LAW OFFICES OF

RYAN REIFFERT

PLLC

Business Law, Business Transactions, Estate Planning, and Probate
(210) 817-4388 • info@ryanreiffert.com • ryanreiffert.com

SUBMITTING THIS QUESTIONNAIRE DOES NOT CREATE AN ATTORNEY-CLIENT RELATIONSHIP

Living Trust Questionnaire

Confidential Client Intake — Revocable Living Trust Planning

A companion to our Estate Planning Questionnaire

This form focuses on questions specific to a **living trust**. If you have not already completed our main Estate Planning Questionnaire (family, fiduciaries, powers of attorney, and advance directives), please complete it too — a living-trust plan still includes those documents.

Is a living trust right for you? It depends.

Texas probate is relatively efficient (we have independent administration), so a living trust is not automatically necessary here. Living trusts are especially useful when you own real estate in more than one state, value privacy, want seamless management if you become incapacitated, have a blended family, or want to control how and when beneficiaries receive money. We will help you weigh the benefits against the added setup and funding work. **THIS FORM IS FOR A REVOCABLE LIVING TRUST. IF YOU WANT AN IRREVOCABLE TRUST, PLEASE DO NOT FILL OUT THIS FORM — CALL US FIRST.**

PART 1: ABOUT YOU

Full legal name ______________________________

Spouse's full legal name (if creating a joint or coordinated plan)

____

Phone ______________________________ Email ______________________________

County and state of residence ______________________________

PART 2: WHY ARE YOU CONSIDERING A TRUST?

Check all that apply (this helps us confirm a trust is the right tool):

☐ Avoid probate / make things easier for my family
☐ I own real estate in more than one state
☐ Privacy (keep my estate out of public court records)
☐ Plan for my own possible incapacity
☐ Blended family / children from a prior relationship

List continues on the following page

- [ ] Provide for a beneficiary with special needs
- [ ] Control the timing/conditions of inheritances
- [ ] Own a business I want to keep running smoothly
- [ ] Protect inheritances from a beneficiary's creditors or divorce
- [ ] Not sure — please advise

> **What a revocable living trust does**
> A revocable living trust is an arrangement you create during life (an *inter vivos* trust) and can change or revoke at any time while you are competent. You move assets into it, you usually serve as your own trustee, and a successor you name steps in if you become incapacitated or pass away. Its main benefits are avoiding probate, keeping your affairs private, and smooth management if you become incapacitated.

Anything specific prompting this (a recent event, a concern, advice from another professional)?

____

____

PART 3: TRUST STRUCTURE

If married, do you prefer:

- [ ] One joint trust (common for couples with mostly community property)
- [ ] Separate trusts (one for each spouse)
- [ ] Not sure — please advise

> **Joint vs. separate trusts**
> In a Texas community-property marriage, a single joint trust is often simplest. Separate trusts can make sense for tax planning in larger estates, for separate property, or in blended families. We will recommend what fits.

PART 4: TRUSTEES

> **Who manages the trust**
> While you are alive and well, you typically serve as your own trustee and keep full control. The important choice is your **successor trustee** — the person or institution who takes over if you become incapacitated or pass away.

Successor trustee(s) — in order

	Name	Relationship	City / State
First successor			
Second successor			
Third successor			

Would you consider a professional or corporate trustee (a bank or trust company) for any role? ☐ Yes ☐ No

A note on professional trustees

Professional and corporate trustees (banks, trust companies) bring expertise and neutrality, but they are usually expensive and charge ongoing fees to the trust. They can be the right choice in some situations — we will help you weigh it.

Should your successor trustee be paid a reasonable fee for serving? ☐ Yes ☐ No

PART 5: BENEFICIARIES & DISTRIBUTION

Who should ultimately receive the trust assets, and in what shares?

____

____

____

If a beneficiary dies before receiving their share, should it pass to their descendants? ☐ Yes ☐ No

At what age(s) or on what conditions should younger beneficiaries receive their shares?

____

You can keep inheritances in trust

Instead of an outright payout, a trust can hold a beneficiary's share and distribute it over time or for specific purposes (health, education, support), which can protect against creditors, divorce, or simple inexperience with money.

Does any beneficiary have special needs or receive government benefits? ☐ Yes ☐ No

Should each beneficiary's share be protected from that beneficiary's creditors or divorce (a “spendthrift” provision)? (Usually yes.) ☐ Yes ☐ No

Do you have significant ties to more than one state (homes, residency) we should weigh in deciding where the trust is based? ☐ Yes ☐ No

Is there anyone who might challenge the trust, or whom you are intentionally leaving out? Please name them (for our conflicts check):

____

PART 6: FUNDING THE TRUST

● An unfunded trust does nothing

A living trust only avoids probate for the assets actually transferred into it (“funding”). That means re-titling real estate and accounts into the trust's name and coordinating beneficiary designations. We will give you a funding plan and help with the deeds and paperwork.

Which assets do you expect to move into the trust?

- ☐ Primary home
- ☐ Other real estate (which states?)
- ☐ Bank / brokerage accounts

List continues on the following page

☐ Business interests

☐ Valuable personal property

☐ Other (describe below)

Notes on assets to fund (addresses, account types, anything unusual):

Retirement accounts are special

Retirement accounts (IRAs, 401(k)s) usually should NOT be re-titled into a trust, because that can trigger tax. They pass by beneficiary designation instead, which we will review with you.

PART 7: COMPANION DOCUMENTS

A trust does not stand alone

Even with a trust, you still need a "pour-over" will (a safety net that moves any forgotten assets into the trust), plus a durable power of attorney, medical power of attorney, and directive to physicians. These are covered in our main Estate Planning Questionnaire.

Do you already have a will, powers of attorney, or an existing trust we should review? ☐ Yes ☐ No

If yes, please bring copies.

● If you were just served with a lawsuit

Lawsuits have strict, short deadlines (often only a few weeks to respond). **Failure to respond within the timeframe can have disastrous consequences** (for example, *default*). If you have been served with a lawsuit, **please call us immediately at 210-817-4388.**

Please also be aware that booking a consultation **does not count as a response to your lawsuit**. Until we accept you as a client, **it remains your responsibility to timely respond.**

When you've finished

Please either bring this completed form to your meeting or email it back to us — preferably by replying to the email address you received it from. (Our general info@ryanreiffert.com inbox has heavy spam filtering, so a reply to your original sender is most reliable.)

If you have any questions, you are welcome to bring them to your consultation, call us, or ask by email.

THIS IS AN INTAKE QUESTIONNAIRE ONLY. COMPLETING OR SUBMITTING IT DOES NOT CREATE AN ATTORNEY-CLIENT RELATIONSHIP, WHICH BEGINS ONLY WHEN WE SIGN A WRITTEN ENGAGEMENT AGREEMENT.