Welcome to Your Estate Planning Process

A guide to your documents, your nominations, and preparing for the Design Meeting

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Your next step

Complete the intake form in your secure MyCase portal before the Design Meeting. You do not need to have every answer finalized. Use this packet to understand the choices we will discuss and note any questions or uncertainties directly in the intake form.

Honoring legacies and easing burdens

Alyson Roberts, Esq. | Estate Planning in ME, MA & NH

Welcome — we'll build your plan together

Thank you for choosing Protected Roots Law. Estate planning asks you to consider difficult possibilities, but the process is ultimately about caring for the people you love and making life easier for them.

This packet is designed to refresh what we discussed during your consultation and help you complete the intake form. The form gives us accurate names, family information, asset details, and your preliminary choices so we can use the Design Meeting for thoughtful planning—not data collection.

Your answers are a starting point. If you are unsure, explain what you are considering or write your question in the form. We will talk through the options together.

Alyson Roberts, Esq.

How to prepare

- ☐ Complete one intake form for the household unless we have instructed you otherwise.
- ☐ Use full legal names and confirm spelling, middle names, and suffixes.
- ☐ Provide backup choices for each important role whenever possible.
- ☐ Estimate asset values and debts; exact account statements are not required unless requested.
- ☐ Flag special family circumstances, beneficiary needs, business interests, or property in another state.
- ☐ Add questions directly to the intake form so we can address them during the Design Meeting.

Please do not let uncertainty stop you

It is completely fine to enter "unsure" and explain the issue. Your choices are not final until the documents are approved and signed.

Your estate plan has two jobs

Some documents authorize people to help during your lifetime. Others direct what happens after death. Together, they create one coordinated plan.

DURING YOUR LIFETIME	AFTER DEATH
Durable Power of Attorney Financial and legal authority	**Last Will and Testament** People, probate property, children, and pets
Health Care Power of Attorney / Proxy Medical decision-making authority	**Revocable Living Trust** Private management of trust-owned assets, when appropriate
Living Will / Advance Directive Your care values and preferences	**Related instructions** Remains, services, personal property, and family guidance

The people you nominate

A fiduciary is someone entrusted with responsibility. Depending on your plan, you may choose financial agents, health care agents, a Personal Representative, trustees, guardians, temporary guardians, and caregivers for children or pets.

A practical rule for every role

Choose someone who is trustworthy, capable, available, and willing to serve. Name at least one backup when possible. Proximity can matter, but judgment, reliability, and the ability to work with others often matter more.

Last Will and Testament

A Will speaks after your death. It names the people who will carry out your wishes and provides instructions for property that passes through your probate estate.

What your Will may address

Administration. Name a Personal Representative (also called an Executor) to administer your estate.

Beneficiaries. Identify who should receive probate property and whether a beneficiary's share should be protected in trust.

Minor children. Nominate guardians to care for children if a court must appoint someone after both parents are unavailable.

Pets and personal wishes. Provide direction regarding caregivers, handling of remains, services, and personal property.

Nominations to consider

PERSONAL REPRESENTATIVE	**Carries out the Will, works with the court when probate is required, gathers property, pays proper expenses, and distributes the estate.** **As you complete the intake:** List a primary choice and one or more backups. Consider organization, communication skills, and willingness to handle administrative work.
GUARDIAN	**Cares for a minor child if a court appointment becomes necessary.** **As you complete the intake:** Name the person or couple you believe is the best fit. Consider values, parenting style, location, household stability, and your child's relationship with them.
PET CAREGIVER	**Provides a home and daily care for your pet.** **As you complete the intake:** Identify a primary and backup caregiver and note any funding, routines, veterinary needs, or other instructions.

Important distinction

A Will does not control every asset and does not avoid probate by itself. Joint ownership, beneficiary designations, and trust ownership may control certain property instead.

Durable Power of Attorney for Finances

A financial Power of Attorney keeps life moving. It authorizes someone you choose to handle financial and legal matters if you need help or cannot act for yourself.

Your agent may be authorized to

- ☐ Pay bills and manage bank or investment accounts.
- ☐ Work with insurance, benefits, taxes, and government agencies.
- ☐ Handle real estate and personal property matters.
- ☐ Manage or coordinate business interests.
- ☐ Communicate with your attorney, accountant, financial advisor, and other professionals.

Nomination to consider

FINANCIAL AGENT	**Acts for you during your lifetime under the authority stated in the document.** **As you complete the intake:** List a primary agent and at least one alternate. Choose someone who is careful, organized, dependable, and able to keep your finances separate from their own. **Helpful information to gather:** Your agent's full legal name, address, phone number, email, and relationship to you.

Questions we will discuss

When should authority begin? Depending on state law and your preferences, authority may be available immediately or become effective upon incapacity.

Which powers should the agent have? The document can include broad authority and can also address sensitive powers such as gifts, trusts, digital assets, and business matters.

Agent is a role—not a beneficiary designation

Giving someone financial authority does not give that person ownership of your property or the right to inherit it.

A joint bank account is different

Naming someone as a co-owner gives that person present ownership rights and access to the account; naming an agent under a Power of Attorney gives authority to act for you without making the agent an owner. When one joint owner dies, the account will generally pass automatically to the surviving owner rather than under the deceased owner's Will or trust, depending on the account terms and state law. Please discuss this with us before adding someone to an account.

Health care documents

These documents answer two different questions: who speaks for you, and what guidance should that person follow?

Health Care Power of Attorney / Proxy

Purpose. Names an agent to communicate with providers and make health care decisions when you cannot make or communicate your own decisions.

HEALTH CARE AGENT	**Advocates for you, receives medical information, speaks with providers, and makes decisions within the authority granted.** **As you complete the intake:** Choose someone who can understand your values, ask questions, remain calm, and advocate even when decisions are difficult. Name at least one alternate. **Helpful information to gather:** Full contact information and any facilities, specialists, diagnoses, allergies, dietary needs, medications, or people who should be consulted.

Living Will / Advance Directive

Purpose. Describes your goals, values, and preferences for serious illness and end-of-life care. It gives your agent direction; it does not replace the agent.

As you complete the intake, think about

- ☐ What outcomes or abilities are essential to your quality of life?
- ☐ When would you want treatment continued, limited, or focused on comfort?
- ☐ What are your preferences about resuscitation, ventilation, artificial nutrition or hydration, pain relief, and palliative care?
- ☐ Are there religious, cultural, dietary, hospital, specialist, organ donation, or other care preferences we should discuss?

You do not need medical terminology

Describe what matters to you in your own words. We will help translate your values into clear planning language.

Revocable Living Trust

A revocable trust can add privacy, continuity, and control. It is useful only when it matches your goals and is properly funded.

A trust may help you

Avoid probate for trust-owned assets. Ownership—not the document alone—drives the result.

Plan for incapacity. A successor trustee can manage trust assets if you can no longer do so.

Protect beneficiaries. A trust can delay distributions, create ongoing safeguards, or address special circumstances.

Manage real estate and other assets. Instructions can guide sale, continued use, occupancy, or management.

Nominations to consider

TRUSTEE	**Manages trust property according to the trust terms and owes legal duties to the beneficiaries.** **As you complete the intake:** Most clients serve as their own initial trustee while capable. Identify who should serve next if you are unable or after death. Name backups when possible. **Helpful information to gather:** Successor trustees' full legal names and contact information. Consider whether co-trustees should act together or separately.

Decisions to prepare for

- ☐ Who receives the trust property and in what percentages?
- ☐ Should any share be held until a certain age or remain protected longer?
- ☐ Does a beneficiary have special needs, creditor concerns, addiction concerns, or difficulty managing money?
- ☐ Are there special instructions for a home, cottage, business, or other important asset?

Funding is part of the plan

We will identify which assets should be retitled to the trust and which should use beneficiary designations or another strategy. Retirement accounts and life insurance usually require coordinated beneficiary designations—not simple retitling.

Family Protection Planning

For parents, the plan must also work while you are alive. A Will nominates permanent guardians after death; a Family Protection Plan addresses practical gaps during an emergency.

TEMPORARY GUARDIAN	**Provides immediate care if you are alive but unavailable, injured, or incapacitated, or while a permanent guardian is traveling to your child.** **As you complete the intake:** Choose trusted adults who can reach your child quickly. Name more than one option if helpful and consider school or daycare logistics.
CHILD MEDICAL AGENT	**Can seek and consent to medical care for your child when you cannot be reached or act.** **As you complete the intake:** Choose a person who may realistically be caring for your child and who can access the child's medical and insurance information.
PERMANENT GUARDIAN	**Is your preferred long-term caregiver if both parents have died or cannot care for the child and a court appointment is required.** **As you complete the intake:** Consider values, parenting approach, geography, family relationships, finances, age, health, and willingness to serve.

Information to gather

- ☐ Children's full legal names, dates of birth, schools, doctors, allergies, medications, and insurance information.
- ☐ Names and contact information for permanent and temporary guardians.
- ☐ People who should—or should not—have custody or unsupervised contact, and why.
- ☐ Routines, activities, religious or cultural priorities, special needs, and other care instructions.
- ☐ Emergency contacts who should have access to the plan and ID cards.

Talk with your nominees

Before signing, confirm that the people you are considering understand the role and are willing to serve. We can help you explain what the role involves.

Beneficiaries, distributions, and special instructions

Your intake form also helps us understand who should benefit from your plan, how property should pass, and whether any special safeguards are appropriate.

Beneficiary information

- ☐ Full legal name, relationship, date of birth, address, and current contact information.
- ☐ The share or percentage each beneficiary should receive.
- ☐ Backups if a beneficiary dies before you.
- ☐ Any beneficiary who is a minor, has special needs, receives public benefits, has creditor or divorce concerns, struggles with addiction, or may need help managing money.
- ☐ Charities or organizations you wish to include, using their exact legal names when available.

How and when property should pass

Outright distribution. A beneficiary receives and controls the property directly.

Age-based distribution. A trustee may hold and use the property, then distribute portions at selected ages.

Continuing trust. A trustee may retain the property for protection, management, or a beneficiary's lifetime needs.

Specific gifts. You may identify money or property for particular people, but percentages often adjust more smoothly as values change.

Personal and practical wishes

- ☐ Handling of remains, burial or cremation, and memorial or funeral preferences.
- ☐ Personal property or sentimental items you want particular people to receive.
- ☐ Pet caregivers, care instructions, and funds for care.
- ☐ Values, family guidance, or explanations that may help your fiduciaries and loved ones.

Keep beneficiary designations in the conversation

Life insurance, retirement accounts, transfer-on-death accounts, and jointly owned property may pass outside your Will. Include them in the intake so the entire plan can be coordinated.

Ready for the Design Meeting

The Design Meeting is where we turn your information and goals into a coordinated plan. Completing the intake in advance gives us more time for the decisions that deserve discussion.

Before the meeting, please provide

- ☐ Your family and beneficiary information.
- ☐ Primary and backup choices for each applicable role.
- ☐ A summary of real estate, bank and investment accounts, retirement assets, life insurance, business interests, vehicles, valuable personal property, and debts.
- ☐ Approximate values and ownership—not perfect appraisals.
- ☐ Copies or details of existing estate planning documents, prenuptial agreements, business agreements, deeds, or other documents we asked to review.
- ☐ Questions, concerns, or choices you want to discuss.

What happens next

1	**Complete the intake** — Submit it through your secure MyCase portal.
2	**Attend the Design Meeting** — We will talk through nominations, distributions, safeguards, and document design.
3	**Review your drafts** — At the Document Review Meeting, we will walk through the documents together on screen.
4	**Sign correctly** — We will coordinate the required witnesses and notarization.
5	**Fund and maintain the plan** — Complete asset coordination and revisit the plan after major life changes and during annual check-ins.

Bring your questions

You are not expected to know the legal answer before the meeting. Your job is to tell us about your family, property, concerns, and wishes. Our job is to help you build a plan that feels clear, personal, and workable.

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