



HAMMELMAN LAW

ESTATE PLANNING & BUSINESS PLANNING

Estate Planning is more than just planning for yourself, it is planning for ones you leave behind. While sometimes that transition may be smooth and seamless; unfortunately, a death in the family doesn't always bring out the best in the family members. People may be emotionally charged, making a stressful time in life, even more so. This is where having an Estate Plan comes into play. Hammelman Law will work with you to create an Estate Plan to accounts for use and disposition of your assets during incapacity or after death.

ESTATE PLANNING PACKAGES & FEES

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WHY DO I NEED AN ESTATE PLAN?

There are a lot of misconceptions about Estate Planning. Many people think that you have to have a large value of assets or a lot of land to benefit from estate planning. And many people think that they only need a simple will because they don't have enough assets. But the truth is, most people would benefit from having an Estate Plan.

An Estate Plan includes not only planning for death, but also planning for incapacitation. Some of the biggest concerns that an Estate Plan can address for you are:

- Who makes sure your property and other assets are divided up as you wish?
- Who will care for your minor or adult special needs children?
- Who will care for you if you are incapacitated or disabled before death?
- Who will handle your finances if you are incapacitated or disabled before death?
- What will happen with your business interests if you are disabled or deceased?
- Will your estate have to go through probate?

WHAT DOCUMENTS ARE INCLUDED IN AN ESTATE PLAN?

Frequently people are coming to me asking about wills, but an Estate Plan is so much more. Melanie discovered early on that it created a much more comprehensive plan for her clients to offer Estate Plan packages. So, every Estate Plan drafted by Hammelman Law includes each of the following documents:

- Will – Cornerstone of any Estate Plan. Here you will identify who should care for your children, who should manage your probate estate, planning for your remains, and instructions for distribution of assets.
- Durable Power of Attorney – Identifies the person or people that should be responsible for making your financial decisions during incapacity. Also identifies guardian for minors during incapacity.
- Medical Power of Attorney – Identifies who makes your medical decisions during your incapacity, organ donation, and how you would like pregnancy handled during incapacity.
- Living Will – This overlaps a little with your Medical POA, and it states what measures should be taken if you are in a permanent vegetative state without cognitive function.
- Trust – Depending on your needs and planning goals, you may choose to have a trust in your Estate Plan, also.

WHAT IS A TRUST?

A Trust allows you to control what the funds left to your children or other beneficiaries are used for, after your incapacitation or death. It also allows you to avoid taxes and probate proceedings. Additionally, depending on how the trust is drafted, it can provide creditor protection for your beneficiaries and may avoid probate. Types of trusts:

- Custodial Accounts
- Revocable Living Trust
- Irrevocable/Special Needs Trust

WHAT IS PROBATE?

Probate is the court's process after death. Depending on your assets and family dynamics, it can take months or years to complete. Most people benefit from avoiding probate. Probate can be costly, stressful, and long, wasting estate assets on legal fees. To avoid probate, you can:

- Set Up a Trust
- Update Beneficiaries
- Deed for Real Property
- No Contest Clause
- Transfer Property During Life

WHY HAMMELMAN LAW?

At Hammelman Law, we believe that *Estate Planning is not just for you, it is also for the loved ones you leave behind.* So, we want to make it easy for your loved ones to handle your passing.

Melanie is a mom of 2, wife of a US Army veteran, and comes from a blended family herself. She understands the complexities of planning with children from prior relationships and shared children. We will formulate a plan to take care of everyone in your family, which may mean children, grandchildren, parents, siblings, nieces and nephews, and even pets! We can also plan for how your business should be handled at death.

Let Hammelman Law help get your Estate Plan together, so your loved ones don't have another thing to worry about. In Virginia attorneys are given the title of Attorney and Counselor at Law. Melanie takes the title of Counselor at Law to heart and enjoys providing clients with advice and counseling as to the best options for their particular situation.

YOUR LEGACY IS OUR BUSINESS.



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PACKAGES & FEES

WILL-BASED PLAN

Individual
Couple

\$1,250

\$1,750

- Last Will and Testament
- Durable Power of Attorney
- Medical Power of Attorney with HIPAA Release and Living Will

CUSTODIAL ACCOUNT PLAN

Individual
Couple

\$2,250

\$2,750

- Last Will and Testament with Custodial Account
- Durable (Financial) Power of Attorney
- Medical Power of Attorney with HIPAA Release and Living Will

ALL RATES ARE SUBJECT TO INDIVIDUAL CIRCUMSTANCES AND MAY INCREASE BASED ON COMPLEXITY OF THE NECESSARY PROVISIONS

PACKAGES & FEES

IRREVOCABLE TRUST <ul style="list-style-type: none">○ For asset protection or special needs○ Keeps beneficiary from inheriting assets that would disqualify them from receiving benefits or exposing assets to liability for long term care	Single Dual	\$4,000 \$7,500
18-YEAR-OLD PACKAGE (so parents can get records) <ul style="list-style-type: none">○ Durable Power of Attorney○ Medical Power of Attorney with HIPAA Release		\$500
ADDITIONAL DEED (each)		\$350
PREMARITAL AGREEMENT <ul style="list-style-type: none">○ To protect your estate plan○ Includes edits necessary based on feedback from spouse or counsel and correspondence with spouse or counsel		\$3,000

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ESTATE PLAN PACKAGES & FEES

	FUNDAMENTAL	CUSTODIAL ACCOUNT	REVOCABLE LIVING TRUST	IRREVOCABLE TRUST
WHAT IS INCLUDED?	<ol style="list-style-type: none"> 1. Basic Will 2. Durable POA (Financial) 3. Medical POA with HIPAA Release and Advanced Medical Directive 	<ol style="list-style-type: none"> 1. Will with Custodial Account 2. Durable POA (Financial) 3. Medical POA with HIPAA Release and Advanced Medical Directive 	<ol style="list-style-type: none"> 1. Revocable Living Trust 2. Pour Over Will 3. Durable POA (Financial) 4. Medical POA with HIPAA Release and Advanced Medical Directive 	<p>This only includes an Irrevocable Trust, but if you choose to do this in conjunction with a Revocable Living Trust Plan, discounts apply</p>
WHAT DOES THIS MEAN?	<ul style="list-style-type: none"> • Best for individuals or couples with no children or with adult children • Choose who should assist court with your estate (Executor) • Choose who should look after minor children (Guardian) • What should happen with your remains (burial/cremation) • Everything goes through probate • Process is slow and can be expensive • Until court signs off, costs may be out of pocket for your loved ones 	<ul style="list-style-type: none"> • Best for families with minor children/beneficiaries that do not want to spend the money on Revocable Living Trust • Same as Basic Will • Limited trust provisions • Allows selection of trustee • Can set certain ages for certain % or \$ payouts to beneficiaries • No asset protection for your beneficiaries 	<ul style="list-style-type: none"> • All around best choice, if cost is feasible • Everything in trust avoids probate • Pour Over Will to take care of “forgotten” assets that are not in trust and covers everything in “basic will” • Avoids court delay • Allows immediate control of assets to take care of beneficiaries, such as children, grandchildren, pets, and elderly parents • Set certain ages for certain % or \$ payouts to beneficiaries • Take care of pets • Provide “gifts” at certain ages/mile-markers • Allow trustee to exercise judgment for use of assets, if desired • Creditor protection for beneficiaries (not for you) • Assets protected from future divorce of a beneficiary 	<ul style="list-style-type: none"> • Best for asset protection, high net worth, long term care needs, or special needs • Does not go through probate and has a limited scope. • Generally done in conjunction with a Revocable Living Trust to account for both assets that will go into Irrevocable Trust and all other assets. • Most commonly used for a Special Needs beneficiary or keeping assets from being used for long term care or other health care needs later in life.