

Will and Trust Workbook

A helpful guide for planning your estate



ELCA Foundation

**Evangelical Lutheran
Church in America**

God's work. Our hands.



ELCA Foundation
Evangelical Lutheran Church in America

You are about to embark on a remarkable journey. This journey will give you space to consider the gifts that God has given you in this lifetime—and how you want to care for those gifts both now and after you have gone. We hope this can be a joy-filled time as you recognize the gifts that have been bestowed upon you and consider how you want to share those gifts with others.

This *Will and Trust Workbook, A helpful guide for planning your estate*, a gift from the ELCA Foundation, is designed to be a planning resource for you as you prepare for a meeting with your legal advisor. The best person to create a valid will or living trust is an estate planning attorney. While this workbook is not a legal document, it is intended to be a tool to help you prepare and plan for the distribution of your assets.

God has called us to be stewards in our life; creating a will allows us to continue this calling even into death. Creating a will gives each of us an opportunity to make the final decisions about those things that we own and what they mean to us. It allows us the opportunity to share our legacy—to tell our faith-inspired story, long into the future.

We wish you many blessings as you prepare for a meeting with your legal advisor and hope that this workbook is a helpful tool.

Please visit www.elca.org/willtools to access this helpful guide online.

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Guide To Commonly Used Terms (All definitions from Nolo.com)

Asset

Generally, any property that has value, whether monetary or sentimental.

Beneficiary

A person or organization legally entitled to receive benefits through a legal device, such as a will, trust or life insurance policy.

Bequest

Personal property (anything but real estate) left under the terms of a will; also called a legacy.

Durable Power of Attorney for Finances

A legal document that gives someone authority to manage your financial affairs if you become incapacitated. The person you name to represent you is usually called your agent or attorney-in-fact.

Durable Power of Attorney for Health Care

A legal document that you can use to give someone permission to make medical decisions for you if you are unable to make those decisions yourself. The person you name to represent

Durable Power of Attorney for Health Care (continued)

you may be called your agent, attorney-in-fact, health care proxy, patient advocate, or something similar, depending on where you live.

Estate

Generally, all the property a person owns at death.

Executor

The person named in a will to handle the property of someone who has died; also called personal representative.

Guardian of the Estate

Someone appointed by a court to care for the property and finances of a minor child or an incapacitated adult; also referred to as property guardian, financial guardian or conservator of the estate.

Guardian of the Person

Someone appointed by a court to make personal decisions for a minor child or an incapacitated adult, commonly called a ward. Such decisions usually include day-to-day living arrangements, health care, education and other matters related to the ward's comfort and well-being. May also be called a personal guardian or conservator of the person.

Intangible Personal Property

Personal property that has no physical existence, such as stocks, bonds, bank notes, trade secrets, patents, copyrights and trademarks.

Probate

The court-supervised process following a person's death that includes proving the authenticity of the deceased person's will, appointing someone to handle the deceased person's affairs, identifying and inventorying the deceased person's property, paying debts and taxes, identifying heirs, and distributing the deceased person's property according to the will or, if there is no will, according to state law. Formal probate is a costly, time-consuming process that is best avoided if possible.

Tangible Personal Property

Personal property that can be felt or touched. Examples include furniture, cars, jewelry and artwork.

Trust

An arrangement under which one person, a trustee, manages property for a beneficiary. The person who creates the trust is called the settlor, trustor or grantor. There are many kinds of trusts, some created during the settlor's lifetime and some at death. Trusts are used for, among other things, avoiding probate court proceedings, saving on estate tax, providing quality management of assets and keeping money out of the hands of improvident beneficiaries.

Trustee

The person (or business) who manages assets held in trust, under the terms of the trust document. A trustee's purpose is to invest trust assets and distribute trust income or principal to beneficiaries as directed in the trust document.

Will

A document in which the will maker specifies who is to receive his or her property at death and names an executor.

1. Christian Preamble

Many people adopt a Christian Preamble to their will. This provides a significant opportunity to share your faith with family and friends as you leave your legacy for ministry. Through this personal statement, you can deliver a lasting message to those you love that gives witness to your faith in Jesus Christ and your commitment to the church's ministries in proclaiming the gospel.

As you prepare your will/estate plan with your legal advisor, give prayerful consideration to adding a Christian Preamble after the standard introductory clauses. Here is one example:

"In thanksgiving to God for the gift of life given in Baptism, and for the many blessings God has given me; and in thanksgiving to God for the assurance of grace, and the gifts of faith and hope through Jesus Christ; and in thanksgiving to God for the gifts of nurture and love through the church where we have shared faith and fellowship; I now commend my loved ones to grow in this same faith, to be true to their own Baptism in the sure knowledge that God will continue to provide for them in their lifetime, and to place their faith and trust in our Lord and Savior Jesus Christ.

Now the feast of celebration all of creation sings for joy to the God of life and love and freedom; praise and glory forevermore! I now therefore...(the particulars of the will would follow.)

For other sample language, as well as tools to write your own Christian preamble, please visit www.elca.org/willtools.

2. Personal Information - (add another sheet as necessary)

Date _____

Your Full Name _____

Your Permanent Address _____ Phone/e-mail _____

City _____ State _____ Zip _____

Birthdate _____ Place of Birth _____ Social Security Number _____

Marital Status: Married Divorced Widow or Widower Single Other _____

Name of Spouse if Married _____

Birthdate _____ Place of Birth _____ Social Security Number _____

Address of Secondary Home(s) _____

Address of Secondary Home(s) _____

Dates Used _____

2. Personal Information continued

Congregational Membership

Address

Phone/Web site/e-mail

City

State

Zip

3. Relatives and Friends - (add another sheet as necessary)

As you complete this section, determine if there are any special considerations for children or grandchildren (i.e., college education, first house payment, etc.). Consider people you want to remember in your estate planning.

Name

Relationship

Birthdate

Address

City

State

Zip

Phone/e-mail

Name

Relationship

Birthdate

Address

City

State

Zip

Phone/e-mail

Name

Relationship

Birthdate

Address

City

State

Zip

Phone/e-mail

3. Relatives and Friends *continued*

Name

Relationship

Birthdate

Address

City

State

Zip

Phone/e-mail

4. Executor/Trustee and Guardian - *(add another sheet as necessary)*

It is important to consider alternates in the event the people you have chosen are unable or unwilling to accept the responsibility. If you have minor children or care for an adult who is incapacitated, you should name a guardian for them in your will. You may select a Guardian of the Person to care only for your children and a separate Guardian of the Estate or trustee for your property. Please share conversation with your legal advisor about the type of guardianship most appropriate for your situation.

Executor/Trustee

Name(s) of Executor/Trustee

Relationship

Address

City

State

Zip

Phone/e-mail

Name(s) of Alternate Executor/Successor Trustee

Relationship

Address

City

State

Zip

Phone/e-mail

4. Executor/Trustee and Guardian continued

Guardian

Name(s) of Guardian of the Person

Relationship

Address

City

State

Zip

Phone/e-mail

Name(s) of Alternate Guardian of the Person

Relationship

Address

City

State

Zip

Phone/e-mail

Name(s) of Guardian of the Estate (if different than Guardian of the Person)

Relationship (Individual or Institution)

Address

City

State

Zip

Phone/e-mail

Name(s) of Alternate Guardian of the Estate

Relationship (Individual or Institution)

Address

City

State

Zip

Phone/e-mail

5. Estate Inventory (add another sheet as necessary)

A. Personal Property: *(Significant personal effects such as automobiles, jewelry, heirlooms, etc.)*

Item	Approximate Value if Sold Today
Item	Approximate Value if Sold Today
Item	Approximate Value if Sold Today
Item	Approximate Value if Sold Today
Item	Approximate Value if Sold Today
Item	Approximate Value if Sold Today
Item	Approximate Value if Sold Today
Item	Approximate Value if Sold Today
Item	Approximate Value if Sold Today
Item	Approximate Value if Sold Today

B. Real Property *(Residential and recreational real estate, farm land and buildings)*

Type of Property	Current Value			
Address				
City	State	Zip		
How Owned:	Single	Jointly	Joint with Right of Survivorship	Other
Date of Purchase	Cost Basis			
Type of Property	Current Value			
Address				
City	State	Zip		
How Owned:	Single	Jointly	Joint with Right of Survivorship	Other
Date of Purchase	Cost Basis			

5. Estate Inventory continued

C. Bank Accounts, Certificates of Deposit, Money Market and Investment Fund Accounts

Bank

Address

City

State

Zip

Phone/Web site/e-mail

Type of Account

How Owned: Single Jointly Joint with Right of Survivorship Other _____

Current Value

Bank

Address

City

State

Zip

Phone/Web site/e-mail

Type of Account

How Owned: Single Jointly Joint with Right of Survivorship Other _____

Current Value

Bank

Address

City

State

Zip

Phone/Web site/e-mail

Type of Account

How Owned: Single Jointly Joint with Right of Survivorship Other _____

Current Value

5. Estate Inventory continued

C. Bank Accounts, Certificates of Deposit, Money Market and Investment Fund Accounts, (Continued)

Safe Deposit Box Number _____

How Owned: Single Jointly Joint with Right of Survivorship Other _____

Location of Key _____

Current Contents _____

Bank Name _____

Address _____

City _____ State _____ Zip _____

Phone/Web site/e-mail _____

D. Stocks, Bonds, Mutual Funds and Other Like Investments

Fund Name/Company _____ Number of Shares _____ Current Value _____

How Owned: Single Jointly Joint with Right of Survivorship Other _____

Fund Name/Company _____ Number of Shares _____ Current Value _____

How Owned: Single Jointly Joint with Right of Survivorship Other _____

Fund Name/Company _____ Number of Shares _____ Current Value _____

How Owned: Single Jointly Joint with Right of Survivorship Other _____

Fund Name/Company _____ Number of Shares _____ Current Value _____

How Owned: Single Jointly Joint with Right of Survivorship Other _____

Savings Bonds _____ Serial Number _____ Current Value _____

How Owned: Single Jointly Joint with Right of Survivorship Other _____

Savings Bonds _____ Serial Number _____ Current Value _____

How Owned: Single Jointly Joint with Right of Survivorship Other _____

5. Estate Inventory continued

E. Retirement Plans (IRA, KEOGH Plan, 401(k), 403(b), Pension, etc.)

Custodian Current Value

Name

Address

City State Zip

Phone Account Number

Designated Beneficiary*

Contingent Beneficiary

**If the designated beneficiary dies before you, and you do not name a contingent beneficiary, the plan proceeds may be distributed to your estate, less any charitable designations in the plan. Consult with your legal advisor as you may want to specify the plan's distribution in your will in order to more clearly define how you want your complete estate distributed.*

F. Other Assets (Personal Loans, Limited Partnerships, Royalties, etc.)

Item With Whom Current Value

Item With Whom Current Value

G. Commercial Real Estate Owned

Type of Property

How Owned: Single Jointly Joint with Right of Survivorship Other _____

Percentage Ownership Current Value

Address

City State Zip

H. Business Ownership Interests (Partnership, C-Corps, S-Corps, LLC, etc.)

Type

How Owned: Single Jointly Joint with Right of Survivorship Other _____

Percentage Ownership Current Value

5. Estate Inventory continued

I. Insurance

Life insurance proceeds will be paid by the insurance company to your designated beneficiary(ies) upon your death. If your beneficiary(ies) precede(s) you in death, the proceeds may be paid to your estate. Therefore, your will should provide for contingent distribution. Also, the proceeds will be included in your estate for estate tax purposes if you are the owner of the policy. Be sure to include any military or company-sponsored insurance policies you own.

Company Name

Address

City

State

Zip

Phone/Web site/e-mail

Type of Policy

Policy Number

Owner(s)

Beneficiary(ies)

Contingent Beneficiary(ies)

Outstanding Loans

Net Face Value

J. Anticipated Income (Inheritance, annual income, etc.)

Income Source

Anticipated Amount

Calculate Estate Distribution Value

Add the face value of items A to J and enter here \$_____

5. Estate Inventory continued

What I Owe

Calculate approximate debts and mortgages against your estate.

Debt or Mortgage

Address

City

State

Zip

Phone/Web site/e-mail

Loans

Address

City

State

Zip

Phone/Web site/e-mail

Loans

Address

City

State

Zip

Phone/Web site/e-mail

Consumer Debt

Address

City

State

Zip

Phone/Web site/e-mail

Add the approximate value of what you owe (debts/mortgages)
and enter here \$_____

Subtract debts from assets for total approximate estate distribution value
and enter here \$_____

6. Estate Distribution

What brings you joy? What does your faith inspire? What will your legacy be? Consider these questions as you also think about the people, ministries, causes and organizations that are important to you. Perhaps it is your closest family and friends, your local congregation, a churchwide ministry, another ELCA ministry, a favorite charity or a combination of these. Are there specific bequests you want to plan for or do you want to divide your estate by percentages?

Name the person or organization you wish to remember. State either a specific dollar amount of your estate or a percentage of the total remainder to be shared. It is not necessary to describe every item of your personal or real property in your will. If there is a specific item or property you want to go to a certain individual or charity, it is best to clearly note that. Although it would be unexpected that all of your named individual beneficiaries would die before you, it may be wise to name a ministry or other charity as contingent beneficiary of your estate or certain bequests.

Your legal advisor may also need the following official language for gifts that benefit the ELCA and its related ministries:

"the Evangelical Lutheran Church in America, a Minnesota nonprofit corporation, c/o The ELCA Foundation, located at 8765 West Higgins Road, Chicago, IL 60631 for the benefit of..."

All bequests should be sent to the attention of the ELCA Foundation.

Specific Bequests

Person or Charity

If Charity, List Purpose

Address

City

State

Zip

Item

Property, Sum of Money or Percentage

Contingent/Alternate Beneficiary

Person or Charity

If Charity, List Purpose

Address

6. Estate Distribution continued

City State Zip

Item Property, Sum of Money or Percentage

Contingent/Alternate Beneficiary

Person or Charity

If Charity, List Purpose

Address

City State Zip

Item Property, Sum of Money or Percentage

Contingent/Alternate Beneficiary

Person or Charity

If Charity, List Purpose

Address

City State Zip

Item Property, Sum of Money or Percentage

Contingent/Alternate Beneficiary

Remainder by Percentages

Person or Charity

If Charity, List Purpose

Address

6. Estate Distribution continued

City State Zip

Percentage

Contingent/Alternate Beneficiary

Person or Charity

If Charity, List Purpose

Address

City State Zip

Percentage

Contingent/Alternate Beneficiary

Person or Charity

If Charity, List Purpose

Address

City State Zip

Percentage

Contingent/Alternate Beneficiary

Person or Charity

If Charity, List Purpose

Address

City State Zip

6. Estate Distribution continued

Percentage _____

Contingent/Alternate Beneficiary _____

7. Durable Power of Attorney

It is important to consider alternates in the event the people you have chosen are unable or unwilling to accept the responsibility. In addition to the Durable Power of Attorney for Health Care, some individuals also choose to draft a Living Will. Please consult with your legal advisor.

Durable Power of Attorney for Finances Yes No

Durable Power of Attorney for Health Care Yes No

Name(s) _____

Address _____

City _____

State _____

Zip _____

Alternate Name(s) _____

Address _____

City _____

State _____

Zip _____

8. Other Notes

Write down questions for your legal advisor. Some possibilities might be specific concerns about your estate or future care of loved ones.

9. Kalos: The ELCA Legacy Society

If your estate plan includes a bequest or beneficiary designation to an ELCA churchwide ministry, you are invited to become a member of **Kalos: The ELCA Legacy Society**. Mark 14:3–9 reminds us that we all have gifts to share. It also reminds us that the beautiful things we do for others are a reflection of Christ's love for us. Jesus tells us that our story will be told for generations to come and that we can all leave a legacy for mission and ministry. Visit www.elca.org/kalos or call 800-638-3522, ext. 2970 for more information.

10. Other ELCA Foundation Services

There are multiple ways to share your faith-inspired story. The ELCA Foundation, through its nationwide network of gift planning professionals stand ready to assist you as you explore the opportunities to leave your legacy. Here are some other gifting options provided by the Evangelical Lutheran Church in America through the ELCA Foundation.

- Charitable Gift Annuity—an irrevocable gift that provides payments throughout your life and then benefits ministry. Minimum gift is \$10,000.
- Charitable Remainder Trusts—a gift that provides a stream of income for a term of years or for life. The remaining amount benefits ministry. Minimum gift is \$100,000.
- Donor Advised Funds—a vehicle for ongoing gifts to be shared with multiple ministries. Minimum initial gift is \$10,000.
- Donor-Directed Distribution Agreements—a contract between you and the ELCA that provides flexibility on how your gifts are named and where they are distributed. Maximum number of beneficiaries is 10.
- Memorial Endowment Funds—established with outright gifts or through other vehicles in your name or in memory of a loved one to support ministry forever. Minimum gift is \$25,000.
- Outright gift facilitation—make an impact on ministry today with a gift of cash, appreciated securities or real estate.

In addition to the gift planning services provided for individuals, the ELCA Foundation has many resources for your congregation. Explore more at www.elca.org/foundation or call 800-638-3522, ext. 2970.

The examples and information in this guide are for illustrative and educational purposes only and should not be considered tax or legal advice. Please consult with your tax or legal advisor before proceeding with your estate or gift planning.

A charitable gift annuity is not regulated by the Oklahoma Insurance Department and is not protected by a guaranty association affiliated with the Oklahoma Insurance Department. **Charitable gift annuities are not regulated by and are not under the jurisdiction of the South Dakota Division of Insurance.**

This guide, ***Will and Trust Workbook: A helpful guide for your estate planning***, is provided courtesy of the ELCA Foundation. It is intended to be a useful tool for you in your estate planning.

The ELCA Foundation exists to sustain and grow ministries of the Evangelical Lutheran Church in America. Through our nationwide network of professional gift planning staff, we assist members in their call to live as faithful and generous stewards. We also support and strengthen the ministry of congregations, agencies, and institutions through education, resources, support, and investment management services.

Please visit www.elca.org/foundation to discover other ways to share your faith-inspired story.

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