstances, address your concerns and accomplish your wishes.

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ESTATE WORKSHEET

This form is intended to assist you in identifying, compiling and recording information that is relevant to planning your estate. It is a document that will assist your advisor(s) in understanding your estate and helping you to determine a plan.

Part One Personal & Background Data

1. BASIC INFORMATION

	Name	Date of Birth	Social Security #
Husband:			
Wife:			
Previous/mai	den names:		
2. <u>RESIDEN</u>	ICE		
Residence:			
	County	State	
Address:			
	Street Address	City	Zip
Phone Number	ers:		
	Work	Home	Cell
Business Add	lress:		
Other Resider	nces:		

Period of res	sidence in present state	<u> </u>		
3. <u>CITIZEN</u>	<u>ISHIP</u>			
Husband:	U.S	Other	_	
Wife:	U.S	Other	_	
4. <u>CHILDR</u>	EN (use back of sheet i	f additional spa	ce is needed)	
Name	Date of Birth	l	Social Security #	Address
		·		
4.(a) <u>MARF</u>	RIED CHILDREN & G	RANDCHILDE	<u>len</u>	
Child & Sp	oouse Name		Grandchildren 1	Name/SSN/DOB

Does any child or grandchild have a health problem or handicap? Yes No
If yes, please explain:
5. MARITAL HISTORY
Date of Marriage:
County and State of Marriage:
Prior marriages & divorces, including terms of continuing obligations, if any:
6. CURRENT ESTATE DOCUMENTS
Does Husband have a will (yes no) or trust (yes no) at the present time?
Location of original(s):
Does Wife have a will (yes no) or trust (yes no) at the present time?
Location of original(s):
Is the Husband's trust revocable () or irrevocable ()?
Is the Wife's trust revocable ()?
Do you have a marital property agreement, such as prenuptial? Yes No
Have you or spouse made any gifts in any one year to any person that exceeded in value either 1) \$13,000, if made by you alone, or 2) \$26,000 if made by you and your spouse together. Yes No
If yes, specify amount of gift, date and donee:
Have you ever filed a gift tax return? Yes No If yes, in what year? Was any gift tax paid?

Do you have a safe deposit box? Yes No If yes, where is it located and who are the persons authorized access to it?
Provide a copy of Will, Trust, Marital Agreement and Gift Tax Return, if any.
7. ADVISORS (name, address and telephone number)
Attorney Accountant
Banker
Life Insurance Agent
Investment Advisor/Broker
Trustee/Trust Officer
Closest Relative
Funeral Director
Religious Counselor
8. POWER OF ATTORNEY
Does Husband have a <u>durable power of attorney</u> ? Yes No Date Executed:
Who is the agent under the POA (name, address, telephone #)
Who are the successor agents, if named agent is unable to serve?
Does Wife have a <u>durable power of attorney</u> ? Yes No Date Executed:
Who is the agent under the POA (name, address, telephone #)
Who are the successor agents, if named agent is unable to serve?

addresses and telep agents under the po	ver of attorney, or contemplate whone numbers of individuals, ower of attorney:	in order or priority, whom	you would name to be your
	e a health care power of attorn		
Who is the agent un	nder the POA (name, address,	telephone #)	
Who are the succes	ssor agents, if named agent is	unable to serve?	
Does Wife have a l	nealth power of attorney? Yes	s No Date Exe	ecuted:
Who is the agent un	nder the POA (name, address,	telephone #)	
Who are the succes	ssor agents, if named agent is	unable to serve?	
addresses and telepagents under the po	Ith power of attorney, or content of the numbers of individuals, ower of attorney:	in order or priority, whom	you would name to be your
		Part Two Assets & Liabilities	
1. Assets	<u>Husband</u> (Separate)	<u>Wife</u> (Separate)	<u>Joint</u>
A. Cash, Bank Ac	counts CDs (Attachment A)		,
B. Real Estate (At	tachment B)		
C. Machinery & E	Equipment (Attachment C)		

_					
D. Livestock (Attachn	nent C)				
E. Crops (Attachment	C)	,			_
F. Farm Supplies (Atta	achment C)				_
G. Stocks, Mutual Fur	nds & Bonds (Attachm	nent A)			·-
G. Insurance (See Atta	achment D)				
H. Employee Benefits	(See Attachment E)			 	
I. Closely Held Busine	ess Interests (See Attac	hment	F)		
J. Notes, Accounts Re	ceivable, Mortgages (A	Attachn	nent A)	 	
K. Miscellaneous (See	e Attachment G)				
II. Liabilities (See att A. Real Estate Mortga					

B. Notes to Financial	Institutions	
C. Loans on Insurance	e Policies	
D. Other Obligations		
E. Charitable Pledges		
F. Tax Liabilities		
III. Net Worth		

Part Three Documents

To the extent you are uncertain about titling or ownership of real estate, it would be useful to review the most recently recorded deeds, copies of which should be available form the County register, if you do not have copies yourself.

Whether you are preparing to make changes in your estate plan, redoing that plan, or simply assembling end-of-life information, you should assemble the following as end-of-life documents: your will, trust, power of attorney for health care, durable power of attorney, living will/health care directive, closely held business documents (partnership agreement, by-laws, operating agreement, shareholder agreement, articles of incorporation, buy-sell agreement), recent account statements indicating any beneficiary designation (checking, savings, CDs, IRAs, mutual funds, brokerage accounts, cooperative capital account statement, life insurance record, pensions statement, credit card accounts/reward points, frequent flier accounts), land contracts (any contracts which are not completed), divorce decrees, vehicle titles, and tax returns for the last three years.

Part Four On Line Information

Many people have online accounts, for email, bank accounts, entertainment services, etc. It may be

important that your agent or personal representative be able to access these accounts. An Attachment I is provided for that purpose. This information should of course be kept private and made available only to trustworthy people.

Part Five Estate Wishes

Use the following space and back of this page to outline your current thinking about your estate, i.e.

- List and Rank your goals in undertaking an estate plan.
- What are the obstacles to accomplishing your estate plan?
- What are your chief concerns about your estate plan?

Do not be concerned about the legal issues, or what can or cannot be accomplished legally. Rather, set down in plain terms your own thinking about your estate plan and what you hope to accomplish. What do you want to see happen? What do imagine things looking like?

- To whom do you wish to transfer your property at death?
- Will you give away property while you are alive? Why?
- Do you want your heirs to be free to do with their inheritances as they like?
- If not, what restrictions would you impose on their use of the property?
- Does the property need to be protected from liabilities/risks?
 - o Third party creditors
 - o Marital dissolution
 - o Special need risks
 - o Spendthrift ways

Part Six Cash Flow

Present Net Income/Cash Receipts Data

A. Income/Cash Sou	<u>rces</u> Husband	Wife	Others
Salaries			
Other Compensation			
Business Profits/Rent			
Distributions Dividends			

Interest			
Net Rents			
Royalties			
Trusts			
Other			
Total			
B. Current Expenditu Living Expenses	<u>res</u>		
Insurance Premiums			
Tax Liabilities			
Mortgage & Other Debt Payments			
Other			
Total		<u>.</u>	
C. Amount Available (Income/Cash Sources Current Expenditures)	for Savings s less		
II. Future Annual C	ash Requirements		
A. Future Cash Source	ees (after retirement) Husband	Wife	Others
Dividends			
Interest			
Other Investment Income/Rent			

Annuities & Insuranc	e			
Social Security				
Employee Retirement Benefits				
Other Employee Bene	efits (e.g., Deferred Com	pensation Arrangements)		
Trusts				
Other				<u>.</u>
Total				
B. Future Expenditur Living Expenses	<u>es</u>			
Insurance Premiums				
Tax Liabilities				
Mortgage & Other Debt Payments				
Other				<u>.</u>
Total				
C. Amount Available (Future Cash Sources	e for Savings less Future Cash Requir	rements)		

Attachment A LIQUID ASSETS

A. Cash and Bank Accounts

	Bank/Institution Or Number	Husband	Wife	Joint
Cash				
Checking Account				
Savings Account				
				
CDs				
			· · · · · · · · · · · · · · · · · · ·	
B. Mutual Funds S	Shares			
Description	Ownership	Cost	Current Value	Current Yield

C. Stocks				
Description	Ownership	Cost	Current Value	Current Yield
	-			
				
	···		<u> </u>	
D. Accounts Rec	eeivable, Notes & Mo	rtgages		
Debtor	Security	Maturity	Face Amount	Present Value of Debt
 				
E. Bonds			·	
Description	Ownership	Face Value	Cost	Current Value
	* ***			

Attachment B REAL ESTATE

Parcel 1 County/Legal Desc	ription/Acres	
County/Legal Desc	Tipuoti/Acres	
Type of property (A	Ag, residential, commercial, recreational)	
Form of ownership	(joint tenancy, tenancy-in-common, trust, corporate/company)	
If joint, contribution	n of each joint tenant:	
Date acquired:		
How acquired:		
•	(purchase, inheritance, or gift)	
Cost or basis:		
Present fair market	value:	
Tax assessed value:		
Mortgage Obligation		
Creditor/Le	nder	
Original mo	ortgage amount	-
	ount of mortgage	
Maturity and	d payment schedules	
G 1791 4 1 1		
Cash Flow Analysis		
	r actual rental value	
Annual real		
Annual mor	tgage payments (principal & interest)	
D 13		
Parcel 2	winting / A area	
County/Legal Desc	ription/Acres	
Type of property (A	Ag, residential, commercial, recreational)	
	(joint tenancy, tenancy-in-common, trust, corporate/company)	
roim of ownership	dont tenancy, tenancy in common, trust, corporate company)	
If joint contribution	n of each joint tenant:	
Date acquired:	To occur joint to hant.	
How acquired:		
	(purchase, inheritance, or gift)	
Cost or basis:	(F	
	value:	
Tay accessed value		

Mortgage Obligations
Creditor/Lender
Original mortgage amount
Current amount of mortgage
Maturity and payment schedules
Cash Flow Analysis
Estimated or actual rental value
Annual real estate taxes
Annual mortgage payments (principal & interest)
Parcel 3
County/Legal Description/Acres
Type of property (Ag, residential, commercial, recreational)
Form of ownership (joint tenancy, tenancy-in-common, trust, corporate/company)
If joint, contribution of each joint tenant:
Date acquired:
How acquired:
(purchase, inheritance, or gift)
Cost or basis:
Present fair market value:
Tax assessed value:
Mortgage Obligations
Creditor/Lender
Original mortgage amount
Current amount of mortgage
Maturity and payment schedules
Waturity and payment senedules
Cash Flow Analysis
Estimated or actual rental value
Annual real estate taxes
Annual mortgage payments (principal & interest)
Parcel 4
County/Legal Description/Acres
Type of property (Ag, residential, commercial, recreational)
Form of ownership (joint tenancy, tenancy-in-common, trust, corporate/company)

.

If joint, contribution of each joint tenant:	
Data apprised:	
How acquired:	
(purchase, inheritance, or gift)	
Cost or basis:	
Present fair market value:	
Tax assessed value:	
Mortgage Obligations	
Creditor/Lender	
Original mortgage amount	
Current amount of mortgage	
Maturity and payment schedules	
Cash Flow Analysis	
Estimated or actual rental value	
Annual real estate taxes	
Annual mortgage payments (principal & interest)	
Parcel 5	
County/Legal Description/Acres	
Type of property (Ag, residential, commercial, recreational)	
Form of ownership (joint tenancy, tenancy-in-common, trust, corporate/company)	
TC: interpretation of the literature of the lite	
If joint, contribution of each joint tenant:	
Date acquired:	
How acquired:	
(purchase, inheritance, or gift)	
Cost or basis:	
Present fair market value:	
Tax assessed value:	
Mantagas Obligations	
Mortgage Obligations	
Creditor/Lender	
Original mortgage amount	—
Current amount of mortgage	
Maturity and payment schedules	
Cash Flow Analysis	
Estimated or actual rental value	
Annual real estate taxes	
Annual mortgage payments (principal & interest)	

Attach information below or on reverse, as needed.

Attachment C Machinery, Equipment, Crops, Livestock

MACHINERY/EQUIPMENT (state value; list may be attached, or schedule from financial	
statement/balance sheet, or table used):	

	Type/Model	<u>Year</u>	<u>Lien</u>	<u>Creditor</u>	Amount	<u>FMV</u>
1.	 					
2.					-	
3.						
4.				•		
5.						
6.						
7.						
8.						
9.						
10.						
11.				,		
12.						
13.						
14.						
15.						

<u>LIVESTOCK</u> (state value; list may be attached, or schedule from financial statement/balance sheet)

<u>Market</u>		
Number	Weight	Value
steers heifers		
pigs		
pigs		
pigs		
Breeding		
Number	Weight	Value
Cows	_	
Bulls		
Bred Heifers		
Calves		
Sows		

Gilt Boar						
<u>CROPS</u> (stat	e type of crop,	quantity, present va	lue, or use tab	les)		
Crops on har	nd:			·		
Growing cro	ps:			<u> </u>		
Crops on har	nd Yr. Of Prod.	Pl. of Storage	Lien	Creditor	Amount	FMV
						-
	<u></u>		<u>l</u> <u>L</u> .	<u> </u>	<u>_</u>	
Growing Cro	ops					
Type	Acres	Est. Yield	Lien	Creditor	Amount	Est. FMV
<u> </u>						
Farm Suppl	<u>ies</u> (Describe/S	tate Values)				
Seed						
Chemicals_						
Fertilizer						
Feed						<u>.</u>
Misc Supplies						
Attach info	rmation below	or on reverse, as nee	eded.			

Attachment D LIFE INSURANCE

	d by Insured on own lin	<u>fe</u>		
Insured:				
Company:		Policy #:_		
Face	Type of	Annual	Cash	Designated
Value	Policy	Premium	Surrender Value	Beneficiary
	d by Insured on own li			
Company:		Dollov #		
Face	Type of	Foncy # Annual	Cash	Designated
Value	Policy	Premium	Surrender Value	Beneficiary
value	roncy	Ficilium	Sufferider value	Beneficiary
				ш.
				-
Policies Owned Insured:	l by Others	Owner:	·	
Company:		Policy #:_		
Face	Type of	Annual	Cash	Designated
Value	Policy	Premium	Surrender Value	Beneficiary
Policies Owned	by Others	· · · · · · · · · · · · · · · · · · ·		
		Owner:		
Company:		Policy #:		
Face	Type of	Annual	Cash	Designated
Value	Policy	Premium	Surrender Value	Beneficiary

Attachment E Employee benefits, pensions, IRAs, Executive Compensation

Employer's name and address

				_
A. Type of Plan	Retirement E	Benefit	Amount Vested	Death Benefits
1. Pension				
2. Profit-Sharing				
3. Deferred Compen	sation Arrange	ement		
4. Individual Retirer	ment Account			
5. Other				
B. Stock Option Pla	an	Option Price	e Current Valu	se Summary of
 Incentive Stock P Nonqualified Stoch Option Plan 				
C. Other Benefits		Company	Benefits	Beneficiary
1. Group term life in			_	
2. Disability income3. Health and Medic				
4. Other		<u>.</u>		
TOTAL VALUES F				
WORTH INCLUSIO	can			

Attachment F CLOSELY HELD BUSINESS INTERESTS

A. Basic Infor	mation
	siness
2. Business Ad	
3. Type of Bus	iness Organization
(e.g., regular co	orporation, S corporation, partnership, limited liability company, sole proprietorship)
4. Business adv	visors, accountants
B. Distribution	n of Ownership (by percentage or by number of shares)
,	You
	Spouse
	Children
(Others/Unrelated Parties
C. Are there v	voting and non-voting interests/shares?
	ho owns voting interests/shares?
D. Buy-Sell A	greement
	ell agreement exist?
2. If so, what t	
· ((e.g., cross-purchase, stock redemption, combination).
	to be funded, and, if so, how and amount?
4. Method for	determining value
((e.g., book value, earnings multiple, appraisal, agreed value)
E. Other Com	amitments of the Business
1. Stock option	agreements
•	mpensation agreements
	oyee benefit plans
_	surance policies
F. Anticipated	l Disposition of Stock (assuming no buy-sell agreement)

Attachment G MISCELLANEOUS ASSETS

(at current fair market value)

 A. Personal Effects 1. Clothing 2. Jewelry 3. Home furnishings 4. Other 	Client	Spouse	Joint
 B. Other Tangible Personal Property 1. Collections (e.g., art, book, coin, etc.) 2. Automobiles 3. Other (e.g., boats, aircraft, etc.) 			
C. Patent, Trademark, and Copyright Own and Royalty Arrangements	nership		
D. Mineral Interests 1. Oil and gas 2. Coal 3. Other E. Estates and Trusts			
 Anticipated benefits und Estates and trusts Powers of Appt. (general or limited?) 	er 		
F. Cemetery Plot			
G. Prepaid burial account			
TOTAL VALUES			
H. Reward accounts (credit card, frequent	flier, etc)		

Attachment H PERSONAL LIABILITIES

	Obligee/Creditor	Amount	Interest Rate
A. Real Estate mortgages			
B. Promissory notes owing to Financial institutions			
C. Loans on insurance policies			
D. Other obligations/Open Accounts			
E. Charitable pledges			
F. Tax Liabilities			
G. Contingent liabilities			
TOTAL LIABILITIES FOR INCLUSION IN NET WORTH STATEMENT			

Attachment I ONLINE ACCOUNTS and MISCELLANY

(Fill out specific site if access to it is necessary for familial or financial reasons; ignore if site[s] does not exist)

4 0 1 P 1	Website	Username	Password
A. Online Banking _		_	
B. E-mail _			
C. Social Media (Facel twitter, etc.)	oook,		
D. Other			
_			
_			
			

List your services (TV, internet, subscriptions, etc.). Identify your health insurance information (for final claims), PO Box, safety deposit box (verify that your personal representative or successor trustee has access), prepaid funeral accounts.