The Ultimate Estate Administration Procedures Training Package

MODULE #4:
Preparation for the Initial Meeting

SPEAKER
Kristina K. Schneider
Practice Success Coach

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UNLOCKING YOUR PRACTICE'S POTENTIAL™

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PREPARATION BEFORE THE MEETING

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PRIOR TO THE FIRST EA MEETING:

Get a Copy of the Death Certificate

- While you will eventually want to get original death certificates, a copy is sufficient enough for you to verify the decedent's passing
- The Trustee is asked to scan and e-mail, fax or mail the death certificate for this verification
- This should be received shortly after the Initial EA Meeting is scheduled (follow-up if not received)

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PRIOR TO THE FIRST EA MEETING:

Get a Copy of the Trust

- If your firm DID **NOT** PREPARE THE TRUST, this step was already done while pre-screening to book the initial meeting and verifying the Trustee
- If your firm DID PREPARE THE TRUST, you should have a copy of the client's trust documents
  - KEY: Be sure to get any and all Amendments that may have been done (including any that may have been done by another attorney)

PRIOR TO THE FIRST EA MEETING:

Prepare a Trust Certification

- In advance of the initial meeting, prepare Trust Certifications **(EXHIBITS 21-23)**
  - This helps increase efficiency in the process
  - Helps close the client (immediate valuable takeaway from the meeting)
- REMINDER: Be sure to update any of our forms with your own applicable notary forms

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For Single or Second-to-Die EA Matters

- The Trust Certifications have an area to enter the Federal Tax Identification Number for the Trust
- Once we have been engaged, while the client is in the meeting, we finish preparing the Trust Certification by filing online for an EIN
  - Signed SS-4 Form and Death Certificate
  - Apply for EIN on IRS website **(EXHIBIT 24)**

PRIOR TO THE FIRST EA MEETING:

Prepare Authorizations to Receive Asset Information

- In advance of the initial meeting, we prepare Authorizations **(EXHIBITS 25-27)**
  - One for the Account Holder (surviving spouse, if 1st EA)
  - Another for Single Trustee or Co-Trustee
- These help expedite the process of the law firm communicating directly with financial institutions, closing the case and getting paid
  - Additional benefits: Client satisfaction, client referrals, Google reviews
- REMINDER: Be sure to update any of our forms with your own applicable notary forms

ATTORNEY PREPARATION:

PART 4 of the EA Questionnaire (EXHIBIT 28)

- The EA Questionnaire is essentially the “script” for the Initial EA Meeting
  - PART 1: Personal Information
  - PART 2: Financial Information
  - PART 3: Other Important Information
  - PART 4: Legal Analysis
  - PART 5: Special Instructions to Paralegal
- Should take only 30 to 60 minutes and be done a few days before the Initial EA Meeting
  - Do <u>NOT</u> leave this until right before the meeting

ATTORNEY PREPARATION:
PART 4 of the EA Questionnaire (EXHIBIT 28)

- Most attorneys aren't used to preparation before an Estate Planning meeting, but this is critical in the EA process
  - GOAL #1: Understand how the plan was designed and what is happening in this particular situation
  - GOAL #2: Gather insight on what would need to be done to administer this plan so you can quote a fixed fee at the Initial EA Meeting
  - GOAL #3: Speed up the meeting and engage more clients!

ATTORNEY PREPARATION:
PART 4 of the EA Questionnaire (EXHIBIT 28)

- Review Drafting Notes Page (or any other internal summary) (EXHIBIT 29)
  - Look for unique provisions
  - Watch out for Amendments in your own file!

ATTORNEY PREPARATION:

PART 4 of the EA Questionnaire (EXHIBIT 28)

- Key Components of the Trust
  - Appointment of Trustees
  - Special Trustees or Co-Trustees
  - Funding of Shares (other than Pro-Rata)
  - Distributions (e.g. outright or in different types of trusts, such as staged distributions, spendthrift, or special needs)
  - Special letters of instruction from Client (may not have these)
  - Trustee fees
  - Estate tax issues or concerns

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ATTORNEY PREPARATION:
PART 4 of the EA Questionnaire (EXHIBIT 28)

- Review any personal notes you may have in the file that could be helpful
  - Notes of conversations with clients about particular family situations (e.g. intra-family personal conflicts, someone having threatened them or raiding the house, etc.)

CONFIRMING THE APPOINTMENT

A Week Before the Appointment

- Someone should confirm that it is appropriate to hold the Initial EA Meeting
  - Check in with client about how they're doing on the list of items needed for the meeting
  - If the meeting is going to be over Zoom, confirm that all items have been received in advance of the Zoom meeting
- May need to reschedule the meeting if an insufficient amount of the documents needed have not been gathered

Appointment Confirmation Process

- 2 DAYS PRIOR TO THE APPOINTMENT
  - Make an outbound phone call to confirm the appointment
  - It’s important to reach a live person and confirm that they will be attending their meeting
  - Confirmation vs. Reminder
- IF NO ANSWER
  - Hang up and try again (same day)
  - Do not leave a voicemail message

Final Attempt to Confirm

- 1 DAY PRIOR TO THE APPOINTMENT
  - Make an outbound phone call to confirm the appointment
  - If no answer still, leave a detailed message and indicate that you will also send an e-mail
  - Request some kind of return call or e-mail back to confirm the appointment

How to Handle Cancellations or Reschedules

- This happens on the rare occasion
- Usually happens when they are not able to gather information in time for the appointment
- If trying to cancel their appointment:
  - Explain that the meeting is absolutely free
  - Reiterate similar points from letters (“Please be advised that there may be important decisions that must be made within nine months from the date of death.”)

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ANY QUESTIONS?

SEND IN YOUR QUESTIONS TO
EVENTS@ULTIMATEESTATEPLANNER.COM