

The Council Law Firm, PLLC

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**Documents Needed for Estate & Financial Planning
for Married Persons**

Instructions:

Please provide this office all the following that apply to you. You may provide copies or originals. If you provide originals, they will be copied and the originals returned to you. Documents that are not readily available can be sent in after the initial conference.

If you are married, it is essential that you provide documents showing descriptions and values of *all* assets that *either or both of you* own, regardless of whether it is community, separate, joint, mixed, or has any other status, and even if it is inherited or for any reason titled in only one name. Even if we represent only one spouse, we must have all this information to assist you.

If there is one spouse in a hospital or nursing home and the other spouse is not in a medical institution, provide documents showing the exact values of all the assets (including accounts) of *both* spouses as of the first day of the first month one spouse *first* went into a medical institution (hospital or nursing home) and actually stayed 30 days or more (or if there now, even if less than 30 days has passed). Because a “picture” of the couple’s financial condition (including assets of *both* spouses *or either of them*) must be taken on that date, it is referred to as the “snapshot date.” For future reference, write that date (the first day of that month) here:

- One spouse is in a medical institution. Snapshot date (first day of the first month of a stay of 30 days or more) is _____.
- No snapshot date, because the applicant is unmarried
- No snapshot date, because both spouses are in medical institutions
- No snapshot date, because the couple separated before institutionalization
- No snapshot date, because neither spouse has been in a medical institution for a stay of 30 days or more

List of documents required (if they apply to you):

1. Certificates of deposit (or monthly statement(s) showing their ownership and value) and passbooks for savings accounts, showing most recent values and “snapshot date” values if applicable
2. All bank statements, cancelled checks and deposit slips for the last 3 months, and showing “snapshot date” values if applicable
3. Real estate deeds & appraisals (most recent property tax appraisals, plus any other appraisals you may have) for all land, houses, condominiums and oil & mineral interests you own, showing most recent values and “snapshot date” values if applicable
4. Most recent statements from mutual funds, brokers and other investment advisers; or for securities not held in accounts, provide copies of stock certificates, bonds, promissory notes, etc., showing most recent values and “snapshot date” values if applicable
5. Life insurance and annuity policies (entire policies, not just declarations pages), and statements or correspondence showing most recent *cash surrender* values and “snapshot date” *cash surrender* values if applicable
6. Health insurance policies and statements showing amount of premiums and who is covered. If there is not an individual policy, a description of the policy (such as may be found in an employee or retiree benefit booklet, or at least a health insurance card).
7. Prepaid funeral contracts and burial insurance policies
8. Deeds or other documents showing ownership of burial spaces
9. Proof of age (copy of driver’s license, birth certificate, etc.)
10. Letters of Guardianship (if any), including order appointing guardian
11. Living will, health care declaration or power of attorney, durable powers of attorney
12. Medicare and health insurance cards
13. Documents pertaining to any assets worth more than \$2,000 that you have given away (or sold for less than fair market value) in the last five years, showing asset description, value of asset, amount (if any) received, and to whom transferred. Examples: deeds, bank statements showing transfers

14. Documents showing exact amounts and sources of income--for example, most recent letter from Social Security showing amount of benefits; and pay or pension stubs showing gross pay and amounts withheld

15. If you have closed any bank or savings accounts in the last 5 years, then bring statements or other documents showing the name of the financial institution, account number, closing balance and when the account was closed.

16. Wills, codicils, trust agreements

17. Income tax returns for the last year

18. Gift tax returns

19. Divorce decrees, marital property agreements, adoption papers

20. Employee or retiree benefit booklets and statement

21. Long term care insurance policies if any

22. If not otherwise provided to this office, a list of full *names, addresses, and telephone numbers* of people who have a part in your planning as executors, trustees, beneficiaries of your estate, power of attorney agents, helpers, and advisors

23. All vehicle description, year, make, model, series/edition (ie. LX, Limited, SL, etc.), and mileage. Also, included as a vehicle would be any boats, trailers, RV's, and motorcycles.

24. A current balance of the patient trust fund at the nursing home.

Please send this office copies of all monthly statements you receive for financial accounts (such as bank accounts and brokerage accounts), and all other documents showing changes in your income or assets, until eligibility is established. After that time, you will have to report to the Texas Department of Human Services annually; and in addition, report any change in information given in the application, such as accounts opened or closed, changes in income, buying or transferring assets (such as real property, insurance policies, etc.), inheritances, giving or receiving gifts, changes in address or living arrangements, and deaths in the family. Any such changes must be reported within 10 days from the date of change to your local Medicaid eligibility specialist at the Texas Health & Human Services Commission.