Wills and Estate Planning Appointment Guide

This guide can be used to help you with your Will and Estate Planning appointment. You'll find a list of key terms and what you'll need to consider before your appointment.

Key terms

Assets
Things of value you own such as cash savings, real estate, shares and investments.

Beneficiaries
People and organisations that will receive or benefit from your assets.

Capacity
A person's ability to understand facts and make choices, weigh up information and understand consequences.

Enduring Guardian
A person who can make health and lifestyle decisions on your behalf if you are not able to do so.

Executor
A person or organisation who carries out the wishes in your Will.

Power of Attorney
A person or organisation who can make financial and legal decisions on your behalf if you are not able to do so.

Will
A legal document with instructions for who you want to inherit your estate, care for your children, and be your executor when you pass away.

Bring to your appointment

- [ ] One form of valid ID e.g. current drivers' licence, passport or Medicare card.
- [ ] Centrelink income statement if you are receiving the full age pension. Here is an example of a sample income statement.

Think about before your appointment

Capacity

- [ ] To make a Will or any other estate planning document, you must have capacity. You must be able to provide clear instructions and understand the nature and effect of the document(s) you wish to make. As part of the appointment process, our Wills and Estate Planning Consultants will ask a series of open ended questions in order to assess your capacity.

Interpreter

- [ ] If your primary language is not English, consider if you need an interpreter for your appointment. Let us know during our initial phone call.

Will

- [ ] Names and contact details of beneficiaries including date of birth for minors.
- [ ] Names and contact details of guardian(s) for any children under the age 18. (If your guardian lives overseas, it is advisable to appoint a temporary guardian that resides in Australia.

Names and contact details of executor(s). Not required if you are appointing NSW Trustee & Guardian.

(Wills - continuted)

A summary list of your assets, such as:

- [ ] Real estate
- [ ] Overseas assets
- [ ] Savings
- [ ] Life insurance
- [ ] Shares and other investments
- [ ] Motor vehicles
- [ ] Jewellery, artwork and any other significant assets
- [ ] Superannuation fund, and, who you have nominated as a beneficiary, please note that your superfund does not form part of your Will, unless you specifically have this requirement. This will be discussed at your appointment.

Power of Attorney

- [ ] Names, addresses and contact details of your chosen attorney(s). Not required if you are appointing NSW Trustee & Guardian.

Enduring Guardianship

- [ ] Names, addresses and contact details of your chosen Guardians. NSW Trustee & Guardian cannot be appointed as guardian, only a *person* can.

Executor of your estate

- [ ] Many people choose their spouse, adult child, or a family friend as their executor. Others may wish to entrust the task to a professional such as a solicitor or trustee organisation like NSW Trustee & Guardian. It is also common to nominate more than one executor and it is highly advisable to nominate a substitute executor.

Complex assets and instructions

- [ ] If you have complex assets or instructions for your Will or Power of Attorney you will need to provide additional documents. Our Wills and Estate Planning consultants will discuss this with you on the call. Read more here.

Your appointment's booked, here's what you can expect:

Pre appointment phone call

One of our consultants will call you to discuss your situation and learn more about you. During the phone call our consultants will:

- Ask you questions about your assets and relationships.
- Identify if you need an interpreter.
- Determine if there is any conflict of interest.
- Confirm fees.

A follow-up call may take place to take initial instructions to draft your documents in advance of your appointment.

Appointment

An appointment can take up-to 2 hours. During the appointment our consultants will:

- Check your ID and income statement.
- Take down instructions for your Will, Power of Attorney or Enduring Guardian.
- Draft your Will, Power of Attorney or Enduring Guardian.
- Where possible request for you to Sign your Will, Power of Attorney or Enduring Guardian.
- Take payment.

A follow-up appointment may need to take place if your documents are not drafted during your initial appointment.