



How Sound is Your Estate Plan?

Constructing and maintaining an effective estate plan requires the right tools. Use this checklist to review your current plan. Your answers can help your professional advisors assist you in choosing the types of personal trusts and other estate-planning tools that may best achieve your estate-planning goals.

	YES	NO
1. Do you have an up-to-date Will? Date: ____ / ____ / ____		
2. If you have children who are minors, does your Will name a guardian to take care of them if you (and your spouse, if you are married) should die?		
3. Have you considered using a living trust to avoid probate on the transfer of certain assets to family members and other loved ones?		
4. If you have a living trust, have you titled your assets in the name of the trust?		
5. Are you comfortable with the executors(s) and trustee(s) you have selected?		
6. If you are married, does your estate plan take optimal advantage of the unlimited marital deduction?		
7. Have you created a Qualified Terminable Interest Property (QTIP) Trust to provide your spouse with a lifetime income and, at your spouse's death, transfer the trust property to children or other beneficiaries?		
8. Have you and your spouse coordinated your estate plans to take full advantage of both of your gift- and estate-tax credits?		
9. If you are married and live in a community property state, do you know whether the characterization of your assets (as community property or as separate property) allows you to take advantage of both of your gift- and estate-tax credits?		
10. Have you planned to use your (cumulative, if you are married) Generation Skipping Transfer (GST) tax exemption to make gifts to grandchildren and others two or more generations younger than you are?		
11. Are you aware of tax law provisions that will increase the estate-tax and GST tax exclusion amounts from \$2 million in 2007 and 2008 to \$3.5 million in 2009 and eliminate both taxes altogether in 2010?		
12. Does your estate plan address the fact that, after repeal in 2010, the estate-tax and GST tax are scheduled to be reinstated in 2011 with much lower exclusions and much higher tax rates?		
13. Are you taking maximum advantage of the \$12,000 (in 2007) gift-tax annual exclusion for lifetime gifts?		
14. Did you know that the gift-tax annual exclusion is reviewed annually for inflation and adjusted in \$1,000 increments?		
15. Have you created trusts that qualify for the gift-tax annual exclusion?		

Over, please

	YES	NO
16. Have you made or considered gifts of assets that have a strong probability of appreciating in value?		
17. Have you created a Special Needs Trust for a child or other family member with a disability to provide for that person while maintaining his or her federal and state benefit eligibility?		
18. Have you considered creating a Charitable Remainder Trust to provide you or other beneficiaries with an income stream for a set period, with the assets remaining in the trust at the end of that period going to the charity of your choice?		
19. Are you sure you have the right type and amount of life insurance?		
20. If you have substantial life insurance, have you created an irrevocable life insurance trust to manage the insurance proceeds and exclude them from your taxable estate?		
21. Do you have a durable power of attorney designating someone to make financial decisions for you if you are unable to do so yourself?		
22. Do you have a living will and a durable power of attorney for health care to ensure your wishes are carried out if you are unable to make health care decisions for yourself?		



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