

**Reasonable Expectations and Intentions**

If during your lifetime you become incapable of managing your Property and financial affairs, whom would you want to manage them for you?

|                              |                     |                |
|------------------------------|---------------------|----------------|
| <b>Name of Primary Agent</b> | <b>Relationship</b> | <b>Address</b> |
|                              |                     |                |
| <b>Name of Back-up Agent</b> | <b>Relationship</b> | <b>Address</b> |
|                              |                     |                |
|                              |                     |                |

**Describe your reasonable expectations**

Your agents will have a mandatory duty to carry out your wishes on how you want them to manage, invest, and spend your assets, but only if they have actual knowledge of them. It is thus imperative that you inform your agents what you expect them to do – or refrain from doing – on your behalf. Here are some common expectations that principals have with respect to their agents. Please check whether you agree or disagree with each statement, or need to discuss a statement at greater length.

| <b>My Expectations Regarding Gifting My Assets</b>   | <b>Agree</b> | <b>Disagree</b> | <b>Not Sure</b> |
|--|--------------|-----------------|-----------------|
| Gifts should be made only from that portion of my assets, if any, that is over and above what I will likely need for my need.  |              |                 |                 |
| My Agent can make gifts to themselves, but not in any larger amount or more frequently than gifts made to others.  |              |                 |                 |
| I want my assets to be used only to take care of my own needs. I do not want my agent gifting any of my assets to anyone else, regardless of the reason for such gifts.                          |              |                 |                 |
| My agent can make gifts, but they must strictly follow my own prior pattern of gifting, including as to donees and the amount and timing of gifts.   |              |                 |                 |
| Gifts can be made to help with my eligibility for Medicaid or other needs-based government programs.   |              |                 |                 |
| My goal is to reduce federal estate taxes, so I would consent to my agent making gifts to my donees that are limited in amount as to the federal gift tax annual exclusion (currently \$14,000). |              |                 |                 |
| My goal is to reduce federal taxes, so I would consent to my agent making gifts in excess of the federal gift tax exclusion.   |              |                 |                 |

| <b>My Expectations for My Agent (<i>Other Than Gifting</i>)</b>  | <b>Agree</b> | <b>Disagree</b> | <b>Not Sure</b> |
|--|--------------|-----------------|-----------------|
| I want my agent to be generous with spending my funds for my own benefit, to allow me to maintain my style of living for as long as possible. The chance that such spending level will likely reduce the amount that my heirs will ultimately inherit is of much less concern to me. |              |                 |                 |
| I want to continue living at my home, and if necessary to receive private nursing care therapy, and long-term care at home for as long as possible, even if this option will be more costly than if I resided in an assisted living or nursing care facility.                        |              |                 |                 |
| I want my agents to continue providing the same levels of financial support that I am currently giving to certain family members.  |              |                 |                 |

**Your Agent Duty to Disclosure A Record of Transactions**

The Agent is required to keep a record of all receipts, disbursements, and other transactions on behalf of the principal. You can also specify when, if ever, such records should be disclosed, and which parties will be entitled to receive them. The issue is one of protecting your privacy versus requiring some disclosure as a way of reducing the chance of financial abuse. Indicate your preference.

| <b>When Should Transaction Records be Disclosed?</b>                   | <b>Which Parties Should Receive Them?</b>  |
|--|--|
| <input type="checkbox"/> Only if requested                             | <input type="checkbox"/> Myself while I am still competent   |
| <input type="checkbox"/> Once a year, to cover the prior calendar Year | <input type="checkbox"/> Other persons whom I will designate to receive them if I become incompetent |
| <input type="checkbox"/> Whenever an agent ceases to serve             | <input type="checkbox"/> Some or all of the persons who stand to inherit my estate after my death    |
| <input type="checkbox"/> Only after my death                           |  |

**Express Authorization Needed for Certain Powers**

Certain powers must be expressly granted in the Power of Attorney or else the agent will not have the authority to exercise them. These have been singled out due to their potential for permitting your property to be dissipated and estate plan altered. It is important that your Power of Attorney clearly state which of these powers you do – or do not – want your agent to have.

Here is a list of some of these special powers. Please review and indicate whether you want them to be included in, or excluded from, your Power of Attorney. (Please also note if any your response would differ depending on whether you are considering your primary agents or your back – up agent)

