

Planning  
for the  
Future.

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# A Guide to Planning Your Will and Trust



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# Providing for Your Family and Others

*A Guide to Planning Your Will and Trust* is designed to encourage you to think about how you want your assets to be distributed at death and to assist you in gathering the information your attorney will need to prepare an estate plan that meets your personal and charitable goals.

With this guide, your estate planning process will be much easier, less expensive, and a comfort to your family while fulfilling your desires for family, friends, and charities close to your heart.

An estate plan is important, but an estimated 70% of Americans don't even have a will. This guide will help you take steps to protect those you love by making the planning process easy and understandable.

A person may work 40 years to accumulate assets and spend 10 to 20 years conserving that accumulation, but often take two hours or less to plan for distribution of the assets. Through good planning, a wonderful chapter in the book of your life can be completed. However, too many times there has been little planning, or sometimes no planning, and the last chapter of life becomes burdensome for family members.

Through proper planning, the legacy of love and care that you leave for your family and others can be encouraging and even inspiring. We will show you how to prepare or update your estate plan with a will and also make plans for your potential financial and medical decisions.

You can use this guide if you are making a plan for the first time or to update your existing plan. Most people learn at the end of this guide that they are worth more than they think!

## What are the benefits of an estate plan?

**Peace**— An estate plan contains your wishes and all of the documents necessary to carry them out. This will protect your family and give you peace of mind. This is one of the most thoughtful and considerate things you can do for yourself and your loved ones.

**Provision**— You have spent most of your lifetime gathering assets and making plans. But many people spend more time planning their vacation than planning their estate. With a good estate plan, you can give loved ones the property you have acquired in the right way, at the right time, and at minimal cost.

**Protection**— In addition, a good plan will protect you in your senior years. It may be important to designate a specific person to manage your property, help doctors and other medical staff with important decisions, and make certain that you are receiving the best possible care. An estate plan can increase your lifetime security and also achieve your goals for family and charity.

## How do I get started?

It is usually best to move fairly quickly through the different sections. You may need to come back later and fill in some of the information. Most of this information you will know or have readily available.

**What if I have questions about some of the information?**

When it comes time to decide on the distribution of your property, you may have questions. Some property is transferred by will and some is transferred by a beneficiary designation or other form. You need to know how your property will be transferred in order to avoid an accidental disinheritance. With a good plan, your property may be transferred as you desire.

There are two resources to help you. In addition to the explanations within this guide, we have a wealth of online estate planning information on our website at [www.mtulegacy.org](http://www.mtulegacy.org). In addition, we are always available to help. Call us at **906-487-3325** or email us at [giftplan@mtu.edu](mailto:giftplan@mtu.edu) for more information.

**What good things happen with an updated will?**

With an updated will, you can transfer specific property or assets. In addition, you will be able to direct the residue of your estate. For those with larger estates, there could be substantial estate tax savings. In addition, you know that the executor or personal representative you select (not the one a probate judge chooses) will be managing your property. A good will is able to carry out your plan and save thousands of dollars while transferring property quickly and inexpensively to your loved ones.

**What is an accidental disinheritance?**

Too many times, the “wrong” persons end up receiving property. An accidental disinheritance occurs if you either have no will or the will doesn’t function properly. Sometimes a will is unclear and the estate goes to distant relatives or is simply paid to CPAs and attorneys who are representing family members fighting over the estate. You can avoid an accidental disinheritance by creating a good plan to protect your loved ones.

**Can I use my estate plan to create a legacy?**

Everyone wants to have a life with meaning. Part of that meaningful life is to live on in the memory of family and others. A good estate plan can indeed create a legacy for family, friends, and charity that gives added meaning to your life.

## Steps to a “Sleep Well” Plan

### 1. Complete the *A Guide to Planning Your Will and Trust*

Provide information about your family, estate, and goals.

### 2. Transfer your answers to your attorney

There are three ways in which this can be done:

- Take this booklet to your attorney.
- Transfer your answers to the online Wills Planner which can be found at [www.mtulegacy.org](http://www.mtulegacy.org). No one but yourself will know that you used this software, not even Michigan Tech. Click on “Create PDF for printing” to print a copy for your attorney.
- Provide your attorney with access to your online Will.

#### **Disclosure on Attorneys and this Charity**

*This form is offered by us to you as an educational service. While we attempt to provide helpful estate and financial background information, we are not able to offer specific legal advice on your personal situation. Because you may have special needs, you will want to contact your own attorney. He or she will be your independent advisor and will have an obligation of trust and confidence to you. With the advice of your independent attorney, you can have a customized estate plan that truly fulfills your unique family, healthcare, estate, and financial circumstances.*

## BASIC PLANNING DOCUMENTS

**Let’s start by reviewing the three basic estate planning documents—a will, a durable power of attorney for finances, and a durable power of attorney for healthcare.**

### Will

Your will is a written document, signed by you and by two or more witnesses. In some states, your signature must be witnessed by a notary public. If the will is believed to be authentic by the probate court, it is used to determine the distribution of your property. If the will is not valid or you do not have a will, the court will follow state law. Many of the court decisions might be completely contrary to your desires.

For example, without a valid will, a judge might choose guardians for your minor children, select trustees to manage your property, and even award property to your distant relatives. The actions of this judge may be completely contrary to your desires.

With a valid will, you are able to choose who will inherit your property and who will administer your estate as executor or personal representative. If you have minor children, you can choose a person to raise your children.

A valid will is an essential part of transferring your property at the right time to the right people at the lowest cost. Without a valid will, costs, delays, and the probability of expensive conflict increase. You can provide a wonderful legacy for family and others with an updated will and a sound estate plan.

## **Durable Power of Attorney for Finances**

You probably are a very good financial manager. As long as you are able to manage your affairs, things will be fine. However, there may come a time when you are in poor health or perhaps in the hospital. While lying on your hospital bed, you do not want to worry about your property being neglected or bills going unpaid.

A durable power of attorney for finances is the solution that protects your property and yourself. If you are no longer able to manage your property, the person you select in this durable power has the right to act as your agent. Even if you are disabled or incapacitated, this person will have the legal right to manage your property. If you do not have a durable power of attorney for finances, it will be necessary for the court to appoint a conservator.

The court may select any person as conservator and there often will be expensive reports, audits, and costs in the management of your property. If you sign a durable power of attorney for finances, the person you select may manage your property without all the expense of a court-appointed conservator.

## **Healthcare Directives**

There are two general types of healthcare directives—a durable power of attorney for healthcare and a living will. In some states, they are combined into one document called an advance directive.

The durable power of attorney for healthcare allows you to select a person who can assist your doctors in making healthcare decisions while you may be incapacitated.

You may have a serious medical condition and the doctor will need the advice of another person regarding the best possible care for you. Your designated holder of the durable power of attorney for healthcare can help the doctors ensure that you have high-quality care.

The living will is a second document (in most states) and covers the time before your probable death. In the last weeks and days of life, there are a number of decisions regarding care, nutrition, hydration, and resuscitation that need to be made. A living will gives you the opportunity to offer recommendations to medical staff about the types of care to be provided to you.

## OTHER PLANNING OPTIONS

### **Living Trusts**

If you have a moderate or large estate, you may find it desirable to create a living trust. The living trust is completely within your control during your lifetime. With a trust, you are permitted to decide who will manage the trust for family members. You can add property to the trust or remove property from the trust at any time. During your lifetime, the trust income is taxable to you.

There are at least three major benefits of the living trust. If you are sick or in the hospital, your designated successor trustee can take over and manage your property for your benefit. Second, if you pass away, the property in the living trust will avoid probate and potentially save thousands of dollars in transfer costs. Third, the living trust typically is a private document and is not made public during the probate process.

### **Custom Estate Plan for Business, Investments, or Special Needs Child**

If you own a family business, substantial real estate holdings, or a large estate, then a custom plan that considers your special property goals and requirements should be created. Another custom plan option is important if you have a child with special needs. A child with special needs may be provided for through a “special needs trust.” A special needs trust will facilitate care of the child by providing resources and directions. In some cases, a child may qualify to receive federal or state benefits if that is helpful in providing care for the special needs child.

### **IRA, 401(k), or Other Retirement Plan**

Your IRA, 401(k), or other retirement plan is transferred by a beneficiary designation. Normally, the beneficiaries should be named on the IRA, and it should be given directly to family or charity, and not to your estate. The IRA or 401(k) custodian should provide a form for you to select your primary and contingent beneficiaries. Because your retirement plan may represent a major portion of your property (30% to 70%), your beneficiary designation should be reviewed every two to four years. Consult with your attorney on the income and estate tax ramifications of leaving your retirement plan assets to family. With proper planning, you can give generously to charity while simultaneously helping your family receive more of their inheritance.

### **Life Insurance**

Life insurance is usually permanent (whole life or universal life) or term. The insurance policy is a contract, and there is a beneficiary designation form. You will select your primary and contingent beneficiaries to receive the death benefit if you pass away with a valid insurance policy.

### **Charitable Gift Annuity**

Many of our alumni and friends, especially those age 65 and above, are very interested in fixed payments from a charitable gift annuity. If you fund a gift annuity, you receive a substantial charitable income tax deduction and fixed payments for life. A gift annuity may pay for one life or for two lives.

### **Charitable Remainder Trusts**

A charitable remainder trust may be an excellent way to benefit yourself, your spouse, or other family members. It combines substantial tax savings with the ability to produce a supplemental income for you or your family members. Charitable remainder trusts are especially helpful for individuals who retire and would like to sell land or stock tax free and receive income.

### **Charitable Endowments**

Another option is to designate your gift of property or money in an endowment form so that the charity of your choice does not spend the principal. An endowment is a way for you to continue annual support of a program close to your heart in perpetuity.

**If you are interested or have questions about any of these planning options, please contact Michigan Tech's Office of Gift Planning.**

**Phone:** 906-487-3325

**Email:** [giftplan@mtu.edu](mailto:giftplan@mtu.edu)

# 1. You and Your Family

Describe you and your family. Spell names exactly as you want them to appear in your estate documents. Use full legal names, not nicknames.

Full Name \_\_\_\_\_

Other names by which you are known \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Phone (Home) \_\_\_\_\_ (Work) \_\_\_\_\_

Date of Birth \_\_\_\_\_ Birthplace \_\_\_\_\_

Citizenship \_\_\_\_\_

Marital Status:  Single  Married  Widowed  Divorced  Separated

Information on previous marriages \_\_\_\_\_

\_\_\_\_\_

Full Name of Spouse \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Phone (Home) \_\_\_\_\_ (Work) \_\_\_\_\_

Date of Birth \_\_\_\_\_ Birthplace \_\_\_\_\_

Citizenship \_\_\_\_\_

Information on previous marriages \_\_\_\_\_

\_\_\_\_\_



Does any child or dependent on the prior page have special needs?  Yes  No

If yes, indicate which child or dependent has special needs and describe those special needs.

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Are any children deceased?  Yes  No Which one(s)? \_\_\_\_\_

Do you have any grandchildren?  Yes  No

**NOTE:** Your attorney may need social security numbers for you, your spouse, and your children and any other dependents.

## YOUR GUARDIAN FOR MINOR CHILDREN

### Personal Information

A very important decision for you to make who would be the guardian of your minor children. Your guardian will raise your children, teach them values, select the schools they attend, and perform the functions of a parent. If you do not have a guardian selected in a will, a court may select someone. That person may not share your cultural background, your religion, your general world view, or any other aspects of the character that you think important for the person who raises your children. By selecting a guardian and an alternate in your will, you have a much better prospect of finding someone you think is the right person to raise your children.

If there are two parents, the survivor will usually be selected as the guardian of the children. In this case, enter "Spouse" as the primary guardian. But if both parents pass away, then it will be necessary to select an alternate guardian. If you are a single parent, it is especially important to carefully select a primary and an alternate guardian.

### Please name your Guardian and Alternate Guardian

Guardian _____	Alternate _____
Address _____	Address _____
City _____	City _____
State _____	State _____
Zip _____	Zip _____
Home Phone _____	Home Phone _____
Relationship, if not a spouse _____	Relationship, if not a spouse _____

Do you have a will?  Yes  No

If yes, what is the date of that will? \_\_\_\_\_

Where is your will located/stored? \_\_\_\_\_

If available, provide your attorney with a copy of your will.

Do you have a trust?  Yes  No

If yes, what is the date of that trust? \_\_\_\_\_

Where is your trust agreement located/stored? \_\_\_\_\_

If available, provide your attorney with a copy of your trust.

Do you have a safe-deposit box?  Yes  No

If yes, where is the safe-deposit box located? \_\_\_\_\_

## POWER OF ATTORNEY FOR HEALTHCARE

There are two primary documents that will provide for your future healthcare. A durable power of attorney for healthcare empowers another person you select to make key decisions on your care. These could include whether an operation should be done or other major healthcare decisions should be made.

A second document is a living will. If you are in your final weeks or days of life, then decisions must be made with respect to nutrition, hydration, resuscitation, and other critical care.

A durable power of attorney for healthcare is important to ensure that the right person has been selected. It is called a “durable” power because it is effective even if you are ill and not capable of making your own decisions.

In some states, the living will and durable power of attorney are combined in an “Advance Directive” document.

Please select your primary and secondary healthcare decision makers.

### Power of Attorney For Healthcare

Name \_\_\_\_\_

Address \_\_\_\_\_

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

Home Phone \_\_\_\_\_ Email \_\_\_\_\_

Relationship, if not a spouse \_\_\_\_\_

**Alternate Power of Attorney for Healthcare**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Home Phone \_\_\_\_\_ Email \_\_\_\_\_  
Relationship, if not a spouse \_\_\_\_\_

**POWER OF ATTORNEY FOR FINANCES**

A common concern is, “What if I am sick and no longer able to manage my property?” Unfortunately, there are far too many cases in which the property of senior persons are mismanaged or taken away by fraud or misrepresentation. A very good plan to protect yourself and your property is to have a durable power of attorney for finances.

If you are no longer able to manage your property or later wish to have someone else manage your property, this durable power of attorney will give the person you select the legal authority to buy, sell, and manage your property. Of course, if you have a revocable living trust, the successor trustee will manage the property in the trust. But it is still very possible that you own other property personally. The durable power of attorney for finances enables the individual you designate to manage your property and provide for your care.

Do you want to create a durable power of attorney for finances?  Yes  No

If married, does your spouse want a durable power of attorney for finances?  Yes  No

For the durable power of attorney, please list information about the selected person.

**Power of Attorney for Finances**

Primary Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Home Phone \_\_\_\_\_ Email \_\_\_\_\_  
Relationship, if not a spouse \_\_\_\_\_

**Alternate Power of Attorney for Finances**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Home Phone \_\_\_\_\_ Email \_\_\_\_\_  
Relationship, if not a spouse \_\_\_\_\_

## 2. Estate Finances

Please list all of your assets and liabilities. This will help your advisor to plan your estate. Most people learn at the end of this exercise that they are worth more than they think!

ASSET	\$ TOTAL VALUE OF ASSET	CHECK IF JOINT PROPERTY	CHECK IF YOUR PROPERTY	CHECK IF YOUR SPOUSE'S PROPERTY
Example Property	\$298,000		✓	
<b>REAL ESTATE</b>				
Main Residence Address				
Second Residence Address				
Vacation Home				
<b>CHECKING ACCOUNTS</b>				
Bank/Account Number				
<b>SAVINGS/CDs/MONEY MARKET FUNDS/CREDIT UNION ACCOUNTS</b>				
Bank/Account Number				
Tax Sheltered Annuity— not in Retirement Plan				



# Michigan Technological University

PERSONAL PROPERTY	\$ TOTAL VALUE OF ASSET	CHECK IF JOINT PROPERTY	CHECK IF YOUR PROPERTY	CHECK IF YOUR SPOUSE'S PROPERTY
Household Furnishings				
Tools & Equipment				
Antiques/Collections				
Jewelry				
Automobiles/Vehicles				
Business Interests				
Life Insurance— Face Amount/Death Benefit				
Retirement (IRA/401(k)/403(b)) Custodian/Account Number				
Other Retirement Plan				
Miscellaneous				

Total Assets: \$ \_\_\_\_\_

# Michigan Technological University

LIABILITIES	\$ TOTAL AMOUNT OF DEBT	CHECK IF JOINT DEBT	CHECK IF YOUR DEBT	CHECK IF YOUR SPOUSE'S DEBT
Mortgage on Personal Residence				
Mortgage on Second Residence				
Mortgage on Vacation Home				
Vehicle Debts				
Charge Accounts				
Installment Contracts				
Loans on Life Insurance				
Other Debts				

Total Liabilities/Debts: \$ \_\_\_\_\_

TOTAL ESTATE: \$ \_\_\_\_\_  
(Assets Less Liabilities)

## 3. Planning Your Estate

When you are planning your estate, there are several decisions that must be made. First, you may select one of three options for a single person or for a married couple. After selecting your desired estate planning option, you should enter the information for that plan.

### Single Person

1. **Simple Will.** With a simple will, you may transfer specific property, then give away what is left (the “residue” of your estate). Your simple will may transfer your property to family members, friends, or favorite charities.
2. **Will with Trust for Minor Children.** If you are a single parent with minor children, it will be important to select a guardian and a trustee to manage assets for their benefit.
3. **Will with “Give It Twice” Trust.** As a single person, you may desire to benefit children, grandchildren, nephews, nieces, or other relatives and also assist charity. A “Give It Twice” Trust pays income to family with the remainder to charity.

### Married Couple

1. **Simple Will.** If you pass away first, your estate is transferred to your surviving spouse. If you are the survivor, with a simple will you may transfer specific property, then give away the residue of your estate. Your simple will may transfer your property to family members, friends, or favorite charities.
2. **Will with Trust for Minor Children.** If you pass away first, your estate is transferred to your surviving spouse. If you are the survivor and have minor children, it will be important to select a guardian and a trustee to manage assets for their benefit.
3. **Will with “Give It Twice” Trust.** If you pass away first, your estate is transferred to your surviving spouse. If you are the survivor, you may desire to benefit children, grandchildren, nephews, nieces, or other relatives and also assist charity. A “Give It Twice” Trust pays income to family with the remainder to charity.

## THE “RIGHT AMOUNT” INHERITANCE

What is the “right amount” to leave for children, grandchildren, nephews, or nieces? Here are three guiding principles for deciding on that amount:

- First, everyone should provide for the needs of his or her family.
- Second, this means that the inheritance provides a reasonable level of increased standard of living for the children, grandchildren, nephews, or nieces.
- Third, there are many children who have received an inheritance large enough to cover both needs and wants. An inheritance that covers too many “wants and desires” may lead to unhappiness, greed, and lack of incentive to be a productive person.

Finally, there are guidelines for leaving children a substantial inheritance. Some parents have been careful with their resources and have accumulated a significant estate. How can a larger estate be transferred with a good result for children?

- First, a larger inheritance will be used more wisely if it is distributed over a longer time and at a later age. A lump sum at one time may be unwise. Many younger children who receive a large inheritance at an early age spend it within 18 months.
- Second, transfer a larger inheritance over a period of years. A good plan includes a distribution of principal when the parents pass away, income for a period of years, and a second payout of deferred principal.
- Third, set up a target number for the inheritance. The total inheritance can then be designed to pass that amount to children, grandchildren, nephews, or nieces. A target number is the sum of the principal and income given through the inheritance plan. With careful thought, the plan can move a substantial amount to family, while still permitting your family members to learn to know the joy and rewards of work.

**Please choose one of the three options for your current marital status and fill out that section only:**

**For Single Individuals**

- Simple Will (Page 20)
- Simple Will with Trust for Children (Pages 21-22)
- Will with “Give it Twice” Trust for Family (Pages 23-24)

**For Married Couples**

- Simple Will (Pages 25-26)
- Simple Will with Trust for Children (Pages 27-28)
- Will with “Give it Twice” Trust for Family (Pages 29-30)

## 4. Planning Options for Single Individuals

Please choose one of the three options and fill out the information for that section only.

### 1. SIMPLE WILL – SINGLE PERSON

For a single person or surviving spouse, there is a simple will for adult children, grandchildren, nephews, or nieces. If the estate is under the federal estate tax exemption amount, this plan may work well. With a simple will, it is possible to transfer a specific property or amount, and then to divide the balance or residue of the estate among children, grandchildren, nephews, or nieces. Many individuals also decide to leave a bequest to charity.

#### Specific Bequests

Bequests of items or amounts to family or charities.

	Item or Amount	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

#### Residue of Estate

Percent of residue to family or charities.

	Percent	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

2. SIMPLE WILL WITH TRUST FOR CHILDREN – SINGLE PERSON

If you are a single parent with minor children or if you desire a trust for your children, this option can work well. This option assumes that one trust is created with income distributions made equally to children until the selected age. However, the trustee may be given the right to invade the trust for the support or education of children. You will need to select a trustee and choose the age of the youngest child for distribution of trust principal.

If a testamentary trust is created by will for the benefit of minor children, it does not avoid probate. This trust would only become operative if neither parent is living. Funds from the trust are then given by the trustee to the guardian to provide for your children’s care and living expenses, including college. The trustee or guardian may be a single person, but could be two individuals as co-trustees or co-guardians if you desire.

The trustee’s responsibilities continue on until your child reaches the age you specify for the final distribution of any unused trust funds. The trustee can be the same person as the guardian if you choose. Careful consideration should be given to this important position. Integrity and the ability and experience to manage financial assets are important factors to consider. If you die without a will and leave property to your minor children, the court will appoint a conservator for your estate unless you establish a trust for your children.

There are many advantages of a trust over a conservatorship. A conservator is generally appointed by a court and must follow rigid statutory rules. He or she must file an accounting and petition for approval before the court annually. This can result in expensive court costs and attorney fees. A conservatorship also ends at age 18 for each child and the child receives what is left in a lump sum. Ask yourself, “What will an 18-year-old do with the money?” For obvious reasons, most parents don’t like this arrangement. However, with a trust you can specify the age at which your children will receive the principal from the trust. You don’t have to give it all to them in a lump sum when they reach age 18, but may defer distribution of principal to age 25, age 30, or even longer.

**Specific Bequests**

	Item or Amount	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

**Trustee**

Primary Name \_\_\_\_\_

Address \_\_\_\_\_

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

Zip \_\_\_\_\_

Home Phone \_\_\_\_\_ Email \_\_\_\_\_

Relationship, if not a spouse \_\_\_\_\_

Age for ending trust and distributing principal to children \_\_\_\_\_

**Charity in Trust**

It is also possible to include favorite charities in your final trust distribution. A popular option is to treat the charities collectively as one child at termination of the trust. If you would like to choose this option, please check here .

In this case, all charities listed will divide one share and your children will each receive one share. However, if you want selected charities to have a larger or smaller percentage of your estate, please check here .

Charities	%	Purpose	City and State
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____

3. WILL WITH "GIVE IT TWICE" TRUST FOR FAMILY – SINGLE PERSON

Another popular option for a single person or surviving spouse is to divide the estate into two parts. The first portion of the estate is given to the children when you pass away. The other part is transferred to a "Give It Twice" Trust. This is a charitable remainder unitrust that pays 5% each year to children for 20 years (5% times 20 years equals 100%; or you may select 6% for 18 years). After paying income to children for 20 years, the trust corpus is given to favorite charities.

**Specific Bequests**

Bequests of items or amounts to family or charities.

	Item or Amount	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

**"Give It Twice" Trust**

If you select this option, please choose the portion to give to children outright and the part to go into the "Give It Twice" Trust (the total of the two percentages will be 100%).

Outright to Children \_\_\_\_\_%    To "Give It Twice" Trust \_\_\_\_\_%

**Children in Trust**

	Percent	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

Michigan Technological University

**Charities at the End of the Trust**

Percent	Recipient	City and State
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

## 5. Planning Options for Married Couples

Please choose one of the three options and fill out the information for that section only.

### 1. SIMPLE WILL – MARRIED COUPLE

A married couple with an estate worth less than the federal exemption amount may desire a simple will. The first estate may include specific bequests to children or charity with the balance transferred outright to the surviving spouse. The estate of the surviving spouse may then be transferred by specific bequest or percent of the residuary to children or charity.

An option that you might consider is to treat your favorite charities collectively as one child. The estate of the surviving spouse could be divided among your selected children and charities. Consider an example with three children. Under this plan, the charities together are considered the fourth child. Therefore, the three children and the charitable portion will each receive  $\frac{1}{4}$  of the estate. The  $\frac{1}{4}$  transferred to charities could be divided on a percentage basis among your favorite charities.

#### First Estate — Specific Bequests, Balance to Spouse

Bequests of items or amounts to family or charities.

	Item or Amount	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

#### Bequests of Percentage of First Estate to Family or Charities, Balance to Spouse

	Percent	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

**Second Estate — Specific Bequests**

Bequests of items or amounts to family or charities.

	Item or Amount	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

**Residue of Second Estate**

Percent of residue to family or charities.

	Percent	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

**2. SIMPLE WILL WITH TRUST FOR CHILDREN – MARRIED COUPLE**

If you are a couple with minor children and desire a trust for your children, this option can work well. A married couple with an estate worth less than the federal exemption amount may choose to protect and benefit children with a trust. The first estate may include specific bequests to children or charity with the balance transferred outright to the surviving spouse. The estate of the surviving spouse may then be transferred by specific bequests with the residue passing to a trust for children.

This option assumes that one trust is created with income distributions made equally to children until the selected age. However, the trustee may be given the right to invade the trust for the support or education of children. You will need to select a trustee and choose the age of the youngest child for distribution of trust principal.

**First Estate — Specific Bequests, Balance to Spouse**

Bequests of items or amounts to family or charities.

	Item or Amount	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

**Bequests of Percentage of First Estate to Family or Charities, Balance to Spouse**

	Percent	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

**Second Estate — Specific Bequests**

Bequests of items or amounts to family or charities.

	Item or Amount	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

**Trustee**

Primary Name \_\_\_\_\_

Address \_\_\_\_\_

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

Home Phone \_\_\_\_\_ Email \_\_\_\_\_

Relationship, if not a spouse \_\_\_\_\_

Age for ending trust and distributing principal to children \_\_\_\_\_

**Charity in Trust**

It is also possible to include charities in your final trust distribution. A popular option is to treat charities collectively as one child at termination of the trust. If you would like to choose this option, please check here

In this case, all charities listed will divide one share and your children will each receive one share. However, if you want selected charities to have a larger or smaller percentage of your estate, please check here

	Charities	%	Purpose	City and State
1.	_____	___	_____	_____
2.	_____	___	_____	_____
3.	_____	___	_____	_____
4.	_____	___	_____	_____

**3. WILL WITH “GIVE IT TWICE” TRUST FOR FAMILY — MARRIED COUPLE**

Another popular option for the estate of a surviving spouse is to divide the second estate into two parts. The first portion of the estate is given to the children when you pass away. The other part is transferred to a “Give It Twice” Trust. This is a charitable remainder unitrust that pays 5% each year to children for 20 years (5% times 20 years equals 100%; or you may select 6% for 18 years). After paying income to children for 20 years, the trust corpus is given to your favorite charities.

**First Estate — Specific Bequests, Balance to Spouse**

Bequests of items or amounts to family or charities.

	Item or Amount	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

**Bequests of Percentage of First Estate to Family or Charities, Balance to Spouse**

	Percent	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

**Second Estate — Specific Bequests**

Bequests of items or amounts to family or charities.

	Item or Amount	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

**“Give It Twice” Trust**

If you select this option, please choose the portion to give to children outright and the part to go into the “Give It Twice” Trust (the total of the two percentages will be 100%).

Outright to Children \_\_\_\_% To “Give It Twice” Trust \_\_\_\_%

**Children In Trust**

	Percent	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

**Charities at the End of the Trust**

	Percent	Purpose	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

## 6. Estate Planning Information

### PERSONAL PROPERTY DISTRIBUTION

#### **List to Dispose of Personal Property**

Your will or trust is designed to transfer property to the person(s) you select. However, many states permit you to update and maintain a list of personal items that may be changed whenever you desire. The lists must be signed and dated, and describe the personal property and name the recipients.

Under the laws of most states, you are permitted to make a list of property that may include jewelry, silver, china, furniture, and collections of stamps, coins, art, and other personal items that are movable. The advantage of this list is that you may update it as you buy or sell these items or you may change your mind about who should receive china, silver, rings, or other personal items.

It is important to be certain that you have signed and dated each list. Only the last list you have completed before your demise will be valid.

If some items on this list are very valuable (especially art and other collections), then it is important to discuss the transfer of these items with your professional advisor.

#### **Ways to Give or Transfer Personal Property**

##### **Give During Life**

Many senior persons start the gift process during life, by giving personal items to children and other heirs.

##### **Consider Preferences**

Some children may desire a piano or other instrument. Others may prefer to receive valuable books or china. Discuss the goals of heirs and attempt to make gifts that will be most meaningful to each person.

##### **Leave Instructions**

The list is very useful. Other items could be distributed through a “rotating choice” plan. Everyone meets together and each person takes a turn at selecting one item.

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**Anytime you update your list, make a copy and send the original to your attorney or personal representative for safekeeping.**

Please make your list of Personal Property here:

	Description	Recipient	City and State
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____
8.	_____	_____	_____
9.	_____	_____	_____
10.	_____	_____	_____
11.	_____	_____	_____
12.	_____	_____	_____
13.	_____	_____	_____
14.	_____	_____	_____
15.	_____	_____	_____

Signature \_\_\_\_\_ Date \_\_\_\_\_



## 7. Sample Bequest Language for Charities

**We have provided some basic bequest language to assist you and your attorney.**

### **1. Bequest of a specific dollar amount**

“I hereby, give, devise, and bequeath [Dollars] to [Organization], a non-profit organization located at [Address], Federal Tax ID #\_\_\_\_\_, for [Organization’s] general use and purpose [or specific program or purpose].”

### **2. Bequest of specific personal property**

“I hereby, give, devise, and bequeath [Description of Property] to [Organization], a non-profit organization located at [Address], Federal Tax ID\_\_\_\_\_, for [Organization’s] general use and purposes [or specific program or purpose].”

### **3. Bequest of specific real estate**

“I hereby give, devise, and bequeath all of the right, title, and interest in and to the real estate located at [Address or Description of Property] to [Organization], a non-profit organization located at [Address], Federal Tax ID #\_\_\_\_\_, for [Organization’s] general use and purposes [or specific program or purpose].”

### **4. Bequest of percentage of an estate**

“I hereby, give, devise, and bequeath [Percentage of Your Estate] to [Organization], a non-profit organization located at [Address], Federal Tax ID #\_\_\_\_\_, for [Organization’s] general use and purposes [or specific program or purpose].”

#### **Disclosure on Attorneys and this Charity**

*This form is offered by us to you as an educational service. While we attempt to provide helpful estate and financial background information, we are not able to offer specific legal advice on your personal situation. Because you may have special needs, you will want to contact your own attorney. He or she will be your independent advisor and will have an obligation of trust and confidence to you. With the advice of your independent attorney, you can have a customized estate plan that truly fulfills your unique family, healthcare, estate, and financial circumstances.*

# About Us

## MICHIGAN TECHNOLOGICAL UNIVERSITY

Michigan Tech was founded in 1885 as the Michigan Mining School, specializing in training for mining engineers. The institution, officially now known as Michigan Technological University, has grown into a leading public research university and a key educational partner in the state of Michigan, the nation, and beyond.

Michigan Tech is on a trajectory to become, as our vision states, a premier technological research university of international stature, delivering education, new knowledge, and innovation for the needs of our world.

We prepare students to create the future by delivering a distinctive, discovery-based learning experience in engineering; forest resources; computing; technology; business; economics; natural, physical, and environmental sciences; mathematics; arts; humanities; and social sciences.

## MICHIGAN TECH FUND

The Michigan Tech Fund is a nonprofit, tax-exempt corporation established in 1965 under the laws of the State of Michigan. Existing solely for the benefit of Michigan Technological University and its students, the Michigan Tech Fund receives, invests, and disburses gifts for Michigan Technological University

# ***Michigan Tech***

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Office of Gift Planning  
1400 Townsend Dr.  
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906-487-3325

Federal tax ID number: #38-1554664

