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# ESTATE PLANNING GUIDE

## What you need to know

## Introduction

Let's start with a simple question: do you really need an estate plan? The simple answer is "yes," that is unless you are willing to relinquish to others — who may be perfect strangers — important decisions about your family, your bank accounts, your investments, your care, and other matters near and dear to you. To be candid, putting an estate plan in place requires some effort. But like those overwhelming projects you may confront at work and in the home, once done you will feel a sense of accomplishment and even relief. And you will have given your loved ones the gift of stability should an unanticipated event cause you to be unable to make decisions.

There are several benefits to making an estate plan:

- Peace of Mind for You and Your Family An estate plan and its associated documents will help guide your family if they need to make difficult decisions about your care and provide the authority they might need to do so. Consider your plan a gift to your family and other loved ones when they need it most. An estate plan is especially important if you have minor children as it will name a guardian to care for your children and, in many instances, establish a trust to help ensure their financial well-being. Even without minor children, you will want a plan describing how you wish to care for your loved ones.
- Distribution that You Want —

Without an estate plan of some type, the laws of your state determine what happens to your property. Very likely the distributions dictated by state law will NOT be the ones you would have chosen. And no state distribution law provides for gifts to friends or charities or makes provisions for your pets. Make sure what you've earned and accumulated in your lifetime goes to help those

you love and causes you care about.

- ¬ Financially Wise A good estate plan will help streamline the distribution process, minimize administrative costs, and possibly reduce taxes that might otherwise be owed. That means you leave the most you can to the people you love and the causes you care about.
- □ Remembering Charity With thoughtful planning, you can provide for your loved ones and leave a gift to an organization like the Society of the Little Flower that is important in your life. This guide will describe the key elements of an estate plan, the documents you should have and some charitable giving ideas you might want to incorporate into your planning. Then you'll have the opportunity to record personal and financial information that you need to share with your family and to create your estate plan.

"I see God in the work of his hands and the marks of his love in every visible thing, and it sometimes happens that I am seized by a supreme joy which is above all other joys."

Saint Titus Brandsma

## Elements of Long-Term Planning

#### **RELATED TO YOUR FUTURE GOAL**

These planning options are the basic elements that will ensure your wishes are carried out. Your chosen approach should be done in partnership with a lawyer. There is more information about working with a lawyer later in this guide.

Regardless of the planning documents you choose, you can provide for a gift to The Society of the Little Flower in gratitude for our century-old mission of promoting devotion to St. Thérèse of the Child Jesus, the Carmelite nun and Doctor of the Church. Through the support of our friends, Carmelites throughout the world are making a difference in people's lives through Gospel ministries and the education of seminarians, fulfilling St. Thérèse's mission to "make God known and loved to the ends of the earth" in the most concrete ways of charity and justice.

Making a legacy gift to The Society of the Little Flower isn't just for those with a large estate. It's a wonderful way to continue a lifetime of support for an institution that has meant so much to you.

- Will. This is a document in which you make a disposition of your property to take effect after your passing. It may be changed or revoked during your lifetime. States differ as to what constitutes a valid will, but usually require two witnesses who are present when you sign the will. It is advisable to work with a lawyer to prepare your will to make sure it is valid and effective. In the will, you will appoint your executor and other personal representatives who will carry out the terms you set forth. Using your will, you will determine who receives your property, such as family, friends and charitable organizations.
- Revocable Living Trust. Many people use this arrangement in place of a traditional will to facilitate the distribution of your property. You might hear it referred to as a "living trust" or "RLT." The trust is created while you are living. Most often people serve as trustees of their own trust and have the power to change and even revoke as need be. The revocable living trust becomes irrevocable upon your passing and a successor trustee is appointed. A living trust requires that you actually transfer ownership of your property to the trust in order to be effective.

There are pros and cons with each approach, and an estate planning attorney can advise you as to which is best for your situation.

Please note: Even if you use a revocable trust, you should also still have a will that covers any property you owned but did not transfer into the trust. Often the resulting will is called a pour over will, which simply directs that any property a person owns be added to — or poured over to — the trust.

- **Beneficiary Designations.** Most financial accounts bank or stock brokerage accounts, IRAs or other types of retirement plans, commercial annuities, or life insurance policies allow you to designate who will receive whatever remains upon your passing. Often the beneficiary designation is a simple matter of signing a form provided by the financial institution.
- What to Expect. Be prepared to discuss your financial records, property, accounts with beneficiary designations, and prior wills and trusts, if any. A comprehensive list of types of information to think about when making an estate plan is included in this guide. Before visiting a lawyer to document your intentions, consider the needs of your loved ones and causes close to your heart so you will be prepared to make your intentions known to your planning professional.



"It is certain that the love of God does not consist in experiencing sweetness or tenderness of heart but in truly serving God in justice, strength and humility."

Saint Teresa of Avila

## Steps to Having an Estate Plan

Depending on your situation, creating an estate plan doesn't have to be overly difficult or expensive. Here are some practical steps to get you started:

- Take inventory of what you own. List all your assets and their approximate value. Include pertinent information about each asset. There is a section later in this booklet for just this purpose.
- Make a list of tangible personal property, such as jewelry, dishes, books, furniture—items other than real estate and investments—and who is to receive each item upon your passing. You may want to maintain this as a separate list rather than designating this in your will, for maximum flexibility.
- Make a list of all your digital accounts, along with the passwords needed to access the information. Give written instructions for what you want to happen to your social media accounts. Do you want them to continue or to be taken down? Place the lists and instructions in a secure place known to your power of attorney and possibly one other trusted individual.
- Think about your goals for your estate plan, for example, who you want to benefit, how you want to treat each of your children, any special needs that you want to provide for, what happens if you and your spouse both pass away close in time, and if there are charities or organizations you want to remember. Your attorney will most likely ask you about goals you didn't consider, but at least you'll have a head start.

- Consider whom you would like to name as your agents, e.g., the executor of your will or the successor trustee of your revocable living trust, the person to hold your power(s) of attorney. Gather pertinent information for them. There is also a section in this booklet for that purpose.
- Make an appointment to see an attorney, preferably one specializing in estate planning. If you don't have one or know of one, check with a family member, friend, or co-worker for recommendations.
- Follow through on whatever actions are decided upon in the meeting with your attorney. Rely on the advice of your attorney and other professional advisors as you make your decisions.
- 8. Share your plans with others. Key documents are of little or no value if no one knows what they say or where to find them when they are needed. This is especially true for the person(s) you have designated to serve as your personal administrator/executor under your will or the successor trustee of your revocable living trust. It's also important to give loved ones at least a general sense of what to expect, so that there won't be surprises later on.



"When we had our children, our ideas changed somewhat. We lived only for them. They were all our happiness and we never found any except in them."

St. Zélie Martin - Mother of St. Thérèse of Lisieux

## Consider Your Charitable Legacy

You may have numerous charities that you believe in strongly, and you may have supported these organizations throughout your lifetime. Making a gift provision to one or more charitable organizations in your estate can be a natural extension of that support. You might be surprised at how much you can give to the Society of the Little Flower with a charitable gift while achieving your personal and financial goals.

**Bequest.** This is a gift made through your will or revocable living trust. You can leave a specified amount of money, a particular piece of property, or all or a portion of the residue (what's left after your expenses and debts are paid and specific gifts are distributed to beneficiaries). See page 27 for sample bequest wording.

Beneficiary Designation Gift. Just as you designate individuals to receive certain assets directly as your named beneficiary, you can name the Society of the Little Flower to receive all or part of the asset. This is most commonly used with IRAs and other retirement plan assets and life insurance policies, but it can also work with assets such as checking and savings accounts, brokerage accounts, and commercial annuities.

In addition to leaving a legacy, bequests and beneficiary designations have the advantage of being flexible and revocable. Perhaps most importantly, they leave the assets under your control should you need them during your lifetime.

Charitable bequests and beneficiary designation are fully deductible if you have sufficient assets to require filing an estate tax return. There is no limit as to how much of your charitable estate gifts can be deducted.

Charitable Gift Annuity. This is a simple way to make a gift to the Society of the Little Flower and receive fixed payments for life in return. In addition, you receive an income tax charitable deduction, and the payments are partly tax-free. A gift annuity is arranged directly with the charity you wish to support. Once the payment obligation is met, the charity can use the remaining amount in its programs.

#### **Charitable Remainder Trust.**

A Charitable Remainder Trust allows a donor to transfer appreciated assets or cash into an irrevocable trust, which will distribute income to one or more beneficiaries for a period of years or for life. A charitable income tax deduction is allowed at the time of the funding. At the end of the trust's term, the value of the remaining assets is distributed to charity.

Charitable Lead Trust. A Charitable Lead Trust can help you maintain or increase your income while making a significant gift to the Society of the Little Flower. It is an especially attractive gift if you would like to sell an appreciated asset, e.g., real estate held for investment purposes, and generate income from the sale by substantially reducing and deferring capital gain income that would have been due if you had sold the real estate.

Retained Life Estate. You can give your personal residence to the Society of the Little Flower and continue to live there for the rest of your life. You have the satisfaction of knowing that this generous gift is complete and the benefit of immediately reducing income taxes with an income tax charitable deduction in the year of your gift. Retained life estate gifts or other real estate must conform to the Society of the Little Flower's acceptance policies.



"Take God for your spouse and friend and walk with him continually, and you will not sin and will learn to love, and the things you must do will work out prosperously for you."

Saint John of the Cross

## **Essential Information Organizer**

(Contains confidential and sensitive information — keep in a secure location)

This questionnaire is designed to help you organize your important information. This will in turn help you when you see an attorney to prepare your will and other key planning documents. It will also help your loved ones at a time when they need it the most — if you are no longer able to make decisions for yourself or if you have passed away.

While it will take some time to complete, the time couldn't be better spent. While death (and taxes) is a certainty, when it will happen is not, and there are other uncertainties in life. Imagine the peace of mind that will come from knowing you have done all that you can do for yourself and your loved ones to be prepared for the unexpected. Gathering information is your first step in this process.

Date:	

### I. YOU AND YOUR FAMILY

### YOU

Full Legal Name	
Maiden Name (if applicable)	
Address 1	
Address 2	
Phone	
Email	
	Place of Birth
Social Security Number	
	umber)

Estate Planning Guide

MARITAL STA	TUS		
☐ Single	☐ Married ☐ Widowed	☐ Divorced	☐ Legally Separated
If married	, place and date of marriage	!	
Do you have a prenuptial agreement?		☐ Yes	□No
If widowe	d, divorced, or legally separa	ated, what date	did this occur?
Are you a	U.S. citizen or a Lawful Perr	nanent Residen	t?
□ No	☐ Born in the U.S.	☐ Naturalized	d (date and place)
□ Lawful I	☐ Lawful Permanent Resident		enship?
<b>ARE YOU</b>			
☐ Employe	ed 🗌 Retired		
Current or	Most Recent Employer		
N	ame		
P	hone		
S	upervisor		
P	osition		
S	tart Date	End	Date
С	ompany Benefits		
<b>MILITARY SE</b>	RVICE		
Branch			
Service Dat	tes		
Military Ide	entification #		
CHECK WHAT	PLANNING DOCUMENTS	YOU HAVE A	ND THEIR LOCATION
□Will			
□Revocab	ole Living Trust		
☐Health(	Care Directive		
□Physicia	n's Order for Life Sustaining	Treatment (PO	LST)
☐ Power o	of Attorney — Financial		
	of Attorney — Health		
	l Property Inventory		

## **YOUR CHILDREN**

## First Child

Full Le	egal Name _		
Addre	ss 2		
Phone	<u> </u>		
			e of Birth
Social	Security Nu	mber	
Driver	's License <i>(s</i>	state and numbe	er)
STATUS			
		☐ Adopted ☐ Deceased	☐ Previous Marriage Date of adoption or death
Second C			
			e of Birth
			er)
STATUS	5 2.00.100 (5		.,
□Dep □Spe	cial Needs		Date of adoption or death
(Add a	aaditional pa	ages as needed.)	)

## YOUR GRANDCHILDREN

## First Grandchild

Full Legal Name				
Address 1				
Address 2				
Email				
Social Security Numl	ber			
Driver's License (sta	te and number) _			
Status				
☐ Dependent [	$\square$ Special Needs	□ Deceased	Date of death	
(Add additional page	es as needed.)			
YOUR PARENTS				
Mother				
Full Legal Name				
Address 1				
Address 2				
Phone				
Email				
Date of Birth	Place of E	Birth		
Social Security Numl	ber			
Driver's License (sta	te and number) _			
Date of Death	Re	esting Place		

Father		
Full Legal Name		
Address 1		
Address 2		
Phone		
Email		
Date of Birth	Place of Birth	
Social Security Numb	oer	
Driver's License (stat	te and number)	
Date of Death	Resting Place	
YOUR PETS		
First Pet		
Name		
Description		
Vet Contact Information	tion	
Food/Medicine/Speci	ial Instructions	
Second Pet		
Name		
Description		
Vet Contact Information	tion	
	ial Instructions	
(Add additional page	es as needed.)	

## II. PROFESSIONAL ADVISORS

(Add additional pages as needed.)

Physician
Name
Practice/Company
Contact Information
Dentist
Name
Practice/Company
Contact Information
Attorney
Name
Practice/Company
Contact Information
Financial Planner
Name
Practice/Company
Contact Information
Accountant
Name
Practice/Company
Contact Information
Broker
Name
Practice/Company
Contact Information
Life Insurance Agent
Name
Practice/Company
Contact Information
Other
Name
Practice/Company
Contact Information

## III. FINANCIAL INFORMATION

Tax Records
Location
Preparer Name
Contact Information
Safety Deposit Box(es)
Location/Institution
Address
Box Number
Key Location
Who Has Access Authority?
Social Security Payments
Deposited to Account
Bank Name
Bank City/State
Phone Number
Account Number
Pension Information
Type of Plan
Company Name
Address
Benefit Value
Named Beneficiary
Insurance Policies — Disability/Accident/Health
Type
Company
Contact Info
Policy #

#### IV. ASSETS AND DEBTS

#### **Assets**

Cash (checking, savings, money market, CDs) Bank Name/Location Account # \_\_\_\_ Maturity Date \$ Owned by You Alone Owned Jointly with Spouse \$ If co-owner is someone other than a spouse, note here: **Securities** (stocks, bonds, mutual funds, savings bonds) Description Location/Firm \_\_\_\_\_ Number of Shares Owned by You Alone \$\_\_\_\_\_ Owned Jointly with Spouse \$ \_\_\_\_\_ If co-owner is someone other than a spouse, note here: My securities broker is: Firm \_\_\_\_\_ Address/Phone \_\_\_\_\_ **Business Interests** (closely held stock, partnerships, LLC units) Business Name \_\_\_\_\_ Location Number of Shares/Percent \_\_\_\_\_ Owned by You Alone Owned Jointly with Spouse \$ \_\_\_\_\_ If co-owner is someone other than a spouse, note here: **Real Estate** Date Purchased \_\_\_\_\_ Owned by You Alone \$\_\_\_\_\_ Owned Jointly with Spouse \$ \_\_\_\_\_

If co-owner is someone other than a spouse, note here:

Life Insurance/Annuities	
Description	
Name of Company	
Insured/Annuitant	
Beneficiary	
Policy #	
Owned by You Alone	\$
Owned Jointly with Spouse	\$
If co-owner is someone other	than a spouse, note here:
Retirement Assets (IRA, 401(k)	), 403(b), etc.)
Beneficiary	
Owned by You Alone	\$
Owned Jointly with Spouse	\$
If co-owner is someone other	than a spouse, note here:
Debts Owed to Me (mortgages he	eld. accounts. or notes receivable )
•	
	\$
·	\$
·	than a spouse, note here:
	(patents, royalties, copyrights, Charitable Gift Annuities, etc.,
Description Description	(paterns, royanies, copyrights, charitable dire rumanies, etc.)
Company	
· · · · —	\$
	\$
	than a spouse, note here:
	s, jewelry, antiques, boats, collections, tools)
5	
	¢
	\$
If co-owner is someone other	
TI CO OMITEL IS SOUTEOUE OUTEL	than a spouse, note nere:

## Debts

Mortgages (first and second, home equity)
Description/Loan #
Creditor Name
Owed by You Alone \$
Owed Jointly with Spouse \$
If co-debtor is someone other than a spouse, note here:
Loans (insurance, bank, personal, business, car, or boat)
Description/Loan #
Creditor Name
Owed by You Alone \$
Owed Jointly with Spouse \$
If co-debtor is someone other than a spouse, note here:
Credit Cards
Description/Loan #
Creditor Name
Owed by You Alone \$
Owed Jointly with Spouse \$
If co-debtor is someone other than a spouse, note here:
All Other Debts or Obligations
Description/Loan #
Creditor Name
Owed by You Alone \$
Owed Jointly with Spouse \$
If co-debtor is someone other than a spouse, note here:

## **V. AGENTS**

Executor	
Name	
Address 2	
	Email
Relationship, if not spouse	
Alternate Executor	
Name	
	Email
Relationship, if not spouse	
Guardian (if you have minor chil	dren)
Note: If there are two parents, us	sually the first named guardian will be a spouse
Name	
	Email
Relationship	
Alternate Guardian	
Name	
Phone	Email
Relationship	
Power of Attorney — Health C	are
Name	
	Email
Relationship if not shouse	

## 

## **Power of Attorney — Financial**

Name	
Address 1	
Address 2	
Phone	Email
Relationship, if not spouse	

### **Alternate Power of Attorney — Financial**

Name		
Address 1		
Address 2		
Phone	Email	
Relationship		



## **VI. FINAL INSTRUCTIONS**

## **Body, Organ, Tissue Donation**

Th was	e my body, organs, or		∐ Yes	□No	
ir yes, please o	escribe your intention				
eral Instructi	ons				
Funeral Arrang	ements				
$\square$ Cremation	□Burial	☐Body Donat	ion		
	funeral arrangements ress, phone, amount p				
Preferred restir	g place				
	g p.u.cc				
Preferred funer	al and burial/cremation				
Preferred fune	al and burial/cremation				
Preferred fune	al and burial/cremation				
Preferred fune	al and burial/cremation				
Preferred fune	al and burial/cremation				
Funeral Litur	JY				
Funeral Litur	JY				
	JY				
Funeral Litur	JY				
Funeral Litur	<b>By</b> gs				
<b>Funeral Litur</b> Favorite Readir	<b>By</b> gs				
<b>Funeral Litur</b> Favorite Readir	<b>By</b> gs				
<b>Funeral Litur</b> Favorite Readir	<b>By</b> gs				

Ob	oituary (what you would like included)
Persor	nal Statement to Loved Ones
liv re.	Take a few moments to think about what you want say to those you love that a will or ing trust doesn't convey: what you feel is important in life, how you would like to be membered, what you would like the next generation to know or, perhaps, simply what akes you happy.)
Distrib	oution of Estate
-	f your state allows it, you can create a separate list for gifts of tangible personal property at can easily be changed and updated, see pg. 26.)
O:4	- 0
	o Spouse escription of Asset/Percent of Estate
De	scription of Assety Fercent of Estate
_	
_	
_	
_	
Co	ntingent Beneficiary Name/Address
_	

fts t	o Heirs/Others
De	escription of Asset/Percent of Estate
_	
_	
Вє	eneficiary Name/Relationship/Address
_	
(/	dd additional pages as needed.)
ts t	o Charity
Le	gal Name of Charity/Tax ID #
Lc	ocation
Ar	nount \$
Ol	R Percent of Net Estate
	R Description of Asset
(/	dd additional pages as needed.)
sidı	ue of Estate
In	dividual Beneficiaries
	ame
Ac	ldress
Pe	ercent of Residue
	naritable Beneficiaries
	gal Name/Tax ID #
	Idress
	ercent of Residue

### **GIFTS OF TANGIBLE PERSONAL PROPERTY**

This list includes personal items that can easily be moved, such as furniture, books, jewelry, kitchen goods, china, clothes, art, and the like. If the items have a high financial value, talk with your attorney about the best way to transfer them. Whenever you update this list, make sure to make a copy and give the original to your executor or your attorney.

Description	Recipient	<b>Contact Information</b>	<b>Contact Information</b>		
1					
۷					
3					
†. <u> </u>					
5					
6					
7					
8					
9					
		-			
10					
11.					
12					
Dato					
Date:					

### CHARITABLE GIFTS — SAMPLE BEQUEST LANGUAGE

If you wish to leave a bequest to the Society of the Little Flower, the process is relatively straightforward. As you consult your lawyer on the selection of appropriate wording to reflect your own goals and intentions regarding the Society of the Little Flower, be sure that our correct legal name appears in all final documents:

"I give to The Society of the Little Flower, an Illinois not for-profit, tax-exempt corporation having principal place of business of 1313 North Frontage Road, Darien, IL 60561, the sum of dollars \$\_\_\_or (\_\_\_\_% of my property) or (describe specific property), federal tax Identification number: 36-2174834, to be used for general purposes of The Society of the Little Flower (or specific purpose)."

### **Specific Bequest:**

The Society of the Little Flower receives a specific dollar amount, or a specific piece of property. This is one of the most popular forms of bequests.

### **Residuary Bequest:**

The Society of the Little Flower receives all or a stated percentage of an estate after distribution of specific bequests and payment of debts, taxes and expenses.

### **Contingent Bequest:**

The Society of the Little Flower receives all or part of the estate under certain specified circumstances, such as the passing of a spouse.

#### **Unrestricted:**

This type of gift allows The Society of the Little Flower to use it for its general purposes. An unrestricted gift is very useful to The Society of the Little Flower because The Society of the Little Flower will have flexibility to put the gift to the best possible use at the time it is received.

#### **Restricted:**

A restricted gift is given to The Society of the Little Flower with instructions for a specific purpose, such as support for a special project or program that is important to you. Please consult with our Office of Special Gifts prior to establishing your restrictions to ensure that the Society of the Little Flower is able to carry out your wishes.

## **NEXT STEPS:**

To receive further information and assistance on estate planning, or to learn more about how your gift can help The Society of the Little Flower, please contact us at:

## Frequently Asked Questions

## Do I need to have an estate plan?

Yes. Regardless of the size of your estate, you want to ensure that what you have will go to those you love and care for and that your wishes are carried out. But a good estate plan does far more than that. It cares for you as well as the things you value.

An estate plan grants a power of attorney for financial and health matters should you become incapacitated and states your desires regarding medical care. These documents become a last expression of what you have valued in your life, indicated through a personal statement and by what you leave to whom. By being thoughtful and organized about your affairs, you will have left a final, loving gift to your family and organizations you care about.

## Do I need to see an attorney?

Yes. Estate planning is a complex area of the law, and it is unwise to rely on a one-size- fitsall solution. This is especially true when you have a combined family. While there is a cost involved in preparing your plan, it is modest compared to the value of having appropriate arrangements for your family, minimizing probate fees and costs, and possibly saving state and federal estate taxes.

## How often should I update my plan?

It is a good idea to update your plan every few years. Some people have an annual check-up with their attorney. Certainly, whenever there is a significant event in your life, such as the birth of a child or grandchild, sale of a business, retirement, or passing of a spouse or other loved one, you should review your plan for necessary changes.

## What if I have a plan but want to change one thing?

If your plan is current, it is easy to make a change or two, such as adding a charitable beneficiary. Your attorney can prepare an amendment to your will (called a "codicil") or to your revocable living trust. Many times, this can be done quickly and involves only one or two pages added to your existing will or revocable living trust.

## What should my plan include?

A complete estate plan consists of a will or revocable trust, financial power of attorney, health care power of attorney and a living will. Not everyone will want or need each of these, however, so you should work with your lawyer to determine which documents will be most suited to meet your goals.

\*The information provided in this booklet is offered solely as general education information and is not intended to be a substitute for professional estate planning or legal advice. Because the laws of each state vary and your own circumstances are unique, you should seek the advice of your own attorney, tax advisor, and/or financial planner before deciding on a course of action and creating your estate plan.



**Society of the Little Flower** Office of Special Gifts

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