

STEP-BY-STEP SIGNING INSTRUCTIONS (MARRIED/JOINT)

(Instructions for Individual Plans Begin on Page 4)

A FEW PRELIMINARY NOTES:

- Where can I find a free notary? Your bank or credit union will have complimentary notary services for customers. The American Automobile Association (AAA) also provides free notary services for its members. We have found that many real estate agents provide free notary services and are happy to meet you in your home.
- What about the Witness Requirement for the Pourover Will? The Pourover Will (behind Tab #3) is the only document that is NOT notarized *but rather witnessed*. You will need to get TWO independent witnesses to sign the witness page located immediately after your signatures. An “Independent” witness is ANYONE who is NOT a beneficiary. To be safe, it would be prudent to avoid using the spouse of a beneficiary or any possible contingent beneficiaries.

TAB #1 SUMMARY OF ESTATE PLAN

_____ Tab #1 is a summary of your estate plan. There is nothing here you need to sign.

TAB #2: LIVING TRUST AND DECLARATION OF TRUST

Tab #2 contains three different (but related) documents, immediately after each other:

- 1) The Living Trust [40-50 pages],
- 2) Instructions for the Distribution of Personal Property [1 page], and
- 3) Declaration of Trust [2 pages].

_____ Sign and date the Living Trust (you will each sign twice on the same page). There are six articles in the trust, labeled in the footer. The signature page is immediately after Article 6 (which is usually about 5 pages). Notarization needed.

_____ At a later time, both of you will sign the “Instructions for Distribution of Personal Property.” *See more information about this document in the Summary behind Tab #1.*

_____ Both of you sign and date the Declaration of Trust on Page 2. Notarization needed.

TAB #3: POUROVER WILL

Tab #3 contains the Pourover Wills for each of you. Immediately behind Tab #3 is one of the Pourover Wills, which is then followed by a gray divider sheet, and then the other.

_____ Each of you will date, fill in the county where signed, and sign *in front of two, independent witnesses*, your respective Pourover Wills. This is on Page 6 (or second to last page).

_____ Each of you need to have witnesses date, fill in the county, and sign the witness page or your respective Pourover Wills. They will also need to include their home or office address. This is on Page 7 (or last page).

TAB #4: POWER OF ATTORNEY

_____ Each of you will initial where noted on Page 7 and again on Page 8.

_____ Each of you will sign and date at the end of your respective documents (on or around Page 12). Notarizations needed.

TAB #5: ADVANCE HEALTH CARE DIRECTIVE AND HIPAA AUTHORIZATION

Tab #5 contains two different (but related) documents for each of you, one immediately after the other. In other words, both of these documents for one of you will be immediately behind Tab #5, followed by a gray divider sheet, followed by both documents for the other:

1) The Advance Health Care Directive [8 pages], and

2) HIPAA Authorization and Waiver [3 pages]

_____ In the Advance Health Care Directive, each of you need to initial where noted on your respective documents on Page 4 (and sometimes on Page 5 as well). Four initials each.

_____ In the Advance Health Care Directive, each of you sign and date at the end of your respective documents (which is on or around Page 8). Notarization needed.

_____ In the HIPAA Authorization and Waiver, each of you sign and date at the end of your respective documents (on Page 3). Notarization needed.

TAB #6: CERTIFICATION OF TRUST

_____ Both sign and date at the end of the document (Page 4). Notarization needed.

TAB #7: TRUST FUNDING INFORMATION

_____ Both sign and date at the end of the document (Page 8). Notarization needed.

TAB #8: NOT APPLICABLE

_____ Both sign and date at the end of the document (Page 4). Notarization needed.

TAB #9: ASSIGNMENT OF PERSONAL PROPERTY

_____ Both sign and date at the end of the document (Page 2). Notarization needed.

TAB #10: FINAL MEMORIAL INSTRUCTIONS

_____ Sign and date at the end of each of your respective documents (Page 2). Fill in the blanks as desired (at any time). Notarization needed.

**Quick Reference on the following page.*

Quick Reference

Tab #1 – No action needed.

Tab #2 – Both sign and notarize the Trust and Declaration of Trust.

Tab #3 – Sign your respective Pourover Will and have it witnessed by two independent witnesses.

Tab #4 – Initial your respective Power of Attorney on Page 7 (once). Sign and notarize at the end.

Tab #5 – Initial your respective Advance Health Care Directive in four locations on Page 4 (and maybe 5). Sign and notarize at the end. Sign and notarize the HIPAA Authorization.

Tab #6 – Both sign and notarize Certification of Trust at the end.

Tab #7 – Both sign and notarize Trust Funding Instructions at the end.

Tab #8 – Both sign and notarize your Marital Property Agreement.

Tab #9 – Both sign and notarize Assignment of Personal Property at the end.

Tab #10 – Each sign and notarize your respective Final Memorial Instruction at the end. Fill in blanks as desired.

STEP-BY-STEP SIGNING INSTRUCTIONS (INDIVIDUAL)

A FEW PRELIMINARY NOTES:

- Where can I find a free notary? Your bank or credit union will have complimentary notary services for customers. The American Automobile Association (AAA) also provides free notary services for its members. We have found that many real estate agents provide free notary services and are happy to meet you in your home.
- What about the Witness Requirement for the Pourover Will? The Pourover Will (behind Tab #3) is the only document that is NOT notarized *but rather witnessed*. You will need to get TWO independent witnesses to sign the witness page located immediately after your signatures. An “Independent” witness is ANYONE who is NOT a beneficiary. To be safe, it would be prudent to avoid using the spouse of a beneficiary or any possible contingent beneficiaries.

TAB #1 SUMMARY OF ESTATE PLAN

_____ Tab #1 is a summary of your estate plan. There is nothing here you need to sign.

TAB #2: LIVING TRUST AND DECLARATION OF TRUST

Tab #2 contains three different (but related) documents, immediately after each other:

- 1) The Living Trust [40-50 pages],
- 2) Instructions for the Distribution of Personal Property [1 page], and
- 3) Declaration of Trust [2 pages].

_____ Sign and date the Living Trust (you sign twice on the same page). There are six articles in the trust, labeled in the footer. The signature page is immediately after Article 6 (which is usually about 5 pages). Notarization needed.

_____ At a later time, sign the “Instructions for Distribution of Personal Property.” *See more information about this document in the Summary behind Tab #1.*

_____ Sign and date the Declaration of Trust on Page 2. Notarization needed.

TAB #3: POUROVER WILL

_____ Date, fill in the county where signed, and sign *in front of two, independent witnesses*. This is on Page 6 (or second to last page).

_____ Have witnesses date, fill in the county, and sign the witness page. They will also need to include their home or office address. This is on Page 7 (or last page).

TAB #4: POWER OF ATTORNEY

_____ Initial where noted on Page 7. Only once.

_____ Sign and date at the end of the document (on or around Page 12). Notarization needed.

TAB #5: ADVANCE HEALTH CARE DIRECTIVE AND HIPAA AUTHORIZATION

Tab #5 contains two different (but related) documents, one immediately after the other:

- 1) The Advance Health Care Directive [8 pages], and
- 2) HIPAA Authorization and Waiver [3 pages]

_____ In the Advance Health Care Directive, initial where noted on Page 4 (and sometimes on Page 5 as well). Four total.

_____ In the Advance Health Care Directive, sign and date at the end of the document (which is on or around Page 8). Notarization needed.

_____ In the HIPAA Authorization and Waiver, sign and date at the end of the document (on Page 3). Notarization needed.

TAB #6: CERTIFICATION OF TRUST

_____ Sign and date at the end of the document (on or around Page 4). Notarization needed.

TAB #7: TRUST FUNDING INFORMATION

_____ Sign and date at the end of the document (on or around Page 8). Notarization needed.

TAB #8: NOT APPLICABLE

_____ If there is a joint ownership document behind Tab #8, sign and notarize at the end of the document where noted.

TAB #9: ASSIGNMENT OF PERSONAL PROPERTY

_____ Sign and date at the end of the document (on or around Page 2). Notarization needed.

TAB #10: FINAL MEMORIAL INSTRUCTIONS

_____ Sign and date at the end of the document (on or around Page 2). Fill in the blanks as desired (at any time). Notarization needed.

**Quick Reference on the following page.*

Quick Reference

Tab #1 – No action needed.

Tab #2 – Sign and notarize the Trust and Declaration of Trust.

Tab #3 – Sign the Pourover Will and have it witnessed by two independent witnesses.

Tab #4 – Initial the Power of Attorney on Page 7 (once). Sign and notarize at the end.

Tab #5 – Initial the Advance Health Care Directive in four locations on Page 4 (and maybe 5). Sign and notarize at the end. Sign and notarize the HIPAA Authorization.

Tab #6 – Sign and notarize Certification of Trust at the end.

Tab #7 – Sign and notarize Trust Funding Instructions at the end.

Tab #8 – Almost always empty. No action needed. (If there is a document (very rare), initial, sign, or notarize as needed.

Tab #9 – Sign and notarize Assignment of Personal Property at the end.

Tab #10 – Sign and notarize Final Memorial Instruction at end. Fill in blanks as desired.