

PROBATE INFORMATION

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You have no doubt heard that probate is a very complicated, time consuming, and expensive proposition. To some extent it can be all these things, but with proper handling, these drawbacks can be minimized.

Getting all the facts is the number one problem faced by the survivors and by their attorney. Without all appropriate information, little can be done. The family will not know the extent of the estate, the lawyer cannot prepare the necessary documents, and the assets cannot be distributed to the property persons.

Rarely can all the required information be obtained at one time or at the outset of the proceedings. In fact, different people rarely have the same assets and liabilities and definitely do not have the same personal and family histories.

We have enclosed an information sheet so you can provide the preliminary information necessary for us to begin the probate process.

In order to assist you (and us) in gathering and acting on the proper information, attached is a more detailed list of items and information for you to locate. There is no estate to which all items will apply, but you should begin now to obtain as many of the items and as much of the information as reasonably possible. Do not be discouraged by the length of the list or your inability to locate some items. You cannot be expected to be a probate expert. Please begin gathering as much of the information and as many of the documents as you can.

If you like we can collect any life insurance and employee benefits, since it may be necessary for us to obtain certain information directly from the companies in order to complete our paperwork. Please do not hesitate to call us with any questions you might have.

PROBATE DOCUMENT/INFORMATION CHECKLIST

Decedent's Full Name (including maiden name, if applicable) (hereinafter referred to as "D"):

Please obtain as many of the following described items and as much of this requested information as possible. If an item definitely applies to this estate and you have obtained all documents and/or have furnished all information requested, so indicate by a check mark. ***Please do not be surprised if you cannot complete all items.***

PLEASE LET US COLLECT ALL LIFE INSURANCE AND EMPLOYEE BENEFITS SINCE IT IS MANDATORY FOR US TO OBTAIN CERTAIN INFORMATION DIRECTLY FROM THE COMPANIES. IT ALSO WILL MAKE OUR JOB EASIER IF YOU WILL NOT PAY ANY OF DECEDENT'S BILLS BEFORE OUR FIRST APPOINTMENT.

Please assemble the items in the order below, fill in the answers to the questions and bring this list and the assembled materials to my office. When you have as much as you can furnish, please call me to make an appointment.

ITEMS TO LOCATE AND BRING WITH YOU:

CHECK WHEN COMPLETED

- _____ 1. All signed copies of D's wills and codicils and memoranda concerning disposition of personal property; copies of all trust created by or for the benefit of D or D's spouse; current financial statement for each of those trusts and a list of all beneficiaries with their birth dates; D's death certificate (one for each policy of insurance on D's life plus one additional for our file); copy of D's obituary notice and any newspaper articles if D's death was not from natural causes; documents relating to travel clubs, automobile associations, and other organizations if D's death was accidental; copies of will and codicils of D's spouse.
- _____ 2. If D served in the military, bring certificate of discharge or separation and other documents relating to military benefits.
- _____ 3. Deeds and contracts for deeds to all real estate owned or being purchased by D or D's spouse (including oil, gas, and other mineral interest) and, if owned with others, the names and addresses of all co-owners. If the property was leased, bring copies of all leases. If survey plats, street addresses, appraisals, property tax receipts, and title policies are available, bring them too. If real estate was not paid for, bring loan number, payment book and/or loan amortization schedule, and address of mortgage company or other note holder and copies of notes, mortgages, and other documents. If there was a contract for the purchase or sale of real estate by D or D's spouse pending at the date of D's death, bring it too.
- _____ 4. Original bonds, including Series E bonds and stock certificates owned or registered in the

name of D or D's spouse or in combination with others. If securities are held in an account by a broker or a custodian, please furnish most recent statement and name and address of firm where held. If D or D's spouse owned stock in a closely held corporation, please furnish income tax returns, balance sheets, and profit and loss statements for the five (5) most recent years.

- _____ 5. Partnership, "buy-sell", employment, franchise, stock purchase, stock option, and other agreements signed by either D or D's spouse. If D or D's spouse owned an interest in a partnership, please furnish income tax returns, balance sheets, and profit and loss statements for the five (5) most recent years.
- _____ 6. Statements, checks, and deposits for the month before, month of, and month following D's death and checkbooks for one (1) year prior to D's death for each bank, savings and loan, or credit union checking or savings account of D or D's spouse; all passbooks and actual certificates of deposit; statements for safekeeping of valuables; traveler's checks and checks payable to D or D's spouse uncashed at date of D's death - especially Social Security and VA checks; keys to safe deposit boxes; name of D's officer or other person to contact.
- _____ 7. All notes, accounts, and judgments payable to D or D's spouse, loan amortization schedules, and the name and address of each debtor.
- _____ 8. All unpaid premium notices and all policies of insurance, including life, accident, burial, disability, homeowner's, automobile, personal property, fire and extended coverage, casualty, and medical and health insurance in which either D or D's spouse was an owner, including any policy upon the life of another (such as spouse or children).
- _____ 9. Royalty agreements, including oil and gas royalties, owned by or paid to D or D's spouse. Bring as much additional information as you can locate, including leases, division orders, financial statements, check stubs for the 12 month period prior to D's death, and statements from royalty payers.
- _____ 10. Titles to all automobiles, boats, airplanes, and other motor vehicles and mobile homes registered in the name of D or D's spouse and, if subject to a lien, a copy of the note, the loan number, payment book, and name and address of each lienholder.
- _____ 11. All documents relating to pensions, profit sharing plans, annuities, franchises, patents, and copyrights.
- _____ 12. Copies of D's personal financial statements for the last three (3) years and copies of all notes payable by D or D's spouse; guaranty agreements signed by D or D's spouse.
- _____ 13. Copy of funeral bills including cemetery lot, monuments, obituary notices, long distance telephone charges, floral offerings, memorial services, and any other related expenses.
- _____ 14. Information concerning any estate from which D inherited any property in the last ten (10)

years and all documents (particularly the federal estate tax return and audit adjustments for that estate) related to such inheritance.

- _____ 15. Copies of last three (3) income tax returns (federal, state and city) filed by D or D's spouse; copy of current declaration of estimated income tax for D or D's spouse and evidence of payment of past installments; and copies of all gift tax returns ever filed by D or D's spouse.
- _____ 16. Agreements between D and D's spouse; copies of property settlement agreements and divorce decrees relating to D's prior marriage(s).
- _____ 17. Booklets and other information describing present and past employment benefits for D and D's spouse including most recent statements of D's individual accounts; all information relating to Individual Retirement Account of HR-10 (KEOGH) Plan for D or D's spouse; all information relating to Social Security benefits being received by or payable to D or D's spouse; all information relating to military, civil service or railroad retirement benefits being received by or payable to D or D's spouse; all information relating to annuities being received by or payable to D or D's spouse; all information relating to deferred compensation, pensions, and profit sharing plans of D or D's spouse.
- _____ 18. Copies of pleadings filed in suits in which D or D's spouse was a party at the time of D's death.

INFORMATION TO BE COMPLETED:

- _____ 19. Date of D's Birth: _____
Place of D's Birth: _____
Date of D's Death: _____
D's residence address at time of death (including County): _____

Approximate date on which D became a Texas resident: _____
If D and D's surviving spouse had not resided in Texas during the entirety of their marriage, list all places of residence and approximate dates:

D's citizenship, if not U.S.: _____
D's Social Security Number: _____
D's Medicare Number: _____
D's Military Identification Number: _____
D's VA Identification Number: _____
Dates and branch of D's military service: _____
D's occupation at date of death and the name, address and phone number of employer and of person to contact concerning benefits:

If D was self-employed, list D's trade name, business address, and the employer identification number of D's business:_____

If retired, give D's former occupation, employer, and nature of business:_____

_____ 20. Club, fraternal and lodge memberships of D or D's spouse:

_____ 21. Length of D's last illness: _____

Names and addresses of all hospitals in which D was confined in the last three years and dates of confinement:

_____ 22. Names and addresses of D's personal physician and of physicians and nurses attending D during D's last illness:

_____ 23. Names, addresses and phone numbers of the witnesses to D's most recent will and all codicils:

_____ 24. Name, address and phone number of each executor, trustee and guardian (including alternates) named in D's last will:

_____ 25. If D was not survived by either spouse or children, or if D's will provides benefits to institutions or to persons other than the surviving spouse and children, please furnish name, address, phone number, date of birth, Social Security Number, marital status and name of that person's spouse, and relationship to D for each of those institutions or persons and also for D's surviving parents:

_____ 26. Date and place of marriage to and name, address, phone number, date of birth, Social Security Number and current income tax bracket of D's surviving spouse:

Same information with respect to all of D's prior spouses, if any, especially dates and places of those marriages and of termination of prior marriages and whether terminated by death or divorce:

_____ 27. Name, address, phone number, date and place of birth, Social Security Number, current income tax bracket, marital status and name of spouse of all children ever born to or adopted by D, whether presently living or not, and identify the other parent. If D was not survived by either a spouse or children, please check here:

_____ 28. Name and address of each bank where D maintained or had access to or kept items in a safe deposit box, the box number(s), and the name, address and relationship of all other persons having access to those boxes:

_____ 29. Name, address and phone number of D's attorneys, accountants, tax return preparers, stockbrokers, life insurance agents, casualty insurance agents, health and accident insurance agents, and other professional advisors:

_____ 30. Description of any improvements to real estate:

_____ 31. Style of account, account number and name and location of bank, savings association, and credit union for each checking or savings account or certificate of deposit in the name of D or D's spouse or on which D could sign, and name of officer, if known:

_____ 32. Detailed description of all motor vehicles including, make, model, year, body type, and major equipment such as air conditioning, automatic transmission, power equipment, sun -- roof, stereo, tape deck, CB, CD player, etc.:

_____ 33. General description of all other property owned by D or D's spouse, including livestock, farm products, leasehold interests, jewelry, household goods and personal effects. With respect to jewelry, household goods and personal effects, itemize only those items of considerable value (\$1,000.00 or more). Bring as much additional information as you can locate, including financial statements, related to these items

_____ 34. List outstanding accounts, charge or credit card purchases (including account numbers) made but not yet billed, and other debts owed by D or D's spouse on the date of D's death and names, addresses and phone numbers of those creditors:

_____ 35. Name, address and phone number of funeral home:

_____ 36. List of expenses of last illness (unpaid at D's death), including names of payees and amounts paid for physicians, nurses, hospitals, medications, sick room equipment, etc.:

_____ 37. If there is insurance on the life of D that is payable to D's company, partners, fellow stockholders, employees or other, please give their names, addresses and telephone numbers and furnish complete details:

PLEASE ASSEMBLE THE ITEMS IN THE ABOVE ORDER AND BRING THIS LIST WITH YOU.

NOTE: In order to obtain Social Security, Railroad Retirement, Medicare, and Veterans Benefits, you may need to locate and furnish D's birth certificate, marriage license, adoption and divorce documents, and military discharge certificate.

NOTE: In the event of an audit of D's death tax returns, it will be necessary to have D's check registers, bank statements, cancelled checks, savings account records, and brokerage records for the three (3) years prior to and two (2) months following D's death.