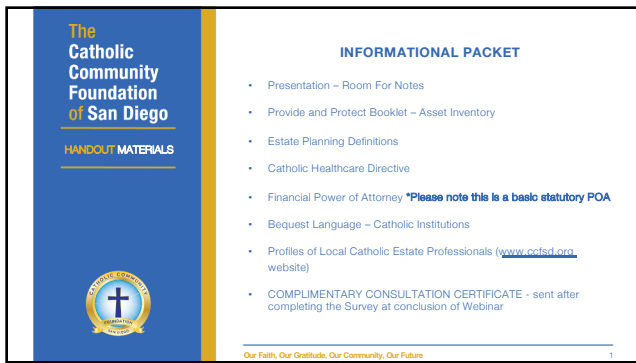
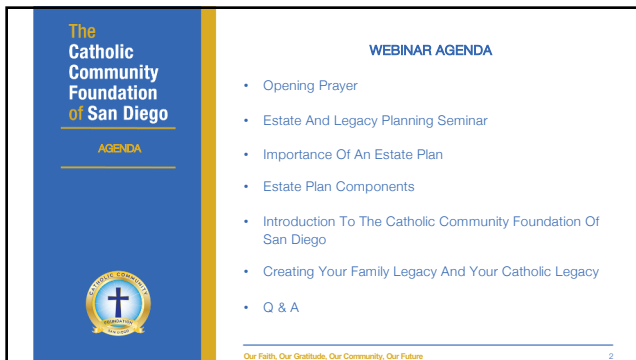




1




2



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OPENING PRAYER



OPENING PRAYER

In the name of the Father, and of the Son, and of the Holy Spirit...

You expired, Jesus, but the source of life gushed forth for souls, and the ocean of mercy opened up for the whole world. O Fount of Life, unfathomable Divine Mercy, envelop the whole world and empty Yourself out upon us.

O Blood and Water, which gushed forth from the Heart of Jesus as a fountain of Mercy for us, I trust in You!

Amen.

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Attorney Presenter

Mark Ignacio




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PREP WORK



BEFORE MEETING WITH YOUR ATTORNEY

Meet with Financial Advisor for a review & inventory of all existing assets such as:

- Social Security Benefits
- Life Insurance
- Other Insurance Auto, Homeowners, Disability, Long Term Care
- Retirement Plans – Pensions, IRA's and others
- Financial Record Keeping

Financial Advisors work in concert with your lawyer in many ways and help ensure an efficient and coordinated planning effort.

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NO PLAN



NO ESTATE PLAN?

Your Assets transfer to heirs based on statutory laws of "intestate succession"

Could provide your children at age 18 with a financial windfall

Windfall typically exhausted within 8 ½ months
Could leave assets to family you have never met or prefer not to include

Your Minor Children could be raised by someone you do not want


Could create conflicts over who will raise your children

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NO PLAN



NO ESTATE PLAN?

Estate Taxes for larger estates

May make the IRS an unintended beneficiary of your estate


Unnecessary income taxes for those that sell appreciated assets during their lifetime

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WILLS



WHAT IS A WILL?

- Legal document that expresses decedent's wishes as to disposition of property
- Does NOT avoid probate
- Revocable and amendable until death

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WILLS



WHAT A WILL ACCOMPLISHES

- The court will follow **your wishes** with respect to Guardians, Executor, etc. Assets will transfer to people **you designate** in the Will

HOWEVER.....


- A Probate is still required
- Best estates for (wills only) are less than \$184,500 as of April 1, 2022 with no real estate

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PROBATE



WHAT IS PROBATE?


- Triggered when you die with more than \$184,500 in certain assets in your name alone
- Probate means "proving the will" through a court proceeding
- Probate Process
- Appoint personal representative or authorize an executor
- Inventory and value assets
- Pay creditors
- Distribute property

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PROBATE



PROBLEMS WITH PROBATE


- Could end up with someone you do not prefer managing your affairs
- Can be costly
- Can be time consuming usually 12 – 18 months or more!
- Anyone can see information on nature & value of assets & the people receiving them

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PROBATE



ASSETS THAT AVOID PROBATE

- Gifts outright or through Trusts pass outside of probate
- Property with automatic transfer clauses or beneficiary designations (retirement accounts, annuities, etc...)
- Life Insurance unless the estate is beneficiary
- Joint Tenancy unless simultaneous death of joint owners ... Potential creditor issues

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WILLS & TRUSTS



TRUST & POUR OVER WILL

- No Probate – Trustee changes to named Successor Trustee
- Private Transfer With Minimal Delay
- Protects privacy – No public proceedings or filings
- Prevents need for conservatorship
- Trustee Fees: Trustee may get reasonable fee
- Reduced Attorney Fees: Attorney still assists, not as extensively as in a probate
- Maximizes benefits of estate tax exemptions and defers payment of estate tax as long as possible


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ESTATE PLAN




OTHER ESTATE PLANNING DOCUMENTS

- Durable Power of Attorney
Authority to make financial decisions in case of incapacity
Revocable and may be limited in scope
- Advance Health Care Directive
Authority to make health care decisions in case of incapacity
Revocable and may be limited in scope
- HIPAA Privacy Rules

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ESTATE TAX


ESTATE TAX REVISION HISTORY

2012	\$5,120,000	35%
2013	\$5,250,000	40%
2014	\$5,340,000	40%
2015	\$5,430,000	40%
2016	\$5,450,000	40%
2017	\$5,490,000	40%
2018	\$11,180,000	40%
2019	\$11,400,000	40%
2020	\$11,580,000	40%
2021	\$11,700,000	40%

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GIFTS


CURRENT GIFT & ESTATE TAX

- Tax Cuts and Jobs Act of 2017**
\$11,580,000 gift and estate tax exemption for 2020
\$15,000 per donor may be gifted in 2020
Gift and Estate Tax exemption is indexed for inflation
Portability of the estate tax exemption between married couples

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BENEFITS


BENEFITS TO AN ESTATE PLAN

- Avoid Probate
- Provide for your Incapacity
 - Financial Decisions
 - Health Care Decisions
- Nominate individuals to care for children
- Distribute assets to beneficiaries in the most efficient manner
- Avoid or minimize gift, estate, and income taxes

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YOUR PLAN



YOUR PLAN

- Implement your estate plan
- Review your estate plan every few years because your situation changes, and laws change
- Utilize all estate planning tools available to avoid or minimize gift and estate taxes

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WILLS



CHECK LIST

- Check your Beneficiaries
 - Life Insurance
 - Retirement Accounts
 - Financial Accounts
- List your Assets, Debts & Liabilities
- Who for Trustee/Executor/Power of Attorney
- Who for Guardians for dependents
- Who for Healthcare Agent & HIPAA appointees
- Use your Complimentary Consultation


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The Catholic Community Foundation

September 12th, 2022




www.ccfds.org

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The Catholic Community Foundation of San Diego

CCFSD



WHAT IS A COMMUNITY FOUNDATION?

Tax-exempt, nonprofit and publicly-supported philanthropic organization with a Goal of building short-term funds and long-term endowments for a broad-based public benefit.


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CCFSD



WHAT IS A COMMUNITY FOUNDATION?

Independent 501(c)(3) Tax-exempt, Nonprofit Charity (Civil Law) and Autonomous Pious Foundation (Canon Law)

committed to

Creating, Investing, Managing and Distributing Charitable Funds to support the Spiritual, Educational and Social Needs of our Catholic Community in San Diego and Imperial Counties.

Sustain the missions of Parishes, Catholic Education, Vocations and Social Service Ministries

Work with individuals and families to facilitate stewardship and charitable giving to meet their philanthropic goals


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The Catholic Community Foundation of San Diego

CCFSD



WHAT IS A COMMUNITY FOUNDATION?

Incorporated in 2015

Our Catholic Community: 41% Catholic

Independent from Diocese

Full Support of Bishop McElroy

Extensively but not Exclusively Catholic

\$85M Under Management

175 Total Funds – 80 Endowment Funds

\$14.5M Grants

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The Catholic Community Foundation of San Diego

CCFSD



OUR COMMITMENT

- All presenters are Catholic Volunteers and Estate Planning Professionals
- As Good Stewards, donate their time and talent to Catholic Community
- No commitment / obligation with complimentary consultation
- Estate plans are customized for individuals and families – accurately reflect values and intentions – fees depend on complexity

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FOUNDATION PROGRAMS & SERVICES




www.ccfds.org

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AS GOOD CATHOLIC STEWARDS ...

Our Faith

Importance of our Catholic Faith (Baptism – Eternal Salvation)
We Are Created With God's Love and Generosity in our Hearts: To Love and Serve God and One Another Grow The Kingdom of God on Earth Follow Jesus' Ministry, Live By His Values and Teach Others Love Our Neighbor As Ourselves – Never Forget the Poor Individually Blessed With Unique God-Given Gifts Lord's Prayer ("On Earth As It Is In Heaven", "Give Us This Day Our Daily Bread")

Our Gratitude

We Are Grateful Stewards of God's Many Gifts

Our Community

We Love Our Neighbor; We Help The Poor
We Give Back to God and Share Our Gifts Proportionately

Our Future

Create A Catholic Legacy Today Benefitting Future Generations of Catholics


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The
Catholic
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Foundation
of San Diego

CCFSD



COMMUNITY FOUNDATION OF SAN DIEGO

An autonomous pious foundation that works with Catholic communities in San Diego and Imperial counties to **receive, manage, safeguard and grow** funds supporting charitable organizations **following each donor's intent** carrying out the greater mission of our Catholic faith.

As a foundation for Catholics, we assist and support families with their charitable giving, uniquely aligned with their Catholic values and beliefs.


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TYPES OF FUNDS

- **Endowment Funds – Permanent**
 - Parish, School and Catholic Social Service Organizations
 - Named or Family Funds
 - Specific Organization or Purpose
- **Non-Endowed Funds – Liquid**
- **Donor Advised Funds – Charitable Checkbook**


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RESPONDING TO GOD'S LOVE – CREATE
YOUR CATHOLIC LEGACY

- Gift in your Trust - %, specific \$ amount or asset, or residual amount
- Beneficiary Designation - Life Insurance, Retirement or other assets
- Charitable Remainder Trusts – Income For Remainder of your life
- Types of Gifts - Cash, Stocks, IRA's, Vehicles, Real Estate, other tangible assets
- IRAs and IRA/RMDs provide a tax-advantaged way to give.
- Establish a Fund. Direct the Proceeds - Endowment, Family Memorial Fund, Donor-Advised Fund or simply add to an existing Fund

How will they remember me?

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REMINDERS

WEBINAR SURVEY


YOU WILL NEED TO CONTACT THE ATTORNEY
TO SCHEDULE YOUR COMPLIMENTARY
CONSULTATION

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QUESTIONS?

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THANK YOU!



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Provide Protect &

A Guide to Planning
Your Will and Trust



Important Life And Death Decisions



Disclosure on Attorneys and This Charity

Thank you for completing this form. It is offered by us to you as an educational service. While we attempt to provide helpful estate and financial background, we are not able to offer specific legal advice on your personal situation. Because you may have special needs, we know that 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 may have a customized estate plan that truly fulfills your unique family, healthcare, estate and planning circumstances.

This information is not intended as tax, legal or financial advice. Gift results may vary. Consult your personal financial advisor for information specific to your situation.



I. You & Your Family

Please tell us about you and your family. Print names in ink, not pencil.
Spell names exactly as you want them to appear in your estate documents.
Use full legal names, not nicknames.

YOUR PERSONAL INFORMATION

Date _____

Your Full Legal Name _____

Date of Birth _____ Gender ☐ Male ☐ Female

Present marital status:

☐ Married ☐ Single ☐ Divorced ☐ Legally Separated ☐ Widowed

If you are widowed, what date did this occur? _____

Home Address _____

City _____ State _____ Zip _____

Home Phone () _____ Email _____

Employer _____

Job Title _____ Work Phone () _____

Are you a U.S. Citizen or Lawful Permanent Resident?

☐ No ☐ Born in the U.S. ☐ Naturalized ☐ LPR

Check which documents you presently have:

☐ Will

☐ Living Will

☐ Living Trust

☐ Durable Power of Attorney/Healthcare

☐ Durable Power of Attorney/Finances



Your Spouse

Spouse's Full Legal Name _____

Date of Birth _____ Gender ☐ Male ☐ Female

Have you previously been married?

☐ Yes ☐ No

Has your spouse passed away?

☐ Yes ☐ No

Home Phone () _____ Email _____

Employer _____

Job Title _____ Work Phone () _____

Is your spouse a U.S. Citizen or Lawful Permanent Resident?

☐ No ☐ Born in the U.S. ☐ Naturalized ☐ LPR

Check which documents your Spouse presently has:

☐ Will

☐ Living Will

☐ Living Trust

☐ Durable Power of Attorney/Healthcare

☐ Durable Power of Attorney/Finances

Do you or your spouse have a Prenuptial agreement that identifies and disposes of separate spousal property? (If yes, attach a copy.)

☐ Yes ☐ No

Religious Affiliation

Religious Organization _____

City _____ State _____



Your Children

Please list **all** children, whether minors or adults, ***including deceased children and children of a prior marriage***. If you need more space, attach additional pages. If you wish to exclude a child as a beneficiary of your estate, check the “Exclude” box. If you have no children, write “NONE.”

1. Full Legal Name _____

Date of Birth _____ Social Security # _____

Marital Status

☐ Married ☐ Single ☐ Needs Special Care ☐ Dependent ☐ Exclude

Home Address _____

City _____ State _____ Zip _____

Origin

☐ Child of Present Marriage ☐ Child of Prior Marriage ☐ Deceased

2. Full Legal Name _____

Date of Birth _____ Social Security # _____

Marital Status

☐ Married ☐ Single ☐ Needs Special Care ☐ Dependent ☐ Exclude

Home Address _____

City _____ State _____ Zip _____

Origin

☐ Child of Present Marriage ☐ Child of Prior Marriage ☐ Deceased

3. Full Legal Name _____

Date of Birth _____ Social Security # _____

Marital Status

☐ Married ☐ Single ☐ Needs Special Care ☐ Dependent ☐ Exclude

Home Address _____

City _____ State _____ Zip _____

Origin

☐ Child of Present Marriage ☐ Child of Prior Marriage ☐ Deceased

II. Your Contacts & Healthcare

YOUR EXECUTOR

Your executor is the manager of your estate. Because he or she will make many decisions about the management and distribution of your estate, you should select a trusted person who understands your circumstances. An executor will usually complete eight separate steps to ensure an orderly transfer of all of your property to the right individuals.

1. Submit your will to the probate court
2. Locate your heirs
3. Determine your estate assets and values
4. Pay bills and the estate attorney
5. Make debt payments
6. Resolve any estate controversies
7. File your income and estate tax returns
8. Distribute your assets to heirs

Please name your Executor

Executor _____

Address _____

City _____ State _____ Zip _____

Home Phone () _____ Email _____

Relationship, if not a spouse _____

Your Alternate Executor

In case the person above is unable to serve, please name an Alternate Executor.

Name _____

Address _____

City _____ State _____ Zip _____

Home Phone () _____ Email _____

Relationship _____



YOUR GUARDIAN FOR MINOR CHILDREN

Guardian _____

Address _____

City _____ State _____ Zip _____

Home Phone () _____ Email _____

Relationship, if not a spouse _____

Your Alternate Guardian

Guardian _____

Address _____

City _____ State _____ Zip _____

Home Phone () _____ Email _____

Relationship _____

YOUR HEALTHCARE REPRESENTATIVE

Power of Attorney For Healthcare

Healthcare Power of Attorney _____

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 _____

III. Your Finances

Please list all of your assets and liabilities. This will help your advisor 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		✓	
REAL ESTATE				
Main Residence Address				
Second Residence Address				
Vacation Home				
CHECKING ACCOUNTS				
Bank, Account Number				
SAVINGS ACCOUNTS/ CDS/ MONEY MARKET FUNDS/CREDIT UNION ACCOUNTS				
Bank, Account Number				
Tax Sheltered Annuity— not in Retirement Plan				

ASSET	\$ Total Value of Asset	Check If Joint Property	Check If Your Property	Check if your Spouse's Property
INVESTMENTS				
Bonds or Bond Fund Custodian, Account Number				
Stocks or Stock Fund Custodian, Account Number				
Savings Bonds				
PERSONAL PROPERTY				
Furniture/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				
Miscellaneous				

Total Assets: \$

SOURCES OF YOUR PROPERTY

ELECTRONIC ASSETS PLAN

- 1. Write a list of your eAssets and how to access them.** List your login name and password for all accounts; regular updates are important.
- 2. Store and protect your information.** Save the list on paper or a memory drive in your home safe or other secure location. Do not include your list in your will.
- 3. Select your eAssets plan executor.** You will need an electronic executor who has access to your electronic accounts. He or she should have passwords and authorization in the estate plan.
- 4. Write eAssets plan directions.** Finally, write a letter to your executor with suggested actions to manage your electronic assets.

Your eAssets Executor

Name _____ City _____ State _____

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)				



IV. Your Estate Plan

1. SIMPLE WILL – MARRIED COUPLE

First Estate — Specific Bequests, Balance to Spouse

Bequests of items or amounts to family or to charities.

ITEM OR AMOUNT

RECIPIENT, CITY AND STATE

1. _____
2. _____
3. _____

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

PERCENT

RECIPIENT, CITY AND STATE

1. _____ % to _____
2. _____ % to _____
3. _____ % to _____

2. SIMPLE WILL – SINGLE/SURVIVING SPOUSE

Specific Bequests

Bequests of items or amounts to family or to charities.

ITEM OR AMOUNT

RECIPIENT, CITY AND STATE

1. _____
2. _____
3. _____

Residue of Estate

Percent of residue to family or to charities.

PERCENT

RECIPIENT, CITY AND STATE

1. _____ % to _____
2. _____ % to _____
3. _____ % to _____

3. WILL WITH TRUST FOR CHILDREN – MARRIED COUPLE

Specific Bequests, Balance to Spouse

Bequests of items or amounts to family or to charities.

ITEM OR AMOUNT

RECIPIENT, CITY AND STATE

1. _____
2. _____
3. _____

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

PERCENT

RECIPIENT, CITY AND STATE

1. _____ % to _____
2. _____ % to _____
3. _____ % to _____

4. WILL WITH TRUST FOR CHILDREN – SINGLE/SURVIVING SPOUSE

Specific Bequests

ITEM OR AMOUNT

RECIPIENT, CITY AND STATE

1. _____
2. _____
3. _____

Name, City and State of Trustee

Primary Name _____

Address _____

City _____ State _____ Zip _____

Home Phone () _____ Email _____

Relationship, if not a spouse _____

Age for ending trust and distributing principal to children _____

5. "GIVE IT TWICE" TRUST FOR FAMILY — MARRIED COUPLE

A married couple with an estate below 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.

First Estate — Specific Bequests, Balance to Spouse

Bequests of items or amounts to family or to 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. _____ % to	_____
2. _____ % to	_____
3. _____ % to	_____
4. _____ % to	_____

6. "GIVE IT TWICE" TRUST FOR FAMILY — SINGLE/SURVIVING SPOUSE

Specific Bequests

Bequests of items or amounts to family or to charities.

ITEM OR AMOUNT	RECIPIENT, CITY AND STATE
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____



Residue of Surviving Spouse's Estate

Percentage of residue to family or to charities.

PERCENT	RECIPIENT, CITY AND STATE
1. _____ % to	_____
2. _____ % to	_____
3. _____ % to	_____
4. _____ % to	_____

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 favorite charities. If you select this option, please choose the portion outright and the part in the “Give It Twice” Trust (the total of the two percentages will equal 100%).

Outright to Children _____ % **To “Give It Twice” Trust** _____ %

Children In Trust

Children to receive trust income — % Share, Legal Name, City and State

1. _____ % to	_____
2. _____ % to	_____
3. _____ % to	_____
4. _____ % to	_____

Charities at the End of The Trust

Charities to receive trust remainder — % Share, Legal Name, City and State

1. _____ % to	_____
2. _____ % to	_____
3. _____ % to	_____
4. _____ % to	_____



BENEFICIARY DESIGNATION GIFTS

A beneficiary designation gift is a simple and affordable way to make a gift. You can designate us as beneficiary of a retirement, investment or bank account or your life insurance policy. With a beneficiary designation, you may support the causes that you care about, continue to use your account as long as needed, simplify your planning and avoid expensive legal fees.

To make your gift, contact the person or trustee who helps you with your retirement account or insurance policy. They will send you a new beneficiary designation form. Just complete the form, sign it and mail it back. When you pass away, your account or insurance policy will be paid or transferred to your selected recipient.

Please keep in mind that beneficiary designation gifts are among the most flexible of all charitable gifts. Even after you complete the beneficiary designation form, you can take distributions or withdrawals from your retirement, investment or bank account and continue to freely use your account. You can also change your mind for any reason at a future date. A gift through a beneficiary designation is simple and flexible.

Sample Bequest Language

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 purposes.”

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.”

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.”

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.”

A photograph of an adult hand gently holding a child's hand against a bright blue sky with white clouds. The image is framed by a red and blue border at the top and bottom.

Provide & Protect

Important Life And Death Decisions

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DP-2012-91.2-th



Estate Planning Definitions

Probate — a court proceeding to prove a will is valid, ensure creditors of decedent have the opportunity" to make a claim against the estate and carry out the decedents estate according to the terms of the Will, if any, or as required by law.

Intestacy - the condition of having died without a valid will. In such a case if the deceased party has certain property held in his/her name alone it will be generally distributed according to statutes. In probate the administration of the estate of a person without a will is handled by an "administrator," who is usually a friend or family member of the decedent appointed by the court.

Will - a written document which leaves the estate of the person who signed the will to named persons or entities including portions or percentages of the estate, specific gifts, creation of trusts for management and future distribution of all or a portion of the estate (a testamentary trust). A will usually names an executor (and possibly substitute executors) to manage the estate, states the authority and obligations of the executor in the management and distribution of the estate, nominates guardians of minor children, and spells out other terms.

Executor - the person appointed by the court in a probate proceeding to administer the estate of a person who has died leaving a will which nominates that person.

Administrator - person appointed by the court to handle the estate of someone who died without a will.

Personal Representative - a generic term for an executor or administrator of the estate of a person who has died

Trust — A Living Trust is a private agreement created by a writing while the creator (called a trustor) is alive. The trustor's property is placed in trust with a trustee (often the trustor during his/her lifetime) and distribution will take place for the benefit of one or more beneficiaries according to the terms of the trust. During the trustor's lifetime the trustor is typically the primary beneficiary of the trust and after the death of the trustor, others begin to benefit from the trust assets, in accordance with the terms of the trust.

Trustor / Settlor- the creator of a trust (who normally places the original assets into the trust).

Trustee - a person or entity who manages the trust and its assets under the terms of the trust stated in the declaration of trust which created it.

Beneficiary - person or entity (like a charity) who is to receive assets or profits from an estate, a trust, an insurance policy or any instrument in which there is distribution. The beneficiary benefits from the trust assets, but does not manage or control them (unless the beneficiary is also the trustee).

Title of Assets

Separate Property - property owned by one spouse which he/she acquired:

- a) before marriage
- b) by inheritance
- c) as a gift
- d) assets traceable to other separate property such as money received from sale of a house owned before marriage
- e) property which the spouses agree is separate property

Joint Tenancy - a crucial relationship in the ownership of real property, which provides that each party owns an undivided interest in the entire parcel, with both having the right to use all of it and the right of survivorship, which means that upon the death of one joint tenant, the other has title to it all.

Tenancy In Common - title to property held by two or more persons, in which each has an "undivided interest" in the property and all have an equal right to use the property, even if the percentage of interests are not equal or the living spaces are different sizes. Unlike "joint tenancy," there is no "right of survivorship" if one of the tenants in common dies, and each interest may be separately sold, mortgaged or willed to another.

Community Property - property and profits received by a husband and wife during the marriage, with the exception of inheritances, specific gifts to one of the spouses, and property and profits clearly traceable to property owned before marriage, all of which is separate property.

Other Estate Planning Documents

Durable Power of Attorney - all powers of attorney are simply written documents whereby you authorize someone to act on your behalf. A "durable" power of attorney continues to be effective despite your subsequent disability.

Advance Health Care Directive - An "advance health care directive" lets your physician, family and friends know your health care preferences, including the types of special treatment you want or don't want at the end of life, your desire for diagnostic testing, surgical procedures, cardiopulmonary resuscitation and organ donation. It is important to carefully read the instructions set forth in the directive because many forms for advanced health care directives include language that is contrary to Catholic teaching. The directive allows for you to select who should handle your health care choices and discuss the matter with them. You could name a spouse, relative or other agent.

Conservator - a guardian and protector appointed by a judge to protect and manage the financial affairs and/or the person's daily life due to physical or mental limitations or old age. The conservator may be only of the "estate" (meaning financial affairs), but may be also of the "person," when he/she takes charge of overseeing the daily activities, such as health care or living arrangements of the incompetent adult. A conservator may be required if someone becomes incapacitated and has not designated someone to take over their affairs in a living trust or power of attorney.

Guardian - a person who has been appointed by a judge to take care of a minor child personally and/or manage that person's affairs. To become a guardian of a child either the party intending to be the guardian or another family member, a close friend or a local official responsible for a minor's welfare will petition the court to appoint the guardian. In the case of a minor, the guardianship remains under court supervision until the child reaches majority at 18. Naming someone in a will as guardian of one's child in case of the death of the parent is merely a nomination. The judge does not have to honor that request, although he/she usually does.

Fiduciary - a person (or a business like a bank or stock brokerage) who has the power and obligation to act for another (often called the beneficiary) under circumstances which require total trust, good faith and honesty. Characteristically, the fiduciary has greater knowledge and expertise about the matters being handled.

Stepped Up Basis or Step Down Basis - An increased or decreased basis (value that is used to determine taxable profit or loss when property is sold) given to inherited property that went up or down in value after the deceased person acquired it but before the new owner inherited it. The basis of the new owner is "stepped up" or "stepped down" to the market value of the property at the time of death. The stepped-up basis means that when the property is eventually sold, there will be less taxable capital gain.

ADVANCE HEALTHCARE DIRECTIVE

(Under Authority of California Probate Code Sections 4670 et seq.)

CATHOLIC TEACHING CONCERNING END OF LIFE DECISIONS

Death Is A Normal Part of the Human Condition. Death is neither to be feared and avoided at all costs, nor to be sought and directly procured.

Euthanasia Is Wrong. Euthanasia is not permitted. Euthanasia is defined as the intentional ending of human life by act or omission in order to relieve suffering.

Pain Relief. Modern pain control techniques do not ordinarily shorten life. However, the use of medicine to treat severe pain is acceptable even if, hypothetically, it were to shorten life. In any event, pain control is not the same as euthanasia, since death is not the objective of the treatment. Maintenance of lucidity is an important element in preparing for death, but severe pain should be alleviated to the extent possible.

Proportionality of Life-Sustaining Medical Treatment. Decisions to administer, refuse, or discontinue life-sustaining treatment should be based on the concept of proportionality. One does not have an obligation to pursue a life-sustaining treatment if its risks or burdens are disproportionate to its expected benefits. The concept of burden is broad and must be individually assessed; it includes aspects such as the discomfort, risk, and expense of the treatment in question.

Nutrition and Hydration (Food and Water). The failure to provide a patient with nutrition and hydration – *for the purpose of ending the patient's life or accelerating the patient's death* – constitutes euthanasia and is always wrong, even when nourishment must be provided by artificial means. However, situations can arise where the provision of nutrition and hydration no longer provides substantial benefits and is actually burdensome to a dying patient. In such cases, the provision of food and water, by artificial means or otherwise, may no longer be appropriate, even if the dying process is *incidentally* hastened.

Consultation with Medical and Spiritual Advisors. It is not always easy for patients, family, or health care agents to apply the principles of proportionality to a particular situation. Consultation with medical advisors is almost always required in order to evaluate potential benefits, burdens, and risks. Consultation with competent spiritual advisors may help patients, family, or health care agents arrive at objective and honest decisions.

More Detailed Guidance Is Available. Most of the foregoing principles are drawn from the *Declaration on Euthanasia* which was promulgated in 1980 by the Vatican Congregation for the Doctrine of the Faith. Additional Church documents and guidance can be found on the website of the United States Conference of Catholic Bishops: www.usccb.org/prolife.

Part 1 – POWER OF ATTORNEY FOR HEALTH CARE

1.1 **Primary Appointment.** I, _____, hereby designate the following individual as my agent to make health care decisions for me:

Print Name: _____

Relationship: _____

Home Phone: _____

Mailing Address: _____

Work Phone: _____

Cell Phone: _____

E-Mail Address: _____

1.2 **First Alternate Appointment.** If I revoke my agent's authority or if my agent is not willing, able, or reasonably available to make a health care decision for me, I designate as my first alternate agent:

Print Name: _____	Relationship: _____
Home Phone: _____	Mailing Address: _____
Work Phone: _____	_____
Cell Phone: _____	E-Mail Address: _____

1.3 **Second Alternate Appointment.** If I revoke the authority of my agent and first alternate agent or if neither is willing, able, or reasonably available to make a health care decision for me, I designate as my second alternate agent:

Print Name: _____	Relationship: _____
Home Phone: _____	Mailing Address: _____
Work Phone: _____	_____
Cell Phone: _____	E-Mail Address: _____

1.4 **Agent's Authority.** My agent is authorized to make all health care decisions for me, including decisions to provide, withhold or withdraw medical treatment to keep me alive, *except as I state in Part 2 below.*

1.5 **When Agent's Authority Becomes Effective.** My agent's authority becomes effective when my primary physician determines that I am unable to make my own health care decisions.

1.6 **Agent's Obligation.** My agent shall make health care decisions for me in accordance with (i) this power of attorney for health care, (ii) any instructions I give in Part 2 of this form, and (iii) my other wishes to the extent known to my agent. To the extent my wishes are unknown, my agent shall make health care decisions for me in accordance with what my agent determines to be in my best interest. In determining my best interest, my agent shall consider my personal values to the extent known to my agent.

1.7. **Agent's Post-Death Authority.** My agent is authorized to make anatomical gifts, authorize an autopsy, and direct disposition of my remains, except as I state here or in Parts 3 and 4 of this form:

[Continue on Page 5 if necessary]

Part 2 – INSTRUCTIONS FOR HEALTH CARE

2.1 **Health Care Decisions Should Be Consistent With Catholic Teaching.** Any decision concerning my health care should be consistent with relevant teachings of the Roman Catholic Church. Those teachings are summarized on the first page of this Advance Health Care Directive.

2.2 **End-Of-Life Decisions.** It is impossible to adequately anticipate all the considerations which must be weighed at the time when a decision concerning life-sustaining treatment is to be made. Therefore, if I have appointed an agent in Part 1 above, I have full confidence in the judgment of that person, and I request that my health care providers follow his or her instructions.

2.3 **Special Instructions (Optional).** The following lines may be used to set forth any further directions, limitations, or statements concerning health care, treatment, services and procedures:

[Continue on Page 5 if necessary]

Part 3 – DONATION OF ORGANS (OPTIONAL)

The agent designated in this document has the authority to make anatomical gifts unless contrary intentions have been expressed. In order to clearly express your intentions, check (a) or (b) and use blank spaces for any limitations:

- ☐ (a) I do not wish to donate any of my organs, tissues or parts upon my death.
☐ (b) I give any needed organs, tissues, or parts,

OR – My gift is limited to the following organs, tissues or parts only:

My gift is for the following purposes (cross out any of the following you do not want):

(1) Transplant (2) Therapy (3) Research (4) Education

Other limitations: _____

Part 4 – DISPOSITION OF REMAINS (OPTIONAL)

4.1 **Agent's Authority.** I understand that my agent designated in this document has the authority to dispose of my remains unless I otherwise provide, in writing.

4.2 **Instructions.** My instructions for the disposition of my remains are described in:

☐ (a) A written contract for funeral services with: _____
Name of Funeral Director, Mortuary and/or Cemetery

☐ (b) My will, which I keep: _____
Location of Will

☐ (c) Instructions as follows: _____

Specific Instructions

Part 5 – HIPAA DISCLOSURE AUTHORIZATION

5.1 **Authorized Disclosures of Medical Information.** I hereby grant to each of the individuals named as my primary and alternative health care agents in Part 1 of this document full power and authority to request, review and receive any information, verbal or written, regarding my physical or mental health, to the same extent that I myself would have such rights under the Health Insurance Portability and Accountability Act of 1996. I further grant to each of said individuals the further right to consent to the disclosure of such information to third parties.

5.2 **HIPAA Authorization Effective Immediately.** The foregoing authorizations are effective immediately and, notwithstanding the provisions of Section 1.5 above, are not contingent on my own inability to make health care decisions.

Part 6 – REVOCATION OF PRIOR DIRECTIVES

6.1 **Revocation of Prior Appointments of Health Care Agents.** By execution of this document, I hereby revoke all prior Powers of Attorney for Health Care and any and all other appointments of health care agents under the laws of any jurisdiction within or without the United States of America.

6.2 **Revocation of Prior Health Care Directives.** By execution of this document, I hereby revoke all prior documents, wherever executed within or without the United States of America, which would be deemed to function as an Advance Health Care Directive under the laws of the State of California.

Part 7 – SIGNATURE AND WITNESSES

7.1 **Effect of Copy.** A copy of this form has the same effect as the original.

7.2 **Signature and Date.**

Date of Signature: _____, 20____
(sign your name)

Place of Signature: _____

7.3 **Statement of Witnesses.** I declare under penalty of perjury under the laws of California (i) that the individual who signed or acknowledged this advance health care directive is personally known to me, or that the individual's identity was proven to me by convincing evidence (ii) that the individual signed or acknowledged this advance directive in my presence, (iii) that the individual appears to be of sound mind and under no duress, fraud, or undue influence, (iv) that I am not a person appointed as agent by this advance directive, and (v) that I am not the individual's health care provider, an employee of the individual's health care provider, the operator of a community care facility, an employee of an operator of a community care facility, the operator of a residential care facility for the elderly, nor an employee of an operator of a residential care facility for the elderly.

First Witness: _____ Address: _____
(signature)

(date) (printed name)

Second Witness: _____ Address: _____
(signature)

(date) (printed name)

7.4 **Additional Witness Statement.** At least one of the above witnesses must also sign a declaration as follows:

I further declare under penalty of perjury under the laws of California that I am not related to the individual executing this advance health care directive by blood, marriage, or adoption, and to the best of my knowledge, I am not entitled to any part of the individual's estate upon his or her death under a will now existing or by operation of law.

(signature) (signature)

Part 8 – ACKNOWLEDGMENT BEFORE NOTARY PUBLIC

8.1 **Notary Public Acknowledgment As Alternative To Witnesses In Part 7.** Acknowledgment before a Notary Public is not required if properly witnessed in Part 7 above. Acknowledgment before a Notary Public does not eliminate the need for the Statement of a Patient Advocate or Ombudsman, in Part 9 below, which is required for patients in skilled nursing facilities.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss
)

On _____, 20____, before me, _____,

personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under the PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

[Seal]

Notary Public

Part 9 – SPECIAL WITNESS REQUIREMENT
(FOR PATIENTS IN SKILLED NURSING FACILITIES)

9.1 **Patient Advocate or Ombudsman.** The following statement is required only for patients in a skilled nursing facility – a health care facility that provides the following basic services: skilled nursing care and supportive care to patients whose primary need is for availability of skilled nursing care on an extended basis. In such situations, the patient advocate or ombudsman must sign the following statement, even if this document is notarized.

STATEMENT OF PATIENT ADVOCATE OR OMBUDSMAN

I declare under penalty of perjury under the laws of California that I am a patient advocate or ombudsman as designated by the State Department of Aging and that I am serving as a witness as required by Section 4675 of the California Probate Code.

Date: _____, 20____

(signature)

(printed name)

Address: _____

SPACE FOR ADDITIONAL LIMITATIONS AND/OR INSTRUCTIONS
[Sections 1.7 and 2.3]

[illegible]

COPIES

CALIFORNIA LAW PERMITS PHOTOCOPIES OF THIS DOCUMENT TO BE RELIED UPON AS THOUGH THEY WERE ORIGINALS. IT IS RECOMMENDED THAT YOU KEEP POSSESSION OF YOUR ORIGINAL AND THAT YOU CONSIDER GIVING PHOTOCOPIES TO – AND DISCUSS YOUR SPECIFIC DESIRES WITH:

- (1) YOUR AGENT AND ALTERNATIVE AGENTS,
- (2) YOUR PRIMARY PHYSICIAN,
- (3) SIGNIFICANT MEMBERS OF YOUR FAMILY, AND
- (4) ANY OTHER PERSON WHO IS LIKELY TO BE CALLED IN A MEDICAL EMERGENCY.

IT IS VERY IMPORTANT TO KEEP A RECORD OF THE PERSONS WHO HAVE RECEIVED COPIES – IN CASE YOU WISH TO REVOKE OR MODIFY THIS DIRECTIVE.

CHECKLIST FOR ADVANCE HEALTH CARE DIRECTIVE

TO ENSURE THAT YOU HAVE COMPLETED THIS FORM PROPERLY, YOU SHOULD BE ABLE TO ANSWER "YES" TO EACH OF THE FOLLOWING ITEMS:

- ☐ 1. I am a California resident who is at least 18 years old, of sound mind and acting of my own free will.
- ☐ 2. The individual I have selected to make health care decisions for me (my "Agent" or "Alternative Agent") is at least 18 years of age and, at the time when such Agent will be making health care decisions on my behalf, is not and will not be:
 - a supervising health care provider or an employee of the health care institution where I am then receiving care,
 - an operator of a community care facility or residential care facility where I am then receiving care,
 - an employee of a health care facility, community care facility or residential care facility for the elderly where I am then receiving care, unless such employee is related to me by blood, marriage or adoption, or unless I am also employed by the same health care institution, community care facility or residential facility for the elderly, and
 - my conservator under the Lanterman-Petris-Short Act, unless additional legal requirements have been met.
- ☐ 3. I have spoken with the individuals I have selected to make health care decisions on my behalf, and these individuals have agreed to do so in the event I am unable to make such decisions for myself.
- ☐ 4. We have discussed the extent to which life-sustaining treatment (for example, ventilators/respirators, dialysis, chemotherapy, surgery, tube-feeding, CPR) should be implemented or maintained on my behalf.
- ☐ 5. The individuals I have selected understand how I would act on my behalf were I able to do so.
- ☐ 6. I have given a copy of this completed form to those who may need it in case an emergency requires a decision concerning my health care, including the individuals I have selected in this form, key family members and physicians.
- ☐ 7. I have had this form either notarized OR properly witnessed.
 - ☐ a. I have obtained the signatures of two adult witnesses who personally know me (or to whom I have proven my identity).
 - ☐ b. Neither witness is
 - an Agent whom I have designated to make health care decisions of my behalf,
 - one of my health care providers or any employee of one of my health care providers,
 - the operator or any employee of a community care facility (sometimes called a "board and care home"), nor
 - the operator or any employee of a residential care facility for the elderly.
 - ☐ c. At least one witness is not related to me by blood, marriage or adoption, and is not named in my will and, so far as I know, is not entitled to any part of my estate when I die.
- ☐ 8. I understand that, if I want to change anything in this document, I must complete a new form. I should also tell everyone who received a copy of the old form that it is no longer valid and must ask that copies of the old form be returned to me so that I may destroy them.
- ☐ 9. I have signed and dated this form.
- ☐ 10. I understand that an informative brochure is available that explains this form and relevant Catholic principles in greater depth.
- ☐ 11. If I am in a skilled nursing facility, I have obtained the signature of a patient advocate or ombudsman.
- ☐ 12. If I am a Conservatee under the Lanterman-Petris-Short Act, this form may not be applicable and I should consult an attorney.
- ☐ 13. I am keeping a record of the persons who have received copies of this Advance Health Care Directive.

CALIFORNIA UNIFORM STATUTORY POWER OF ATTORNEY
(California Probate Code Section 4401)

NOTICE: THE POWERS GRANTED BY THIS DOCUMENT ARE BROAD AND SWEEPING. THEY ARE EXPLAINED IN THE UNIFORM STATUTORY FORM POWER OF ATTORNEY ACT (CALIFORNIA PROBATE CODE SECTIONS 4400-4465). IF YOU HAVE ANY QUESTIONS ABOUT THESE POWERS, OBTAIN COMPETENT LEGAL ADVICE. THIS DOCUMENT DOES NOT AUTHORIZE ANYONE TO MAKE MEDICAL AND OTHER HEALTH-CARE DECISIONS FOR YOU. YOU MAY REVOKE THIS POWER OF ATTORNEY IF YOU LATER WISH TO DO SO.

I, _____ of _____,
[Principal's Name] *[Principal's Address]*

appoint _____ of _____,
[Agent's Name] *[Agent's Address]*

as my agent (attorney-in-fact) to act for me in any lawful way with respect to the following initialed subjects:

TO GRANT ALL OF THE FOLLOWING POWERS, INITIAL THE LINE IN FRONT OF (N) AND IGNORE THE LINES IN FRONT OF THE OTHER POWERS. TO GRANT ONE OR MORE, BUT FEWER THAN ALL, OF THE FOLLOWING POWERS, INITIAL THE LINE IN FRONT OF EACH POWER YOU ARE GRANTING. TO WITHHOLD A POWER, DO NOT INITIAL THE LINE IN FRONT OF IT. YOU MAY, BUT NEED NOT, CROSS OUT EACH POWER WITHHELD.

INITIAL

- ☐ (A) Real property transactions.
- ☐ (B) Tangible personal property transactions.
- ☐ (C) Stock and bond transactions.
- ☐ (D) Commodity and option transactions.
- ☐ (E) Banking and other financial institution transactions.
- ☐ (F) Business operating transactions.
- ☐ (G) Insurance and annuity transactions.
- ☐ (H) Estate, trust, and other beneficiary transactions.
- ☐ (I) Claims and litigation.
- ☐ (J) Personal and family maintenance.
- ☐ (K) Benefits from social security, medicare, medicaid, or other governmental programs, or civil or military service.
- ☐ (L) Retirement plan transactions.
- ☐ (M) Tax matters.
- ☐ (N) ALL OF THE POWERS LISTED ABOVE.

YOU NEED NOT INITIAL ANY OTHER LINES IF YOU INITIAL LINE (N).

SPECIAL INSTRUCTIONS:

ON THE FOLLOWING LINES YOU MAY GIVE SPECIAL INSTRUCTIONS LIMITING OR EXTENDING THE POWERS GRANTED TO YOUR AGENT.

UNLESS YOU DIRECT OTHERWISE ABOVE, THIS POWER OF ATTORNEY IS EFFECTIVE IMMEDIATELY AND WILL CONTINUE UNTIL IT IS REVOKED.

This power of attorney will continue to be effective even though I become incapacitated.

STRIKE THE PRECEDING SENTENCE IF YOU DO NOT WANT THIS POWER OF ATTORNEY TO CONTINUE IF YOU BECOME INCAPACITATED.

EXERCISE OF POWER OF ATTORNEY WHERE MORE THAN ONE AGENT DESIGNATED

If I have designated more than one agent, the agents are to act _____.

IF YOU APPOINTED MORE THAN ONE AGENT AND YOU WANT EACH AGENT TO BE ABLE TO ACT ALONE WITHOUT THE OTHER AGENT JOINING, WRITE THE WORD "SEPARATELY" IN THE BLANK SPACE ABOVE. IF YOU DO NOT INSERT ANY WORD IN THE BLANK SPACE, OR IF YOU INSERT THE WORD "JOINTLY", THEN ALL OF YOUR AGENTS MUST ACT OR SIGN TOGETHER.

I agree that any third party who receives a copy of this document may act under it.

Revocation of the power of attorney is not effective as to a third party until the third party has actual knowledge of the revocation. I agree to indemnify the third party for any claims that arise against the third party because of reliance on this power of attorney.

Signed this _____ day of _____, 20____.

[Signature of Principal]

[Principal's Social Security Number]

BY ACCEPTING OR ACTING UNDER THE APPOINTMENT, THE AGENT ASSUMES THE FIDUCIARY AND OTHER LEGAL RESPONSIBILITIES OF AN AGENT.

ACKNOWLEDGMENT

State of California)
) ss
County of _____)

On _____, 20____, before me, _____,

a Notary Public in and for the State of California, personally appeared

_____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California

that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

My commission expires _____

NOTICE TO PERSON EXECUTING DURABLE POWER OF ATTORNEY
(California Probate Code Section 4128(a))

A durable power of attorney is an important legal document. By signing the durable power of attorney, you are authorizing another person to act for you, the principal. Before you sign this durable power of attorney, you should know these important facts:

Your agent (attorney-in-fact) has no duty to act unless you and your agent agree otherwise in writing.

This document gives your agent the powers to manage, dispose of, sell, and convey your real and personal property, and to use your property as security if your agent borrows money on your behalf. This document does not give your agent the power to accept or receive any of your property, in trust or otherwise, as a gift, unless you specifically authorize the agent to accept or receive a gift.

Your agent will have the right to receive reasonable payment for services provided under this durable power of attorney unless you provide otherwise in this power of attorney.

The powers you give your agent will continue to exist for your entire lifetime, unless you state that the durable power of attorney will last for a shorter period of time or unless you otherwise terminate the durable power of attorney. The powers you give your agent in this durable power of attorney will continue to exist even if you can no longer make your own decisions respecting the management of your property.

You can amend or change this durable power of attorney only by executing a new durable power of attorney or by executing an amendment through the same formalities as an original. You have the right to revoke or terminate this durable power of attorney at any time, so long as you are competent.

This durable power of attorney must be dated and must be acknowledged before a notary public or signed by two witnesses. If it is signed by two witnesses, they must witness either (1) the signing of the power of attorney or (2) the principal's signing or acknowledgment of his or her signature. A durable power of attorney that may affect real property should be acknowledged before a notary public so that it may easily be recorded.

You should read this durable power of attorney carefully. When effective, this durable power of attorney will give your agent the right to deal with property that you now have or might acquire in the future. The durable power of attorney is important to you. If you do not understand the durable power of attorney, or any provision of it, then you should obtain the assistance of an attorney or other qualified person.

[Initials of Principal]

*

*

*

NOTICE TO PERSON ACCEPTING THE APPOINTMENT AS ATTORNEY-IN-FACT

By acting or agreeing to act as the agent (attorney-in-fact) under this power of attorney you assume the fiduciary and other legal responsibilities of an agent. These responsibilities include:

1. The legal duty to act solely in the interest of the principal and to avoid conflicts of interest.
2. The legal duty to keep the principal's property separate and distinct from any other property owned or controlled by you.

You may not transfer the principal's property to yourself without full and adequate consideration or accept a gift of the principal's property unless this power of attorney specifically authorizes you to transfer property to yourself or accept a gift of the principal's property. If you transfer the principal's property to yourself without specific authorization in the power of attorney, you may be prosecuted for fraud and/or embezzlement. If the principal is 65 years of age or older at the time that the property is transferred to you without authority, you may also be prosecuted for elder abuse under Penal Code Section 368. In addition to criminal prosecution, you may also be sued in civil court.

I have read the foregoing notice and I understand the legal and fiduciary duties that I assume by acting or agreeing to act as the agent (attorney-in-fact) under the terms of this power of attorney.

Date:

[Signature of Agent]

[Print Name of Agent]

QUESTIONS AND ANSWERS ABOUT THIS CALIFORNIA STATUTORY WILL

The following information, in question and answer form, is not a part of the California Statutory Will. It is designed to help you understand about Wills and to decide if this Will meets your needs. This Will is in a simple form. The complete text of each paragraph of this Will is printed at the end of the Will.

1. *What happens if I die without a Will?* If you die without a Will, what you own (your “assets”) in your name alone will be divided among your spouse, domestic partner, children, or other relatives according to state law. The court will appoint a relative to collect and distribute your assets.

2. *What can a Will do for me?* In a Will you may designate who will receive your assets at your death. You may designate someone (called an “executor”) to appear before the court, collect your assets, pay your debts and taxes, and distribute your assets as you specify. You may nominate someone (called a “guardian”) to raise your children who are under age 18. You may designate someone (called a “custodian”) to manage assets for your children until they reach any age from 18 to 25.

3. *Does a Will avoid probate?* No. With or without a Will, assets in your name alone usually go through the court probate process. The court’s first job is to determine if your Will is valid.

4. *What is community property?* Can I give away my share in my Will? If you are married and you or your spouse earned money during your marriage from work and wages, that money (and the assets bought with it) is community property. Your Will can only give away your one-half of community property. Your Will cannot give away your spouse’s one-half of community property.

5. *Does my Will give away all of my assets?* Do all assets go through probate? No. Money in a joint tenancy bank account automatically belongs to the other named owner without probate. If your spouse, domestic partner, or child is on the deed to your house as a joint tenant, the house automatically passes to him or her. Life insurance and retirement plan benefits may pass directly to the named beneficiary. A Will does not necessarily control how these types of “nonprobate” assets pass at your death.

6. *Are there different kinds of Wills?* Yes. There are handwritten Wills, typewritten Wills, attorney-prepared Wills, and statutory Wills. All are valid if done precisely as the law requires. You should see a lawyer if you do not want to use this Statutory Will or if you do not understand this form.

7. *Who may use this Will?* This Will is based on California law. It is designed only for California residents. You may use this form if you are single, married, a member of a domestic partnership, or divorced. You must be age 18 or older and of sound mind.

8. *Are there any reasons why I should NOT use this Statutory Will?* Yes. This is a simple Will. It is not designed to reduce death taxes or other taxes. Talk to a lawyer to do tax planning, especially if (i) your assets will be worth more than \$600,000 or the current amount excluded from estate tax under federal law at your death, (ii) you own business-related assets, (iii) you want to create a trust fund for your children’s education or other purposes, (iv) you own assets in some other state, (v) you want to disinherit your spouse, domestic partner, or descendants, or (vi) you have valuable interests in pension or profit-sharing plans. You should talk to a lawyer who knows about estate planning if this Will does not meet your needs. This Will treats most adopted children like natural children. You should talk to a lawyer if you have stepchildren or foster children whom you have not adopted.

9. *May I add or cross out any words on this Will?* No. If you do, the Will may be invalid or the court may ignore the crossed out or added words. You may only fill in the blanks. You may amend this Will by a separate document (called a codicil). Talk to a lawyer if you want to do something with your assets which is not allowed in this form.

10. *May I change my Will?* Yes. A Will is not effective until you die. You may make and sign a new Will. You may change your Will at any time, but only by an amendment (called a codicil). You can give away or sell your assets before your death. Your Will only acts on what you own at death.

11. *Where should I keep my Will?* After you and the witnesses sign the Will, keep your Will in your safe deposit box or other safe place. You should tell trusted family members where your Will is kept.

12. *When should I change my Will?* You should make and sign a new Will if you marry, divorce, or terminate your domestic partnership after you sign this Will. Divorce, annulment, or termination of a domestic partnership automatically cancels all property stated to pass to a former husband, wife, or domestic partner under this Will, and revokes the designation of a former spouse or domestic partner as executor, custodian, or guardian. You should sign a new Will when you have more children, or if your spouse or a child dies, or a domestic partner dies or marries. You may want to change your Will if there is a large change in the value of your assets. You may also want to

change your Will if you enter a domestic partnership or your domestic partnership has been terminated after you sign this Will.

13. *What can I do if I do not understand something in this Will?* If there is anything in this Will you do not understand, ask a lawyer to explain it to you.

14. *What is an executor?* An “executor” is the person you name to collect your assets, pay your debts and taxes, and distribute your assets as the court directs. It may be a person or it may be a qualified bank or trust company.

15. *Should I require a bond?* You may require that an executor post a “bond.” A bond is a form of insurance to replace assets that may be mismanaged or stolen by the executor. The cost of the bond is paid from the estate’s assets.

16. *What is a guardian?* Do I need to designate one? If you have children under age 18, you should designate a guardian of their “persons” to raise them.

17. *What is a custodian?* Do I need to designate one? A “custodian” is a person you may designate to manage assets for someone (including a child) who is under the age of 25 and who receives assets under your Will. The custodian manages the assets and pays as much as the custodian determines is proper for health, support, maintenance, and education. The custodian delivers what is left to the person when the person reaches the age you choose (from 18 to 25). No bond is required of a custodian.

18. *Should I ask people if they are willing to serve before I designate them as executor, guardian, or custodian?* Probably yes. Some people and banks and trust companies may not consent to serve or may not be qualified to act.

19. *What happens if I make a gift in this Will to someone and that person dies before I do?* A person must survive you by 120 hours to take a gift under this Will. If that person does not, then the gift fails and goes with the rest of your assets. If the person who does not survive you is a relative of yours or your spouse, then certain assets may go to the relative’s descendants.

20. *What is a trust?* There are many kinds of trusts, including trusts created by Wills (called “testamentary trusts”) and trusts created during your lifetime (called “revocable living trusts”). Both kinds of trusts are long-term arrangements in which a manager (called a “trustee”) invests and manages assets for someone (called a “beneficiary”) on the terms you specify. Trusts are too complicated to be used in this Statutory Will. You should see a lawyer if you want to create a trust.

21. *What is a domestic partner?* You have a domestic partner if you have met certain legal requirements and filed a form entitled “Declaration of Domestic Partnership” with the Secretary of State. Notwithstanding Section 299.6 of the Family Code, if you have not filed a Declaration of Domestic Partnership with the Secretary of State, you do not meet the required definition and should not use the section of the Statutory Will form that refers to domestic partners even if you have registered your domestic partnership with another governmental entity. If you are unsure if you have a domestic partner or if your domestic partnership meets the required definition, please contact the Secretary of State’s office.

INSTRUCTIONS

1. **READ THE WILL.** Read the whole Will first. If you do not understand something, ask a lawyer to explain it to you.

2. **FILL IN THE BLANKS.** Fill in the blanks. Follow the instructions in the form carefully. Do not add any words to the Will (except for filling in blanks) or cross out any words.

3. **DATE AND SIGN THE WILL AND HAVE TWO WITNESSES SIGN IT.** Date and sign the Will and have two witnesses sign it. You and the witnesses should read and follow the Notice to Witnesses found at the end of this Will.

*You do not need to have this document notarized. Notarization will not fulfill the witness requirement.

CALIFORNIA STATUTORY WILL OF

Print Your Full Name

1. Will. This is my Will. I revoke all prior Wills and codicils.

2. Specific Gift of Personal Residence. (Optional—use only if you want to give your personal residence to a different person or persons than you give the balance of your assets to under paragraph 5 below.) I give my interest in my principal personal residence at the time of my death (subject to mortgages and liens) as follows:

(Select one choice only and sign in the box after your choice.)

a. Choice One: All to my spouse or domestic partner, registered with the California Secretary of State, if my spouse or domestic partner, registered with the California Secretary of State, survives me; otherwise to my descendants (my children and the descendants of my children) who survive me.

b. Choice Two: Nothing to my spouse or domestic partner, registered with the California Secretary of State; all to my descendants (my children and the descendants of my children) who survive me.

c. Choice Three: All to the following person if he or she survives me (Insert the name of the person.):

d. Choice Four: Equally among the following persons who survive me (Insert the names of two or more persons.):

3. Specific Gift of Automobiles, Household and Personal Effects. (Optional—use only if you want to give automobiles and household and personal effects to a different person or persons than you give the balance of your assets to under paragraph 5 below.) I give all of my automobiles (subject to loans), furniture, furnishings, household items, clothing, jewelry, and other tangible articles of a personal nature at the time of my death as follows:

(Select one choice only and sign in the box after your choice.)

a. Choice One: All to my spouse or domestic partner, registered with the California Secretary of State, if my spouse or domestic partner, registered

with the California Secretary of State, survives me; otherwise to my descendants (my children and the descendants of my children) who survive me.

b. Choice Two: Nothing to my spouse or domestic partner, registered with the California Secretary of State; all to my descendants (my children and the descendants of my children) who survive me.

--

c. Choice Three: All to the following person if he or she survives me (Insert the name of the person.):

--

d. Choice Four: Equally among the following persons who survive me (Insert the names of two or more persons.):

--

4. Specific Gifts of Cash. (Optional) I make the following cash gifts to the persons named below who survive me, or to the named charity, and I sign my name in the box after each gift. If I do not sign in the box, I do not make a gift. (Sign in the box after each gift you make.)

Name of Person or Charity to receive gift (name one only—please print)	Amount of Cash Gift
	Sign your name in this box to make this gift

Name of Person or Charity to receive gift (name one only—please print)	Amount of Cash Gift
	Sign your name in this box to make this gift

Name of Person or Charity to receive gift (name one only—please print)	Amount of Cash Gift
	Sign your name in this box to make this gift

Name of Person or Charity to receive gift (name one only—please print)	Amount of Cash Gift
	Sign your name in this box to make this gift

Name of Person or Charity to receive gift (name one only—please print)	Amount of Cash Gift
	Sign your name in this box to make this gift

5. Balance of My Assets. Except for the specific gifts made in paragraphs 2, 3 and 4 above, I give the balance of my assets as follows:

(Select one choice only and sign in the box after your choice. If I sign in more than one box or if I do not sign in any box, the court will distribute my assets as if I did not make a Will.)

a. Choice One: All to my spouse or domestic partner, registered with the California Secretary of State, if my spouse or domestic partner, registered with the California Secretary of State, survives me; otherwise to my descendants (my children and the descendants of my children) who survive me.

b. Choice Two: Nothing to my spouse or domestic partner, registered with the California Secretary of State; all to my descendants (my children and the descendants of my children) who survive me.

c. Choice Three: All to the following person if he or she survives me (Insert the name of the person.):

d. Choice Four: Equally among the following persons who survive me (Insert the names of two or more persons.):

6. Guardian of the Child's Person. If, at my death, I have a child under age 18, whether the child is alive at the time this will is executed or born after the date this will is executed, and the child does not have a living parent, I nominate the individual named below as First Choice as guardian of the person of that child (to raise the child). If the First Choice does not serve, then I nominate the Second Choice, and then the Third Choice, to serve. Only an individual (not a bank or trust company) may serve.

Name of First Choice for Guardian of the Person

Name of Second Choice for Guardian of the Person

Name of Third Choice for Guardian of the Person

7. Special Provision for Property of Persons Under Age 25. (Optional—unless you use this paragraph, assets that go to a child or other person who is under age 18 may be given to the parent of the person, or to the Guardian named in paragraph 6 above as guardian of the person until age 18, and the court will require a bond, and assets that go to a child or other person who is age 18 or older will be given outright to the person. By using this paragraph you may provide that a custodian will hold the assets for the person until the person reaches any age from 18 to 25 which you choose.) If a beneficiary of this Will is under the age chosen below, I nominate the individual or bank or trust company named below as First Choice as custodian of the property. If the First Choice does not serve, then I nominate the Second Choice, and then the Third Choice, to serve.

Name of First Choice for Custodian of Assets

Name of Second Choice for Custodian of Assets

Name of Third Choice for Custodian of Assets

Insert any age from 18 to 25 as the age for the person to receive the property:
(If you do not choose an age, age 18 will apply.)

8. Executor. I nominate the individual or bank or trust company named below as First Choice as executor. If the First Choice does not serve, then I nominate the Second Choice, and then the Third Choice, to serve.

Name of First Choice for Executor

Name of Second Choice for Executor

Name of Third Choice for Executor

9. Bond. My signature in this box means a bond is not required for any person named as executor. A bond may be required if I do not sign in this box:

No bond shall be required

(Notice: You must sign this Will in the presence of two (2) adult witnesses. The witnesses must sign their names in your presence. You must first read to them the following sentence.)

This is my Will: I ask the persons who sign below to be my witnesses.

Signed on _____ at _____
(date) (city)

Signature of Maker of Will

(Notice to Witnesses: Two (2) adults must sign as witnesses. Each witness must read the following clause before signing. The witnesses should not receive assets under this Will.)

Each of us declares under penalty of perjury under the laws of the State of California that the following is true and correct:

- a. On the date written below the maker of this Will declared to us that this instrument was the maker's Will and requested us to act as witnesses to it;
- b. We understand this is the maker's Will;
- c. The maker signed this Will in our presence, all of us being present at the same time;
- d. We now, at the maker's request, and in the maker's presence, sign below as witnesses;
- e. We believe the maker is of sound mind and memory;
- f. We believe that this Will was not procured by duress, menace, fraud or undue influence;
- g. The maker is age 18 or older; and
- h. Each of us is now age 18 or older, is a competent witness, and resides at the address set forth after his or her name.

Dated: _____ , _____

Signature of witness

Signature of witness

Print name here:

Print name here:

Residence address:

Residence address:

AT LEAST TWO WITNESSES MUST SIGN



BEQUEST LANGUAGE

I. PARISH ENDOWMENT FUND

My/our gift(s) will be added to the ST. BRIGID PARISH ENDOWMENT FUND, a component fund of the Catholic Community Foundation of San Diego, of which distribution and spending policies are already provided. I/we understand that the Catholic Community Foundation of San Diego is a nonprofit organization located at 4747 Morena Blvd. Ste. 300, San Diego, CA 92117, Federal Tax ID 47-4949185.

II. NEWLY ESTABLISHED FUND

My/our gift(s) will be used to create the _[Family Fund], [Memorial Fund]...fund, as a component fund of the Catholic Community Foundation of San Diego. The purpose of this fund is to

I/we understand that the Catholic Community Foundation of San Diego is a nonprofit organization located at 4747 Morena Blvd., Ste. 300, San Diego, CA 92117, Federal Tax ID 47-4949185.

III. ASSETS PROVIDED TO THE CATHOLIC COMMUNITY FOUNDATION OF SAN DIEGO. (Please Add A Paragraph From BOTH Parts A and B below.)

PART A - Type of Gift (Select One)

Bequest of a Specific Dollar Amount

I/we hereby give, devise and bequeath _____ and No/100 dollars (\$DOLLARS) to The Catholic Community Foundation of San Diego, a nonprofit organization located at 4747 Morena Blvd., Ste. 300, San Diego, CA 92117, Federal Tax ID 47-4949185.

Bequest of a Percentage of the Total Estate

I/we hereby give, devise and bequeath ____ percent (____%) of my/our total estate, determined as of the date of my death, to The Catholic Community Foundation of San Diego, a nonprofit organization located at 4747 Morena Blvd., Ste. 300, San Diego, CA 92117, Federal Tax ID 47-4949185.

Bequest of a Percentage of the Residue and Remainder of the Estate

I/we hereby give, devise and bequeath ____ percent (____%) of the rest, residue and remainder of my/our estate, determined as of the date of my death, to The Catholic Community Foundation of San Diego, a nonprofit organization located at 4747 Morena Blvd., Ste. 300, San Diego, CA 92117, Federal Tax ID 47- 4949185.

Bequest of Specific Personal Property

I/we hereby give, devise and bequeath *DESCRIPTION OF PROPERTY* to The Catholic Community Foundation of San Diego, a nonprofit organization located at 4747 Morena Blvd., Ste. 300, San Diego, CA 92117, Federal Tax ID 47- 4949185.

Bequest of Specific Real Estate

I/we 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 The Catholic Community Foundation of San Diego, a nonprofit organization located at 4747 Morena Blvd., Ste. 300, San Diego, CA 92117, Federal Tax ID 47- 4949185.

PART B - Disposition (Purpose) of the Gift (Select One)

Bequest to general purposes of the Foundation

My/our gift(s) will be for the general use and purpose of the Catholic Community Foundation of San Diego.

Bequest to an already established fund

My/our gift(s) will be added to the

_____ fund, a component fund of the Catholic Community Foundation of San Diego, of which distribution and spending policies are already provided. If, in the judgment of the Board of Trustees of the Catholic Community Foundation it is impossible to administer this bequest because either the designated beneficiary ceases to exist or performs in a manner not in keeping with Catholic Social teaching, the distribution from this endowment must be used in the best manner to support the spirit of this gift.

Bequest to a newly established fund (*please contact the Foundation ahead of time*)

My/our gift(s) will be used to create the _____ fund, a component fund of the Catholic Community Foundation of San Diego. The purpose of this fund is to _____

If, in the judgment of the Board of Directors of the Catholic Community Foundation it is impossible to administer this bequest because either the designated beneficiary ceases to exist or performs in a manner not in keeping with Catholic Social teaching, the distribution from this endowment must be used in the best manner to support the spirit of this gift.

CATHOLIC COMMUNITY FOUNDATION OF SAN DIEGO

ESTATE AND LEGACY PLANNING RESOURCE LIST



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Meredith G. Alcock received a B.A. *cum laude* from Yale University in 1980 and a J.D. *magna cum laude* in 1986 from the University of San Diego. Ms. Alcock is a member of the State Bar of California, estate planning, trust, and probate section. She is certified as a specialist in Estate Planning, Trust and Probate Law by the State Bar of California Board of Legal Specialization and has been continuously certified as a specialist for over 25 years. She is rated AV by Martindale-Hubbell. She is listed in the Best Lawyers in America referral guide. Her practice includes estate planning and settlement matters.

She is a past president of the Thomas More Society of San Diego. She rows in the master's program at ZLAC Rowing Club in Pacific Beach and is a past president of that club and the current president of the ZLAC Foundation.



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Elizabeth G. Blust entered law school with the intent of becoming a real estate lawyer, but soon after passing the bar realized that her true calling was estate planning and estate administration. Planning and administration – whether through probate or trusts – can be confusing. Often there is not a clear path that is “right,” or there may be many paths that will get the clients where they need to go. Most of her clients own real property, so Elizabeth has opportunities to draw upon her 10+ year career in real estate development as she helps her clients navigate through the often baffling tangle of laws and forms.

She is a member of the California Lawyer's Association, the San Diego County Bar Association, the San Diego Business Equality Association, Probate Attorneys of San Diego, and the San Diego Press Club. She sings at a local retirement village as part of her church's outreach ministry and sings with the San Diego Festival Chorus.

While in college, Elizabeth worked in the International Studies office and spent a summer abroad herself, discovering a love of travel that she now shares with her husband Jim and their two children.



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Carolyn R. Brock is a sole practitioner with an office in Scripps Ranch and a satellite office in La Mesa, California. Carolyn was certified by the State Bar of California Board of Legal Specialization as a Specialist in Estate Planning, Trust and Probate Law (2004). Carolyn has been practicing law for over 25 years, working predominantly in the areas of Estate Planning, Trusts, Wills, Probate, Conservatorships, Trust Administration and Corporate/Business Law and Qualified Domestic Relations Orders.

Carolyn graduated from Thomas Jefferson School of Law in San Diego, California in December of 1994. Carolyn was on the National Deans List from 1991 - 1993, and a member of the San Diego Justice Journal law review writing staff from 1992 – 1993 during which time she authored, "Nonfiduciary Liability Under ERISA", San Diego Justice Journal Vol. 1, No. 1, Summer 1993.

Carolyn is admitted to practice law before the courts of the state of California, the U.S. District Court Southern District, and the Ninth Circuit Court of Appeals. Carolyn is a member of the Foothills Bar Association and the San Diego County Bar Association and the Estate Planning Section of the Bar. Carolyn currently teaches a paralegal course on estate planning and administration through the UCSD Extension, typically in the spring semester. Carolyn is also a member of the St. Thomas Moore Society of San Diego.



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Nate Conley is an associate attorney at Sheinberg Law Group. His practice focuses on wills, trusts, and probate. Nate works hard to ensure that each client's estate plan is customized to their own needs and wishes, and drafted specifically to avoid the many problems that often arise in trust and probate administrations.

Nate is a member of the State Bar of California and an active member of the San Diego legal community. He works with a large network of attorneys and other trusted professionals, so that if his clients need outside services, he can get them to the right person quickly and efficiently.

Nate grew up in Kailua, Hawaii and attended college at Bradley University in Peoria, Illinois. After graduation, he spent 3 years in the U.S. Army as a medic, including one deployment to Iraq, before attending law school at DePaul University in Chicago, Illinois. He then moved to California and settled in San Diego. In his spare time Nate enjoys movies, reading, writing, running, and playing pool. He spends most of his time hanging out with his wife, Annie, and their 2 children, Luke and Noah.



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Andrea Gherini has been a lawyer for over thirty-five years. She graduated cum laude from the University of Southern California with a Bachelor of Arts degree and from Loyola Law School, Los Angeles with Dean List Honors. The mission of Ms. Gherini's practice is to listen, with compassion, to the needs expressed by her clients and to apply her professional expertise to craft solutions to her clients' problems in the areas of Estate Planning, Elder Law, Probate, Trust Administration, Medi-Cal Planning, and Special Needs Law.

Ms. Gherini has been rated AV "Preeminent" by Martindale Hubble, based on peer reviews. She is a member of the Trusts and Estate Section of the California Bar Association and the Bar Association of North San Diego County. Ms. Gherini served as Co-Chair of the Trusts & Estate Section for the North San Diego County Bar Association from 2007-2009. She currently serves on the panel of San Diego Superior Court appointed attorneys in conservatorship matters. Ms. Gherini is also a member of the National Academy of Elder Law Attorneys and is the past President of its Southern California Chapter. In 2008, she received the Wiley W. Manuel Award from the California State Bar Association for pro bono legal services and in 2016 the National Academy of Elder Law Attorney's recognized her as Chapter Member of the Year for Southern California. Ms. Gherini is on the Presentation and Referral Panel for the Southern California Caregiver's Resource Center and the Alzheimer's Association San Diego.

Ms. Gherini and her husband, Brad Gallant, have lived in Oceanside for over 35 years and have 2 adult children and two Bernese Mountain dogs.



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Mark Ignacio attended the University of San Diego (USD), and graduated Magna Cum Laude in just three years with a bachelor's degree in psychology, and with minors in English and philosophy. During his time at USD, Mr. Ignacio served as the Undergraduate Writing Center Coordinator and tutor, in addition to leading various University Ministry activities. By the time he graduated, Mr. Ignacio earned several distinctions including: Honors Program Graduate, Phi Beta Kappa, Mortar Board (National College Senior Honors Society), Psi Chi (Psychology Honors Society), and Sigma Tau Delta (English Honors Society). Mr. Ignacio then enrolled at Hamline University School of Law in Saint Paul, Minnesota, after receiving an academic scholarship.

However, because of a family illness, Mr. Ignacio returned to San Diego and enrolled at California Western School of Law (CWSL). While at CWSL, Mr. Ignacio served as a legal intern for the Legal Aid Society where for his service, the State Bar of California awarded Mr. Ignacio with the Wiley B. Manuel Award for Pro Bono Services. Mr. Ignacio graduated from CWSL in the top 25 percent of his class, along with earning an academic excellence award.

Mr. Ignacio is a big sports fan, especially baseball, and attends Padres games at Petco Park when he can. He also enjoys traveling, swimming, cooking and photography during his spare time.



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Carl Larson is a partner in Burkhardt & Larson. He is chiefly responsible for the firm's business and estate planning practice. Mr. Larson is experienced in all types of entity formations and consults with business owners regarding a wide variety of matters that arise out of manufacturing, distribution, licensing, and other business operations. His estate planning experience includes over 300 fully integrated estate plans.

Carl attended the University of San Diego School of Law for his Masters of Law Taxation in 1992 and received his Juris Doctorate from University of California at Davis in 1987. He also attended the Institute of Japanese Studies for a Two-Year Certificate in Japanese Language after receiving his BA from University of California at Los Angeles.

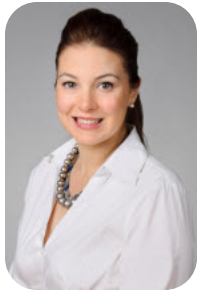


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Rosemary Leonard (Rosemary Meagher-Leonard) has been a licensed California attorney since 1980 and has had her own practice since 1981. Since the mid-1990's Rosemary has practiced exclusively in the area of Estate Planning, Probate, and Elder Law. My goal is to provide personal, individualized legal services to each one of my clients. Her goal is to ensure that every client is treated as an individual and with the utmost respect.

Rosemary has considerable experience as an estate planner including. Among other documents, Rosemary has assisted clients with creating and amending inter vivos (living) trusts, bypass, special needs trust, dynasty trusts, irrevocable trusts, insurance trusts, legacy trusts, and charitable trusts, advanced health directives, wills, and powers of attorney. Rosemary also advised clients with family limited partnerships, limited liability companies, and Medi-Cal/Medicaid and Medicare planning

Rosemary graduated from Thomas Jefferson School of Law (formerly Western State University) in 1979 and from San Diego State University in 1976. She is married to her husband Scott, has three adult children and two grandchildren. Rosemary enjoys traveling, walking, fitness classes, reading, and spending time with her husband, children, and grandchildren.



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Suzanne P. Nicholl graduated cum laude from Monmouth University in West Long Branch, New Jersey. She obtained her juris doctor from Thomas Jefferson School of Law in San Diego, California. Among her academic achievements, she received the American JurisPrudence Award, California Jurisprudence Award, and Witkin Award in Accounting for Lawyers. While in law school, she was a member of both the Mock Trial Team and the Alternative Dispute Resolution Team. Additionally, she worked in the domestic violence clinic of the San Diego Volunteer Lawyer Program and was recognized for her work with the Pro Bono Award. Suzanne had the privilege of studying comparative constitutional law with United States Supreme Court Justice Ruth Bader Ginsburg in Nice, France. Additionally, she served as the Community Service Chair of the Christian Legal Society at Thomas Jefferson.

Suzanne's career experience includes estate planning, probate, trust administration, trust and estate disputes/litigation, guardianships, conservator ships, corporate and business entity formation and compliance, stock acquisitions, commercial, residential, and cellular lease agreements, IRS and FTB tax compromise offers, IRS audit defense, ERISA pension compliance, and general civil litigation. Suzanne is a Certified Legal Specialist in Trust & Estate Planning.

She proudly serves as a member of the Board of Directors of Elder Law & Advocacy, a local non-profit that helps seniors defend their legal rights and preserve their respected place in the community.



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Pablo Palomino was born in Puerto Vallarta and raised in San Diego. He graduated with double majors in Economics and Rhetoric from the University of California at Berkeley in 1998. Mr. Palomino received his Juris Doctor degree from the University of Southern California and passed the California Bar Exam in 2002 and admitted to practice before all state courts in California and the U.S. District Courts for the Districts of Southern and Central California.

Mr. Palomino is fluent in both English and Spanish and enjoys helping those people with all their estate planning, probate, and trust administration needs. His greatest reward is developing trusted life-long relationships in the process.

Helping others through volunteering is important to Mr. Palomino. In addition to serving as advisor to various business and professional groups, he serves on many local boards for non-profits and foundations. He mentors aspiring attorneys and business owners and is a proud father of twin girls.



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Daniel J. Perwich is an experienced and accomplished attorney practicing law in California for nearly forty years. His focus for the last twelve years has been in estate planning and trust administration. Mr. Perwich studied business and psychology and received a bachelors of Business Administration from the George Washington University in 1980. Mr Perwich studied the law at the University of San Diego and graduated with a JD in 1983. Mr. Perwich is experienced in real property transactions and has held a California brokers license for the last twenty years. Mr. Perwich is a practicing Catholic, and is active in his parish, Sacred Heart Catholic church in Coronado and is a former lay director of the San Diego Cursillo movement. Mr. Perwich works primarily from his office in Coronado, but also maintains an office in San Diego. Mr. Perwich is happy to make house calls for clients who need or prefer a home visit.



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Ruth Ryan-Cruz is a local bilingual (English, Spanish) attorney at Ryan-Cruz Law, APC. She practices in the areas of business law, real estate law, and trust & estates (Wills, Trusts, Probate, and Trust Administration). Raised in North County San Diego, Ruth has made her mark in San Diego County. She established her first business at the age of 16 in website development. As an attorney, she was named a "Rising Star" by the San Diego Attorney Journal for excelling in the practice of law.

In the area of estate planning she has helped hundreds of families establish their wills, trusts, and estate planning documents by helping each family protect their assets and build wealth along the way. She has also helped families work through Probate and trust administration challenges involving disputes concerning specific assets, bank accounts, real property issues, business interests, and disputes involving complicated family dynamics.

During her downtime, Ruth greatly enjoys traveling domestically and internationally, biking, hiking, kayaking and tent camping with friends and family. Ruth also enjoys movies, web designing, cooking Mexican food and the San Diego Zoo and Safari Park. Ruth, her husband Matt and their daughter greatly enjoy living in Southern California.



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Since 2005, Michael Sousa has been helping clients in the La Jolla and University City areas with their estate planning needs. Mr. Sousa assists clients with living trusts, trust administration, wills, powers of attorney, and probate administration. In addition to estate planning, Mr. Sousa has extensive experience in employment and class action litigation, including several multi-million-dollar cases involving thousands of nationwide class members.

Mr. Sousa graduated from San Diego State University *cum distinctione* with a degree in Philosophy and Classics. He then attended the School of Law at the University of San Diego and graduated in 2003, being admitted to the California Bar in the same year. After working for a local plaintiff employment law firm, Mr. Sousa established the Law Offices of Michael P. Sousa in 2005. He has been in the same location (by Our Mother of Confidence Church) since starting his practice and prides himself on helping local members of the community. He and his wife Karla (and their dog Foxy) live nearby in La Jolla Colony.



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Attorney Vance has practiced law for 13 years in San Diego. After graduating from California Western School of Law with a concentration in Child, Family and Elder Law, she became a member of the California Bar in 2007. Her areas of practice have included estate planning, probate guardianships, immigration, family, and elder abuse law. As an attorney in the Juvenile Dependency Court she successfully represented parents to achieve family reunification. Amy established landlord tenant law clinics for the California Administration of Courts and has recruited and trained volunteer attorneys to staff public interest law clinics.

Amy works diligently to maintain a professional reputation as a friendly, dedicated, and trusted advocate and counselor at law and provides personalized attention to her clients. Amy serves on the Board of the Thomas More Society of San Diego, and as Vice President of the Board of Children of the Immaculate Heart, she is helped to establish a residential treatment home for minors who have survived human trafficking. Amy is also a member of the California Bar Association, Trust & Estates section.



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Trevor White was educated at Gonzaga University and California Western School of Law. In 2010, Trevor proudly began his career as an officer in the United States Marine Corps. Once admitted to legal practice in 2012, he served as a Marine Corps Judge Advocate at bases in California, Virginia, and finally at his home in Yuma, Arizona. At the close of his active duty tour in Yuma, Trevor and his family made the decision to stay in the community they so love, and Trevor joined the Shadle & White law firm in May of 2016. While Trevor continues to serve as a Major in the USMC Reserves, he takes pride in running the Shadle & White law firm which serves clients throughout Arizona and California. Trevor's focus is on estate planning, wills, trusts, probate and probate litigation, business planning and incorporation, and agricultural law.

Trevor grew up all over Southern California, and still loves to visit as one of his favorite hobbies is surfing. His ties to the Yuma community are also long standing – his father grew up in Yuma, his beautiful wife was raised in Yuma, and three of his four children were born in Yuma. Trevor takes great pride in calling Yuma home, and is an active parish member at St. John Neumann Catholic Parish. His ties to and deep understanding of the communities he serves have cultivated a targeted understanding of these unique communities' driving industries as well as the needs of its seasonal and year-round residents.



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Mr. Zarcaro is the principal of the law firm of Zarcaro & Associates, A.P.C., with offices in Carlsbad, Rancho Bernardo and Mission Valley. The firm's practice is limited to Elder Law, Estate Planning and Trust administration. The firm's goal is to provide the highest quality legal work in a warm, personalized setting.

John received his law degree from the University of San Diego where he received the American Jurisprudence Award and the Prentice-Hall Tax Award. Mr. Zarcaro began practicing law in 1992 and focuses his practice on the areas of Elder Law, Estate Planning and Trust Administration.

Mr. Zarcaro is a member of ElderCounsel and WealthCounsel; organizations which provides the best legal education, tools and systems to their members.

Mr. Zarcaro is devoted to assisting his clients in preserving wealth for themselves and for future generations. Many of John's clients have referred their friends and families, because they are satisfied with the professional service he provides.