
R. DEAN DAVENPORT
ATTORNEY AT LAW

WILL & ESTATE PLAN CHECKLIST

(1) SELECT Documents

Consult Explanation of Documents

- Last Will and Testament
- Revocable/Irrevocable Trust
- Financial Power of Attorney
- Medical Power of Attorney
- Declaration of Guardian
- Directive to Physician
- HIPAA Authorization
- Disposition of Remains

(2) COMPLETE Information Form

- Married Couple Form
- Single/Individual Form

Forms Available: www.EstateLawTexas.com

(3) RETURN Completed Form

- Upload into your MyCase account: <https://auth.mycase.com>.
- FAX: 469-342-8058
- Mail: R Dean Davenport Attorney at Law
2150 S. Central Expressway, Suite 200
McKinney, Texas 75070-4000

(4) APPROVE Document Drafts

- Review and Approve Drafts of Documents.

(5) EXECUTE Final Documents

- Make Appointment to Sign Documents (*email or call 469-352-1876*)

The Summit

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Six Reasons to Plan Your Estate

	With a Plan	Without a Plan
1	You decide who receives shares of your assets.	State Law determine who inherits your assets.
2	You decide how and when your beneficiaries will receive their inheritance.	The terms of how and when your estate is distributed is set by State Law.
3	You decide who will manage your estate.	Probate Court appoints an administrator to manage your estate.
4	Reduction in estate taxes and probate expenses.	Costs can be more due to probate and taxes.
5	Select a Guardian for underage children.	Court appoints a Guardian for your children.
6	Provide for the orderly continuance or sale of a family business.	Financial loss and family hardships may result from untimely forced sale.

LEGAL SERVICES FEE SCHEDULE

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EXPLANATION OF DOCUMENTS

Last Will and Testament

The Last Will and Testament directs how your estate will be distributed at your death. Generally, a Will only pertains to the distribution of assets titled in your name at your death; any assets held in joint tenancy will pass to the surviving joint tenant, any assets held in a POA (“payable-on-death”) account will be distributed to the named party on the account. Other assets payable by agreement (such as, life insurance, IRA’s, employee benefits, etc.) will be paid directly to the named beneficiary.

Revocable/Irrevocable Trusts

A complete list of Trust options is available in our Fee Schedule, which can be requested on the website or by phone. If you have any questions about various Trust options, please contact us.

Financial Power of Attorney

The Financial Power of Attorney is primarily intended to give your named Agent the power to deal with any non-trust assets in the event of your incapacity. This document can give your agent broad powers to dispose of, sell, convey and encumber your real and personal property.

Declaration of Guardianship

The Declaration of Guardianship document is important if there are children under the age of eighteen, and one parent dies, and the sole remaining parent becomes incapacitated. There also may be a Declaration of Guardianship included in the Will; however, as a Will is only effective upon death, the “stand alone” Declaration of Guardianship document is useful in the event of incapacity prior to death.

Medical Power of Attorney and Directive to Physician (“Living Will”)

The Medical Power of Attorney gives your named Agent the power to make medical decisions and to sign consents and/or releases with hospitals and/or doctors. These documents conform to the federal Health Insurance Portability and Accountability Act (known as “HIPAA” Laws) with regard to the release of information. The Directive to Physician is your “living will” for end-of-life decisions.

HIPAA Authorization and Waivers

The HIPAA Authorization and Waiver is a “stand-alone” document to authorize your health care providers to release information concerning your otherwise confidential medical information to each other, and to the individuals you have designated to act on your behalf in the event of disability and to any other individuals who you might also want to have such access.

Disposition of Remains

The Disposition of Remains document gives you the opportunity to specify how you wish your remains to be dealt with (i.e., cremation or burial); to provide information of any prior arrangements; and to designate the persons to carry-out your wishes.

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