HOW MUCH DOES A LIVING TRUST COST?

What We Do

The Law Offices of Berge & Berge is a South Bay law firm practicing exclusively in the area of estate planning with over 2,500 clients having selected our firm to prepare and maintain their estate plan. Our firm prides itself on being a proactive, counseling-oriented practice which strives to educate clients and design custom estate plans that meet client goals. All attorneys focus their work exclusively in the areas of personal estate planning, estate tax law, asset protection, probate, and trust and estate settlement procedures.

How We Do It

From educational seminars to the annual maintenance program, you will see distinctiveness in the services provided by the Law Offices of Berge & Berge. Our practice offers the unique 3-Step MasterPlan process as an estate planning option which begins with an in-depth seminar that initiates a client meeting. The next step consists of a design meeting where a plan is fashioned according to the uniqueness of the client’s wishes and goals for his or her estate. Subsequently, the plan is prepared and then reviewed with the client at the delivery meeting. Our firm manages all aspects of funding the trust agreements and/or confirming the funding is complete and provides an asset detail report to each client. In addition, each 3-Step MasterPlan client is automatically enrolled in our Annual Maintenance Program through which each client is invited to update his or her plan annually and attend periodic educational seminars developed to increase each client’s knowledge base and ensure that intended plans will work as designed.

Who We Are

James E. Berge is the founder and managing partner of the Law Offices of Berge & Berge. Mr. Berge is a California State Bar-certified specialist in Estate Planning, Trust and Probate Law. He has a master’s degree in Tax Law, and is a California certified public accountant. In practice since 1993, Mr. Berge limits his practice to estate planning, elder law, federal estate and gift tax planning, trust and estate administration, probate, and disability planning. Mr. Berge is a graduate of Santa Clara University School of Business (B.S.C., magna cum laude, Accounting, 1981), Santa Clara University School of Law (J.D., cum laude, 1986), and Golden Gate University School of Law (LL.M. Taxation, 1991). He lectures frequently on a variety of estate planning topics and is a contributing author and editor of the award-winning book, “Special Needs Trusts: Planning, Drafting, and Administration,” published by California Continuing Education of the Bar.
Why You Should Have an Estate Plan

I lecture frequently on estate planning and asset protection. I always ask the audience to name their most valuable asset. People usually name something tangible like a home. Sometimes they say it’s stock or an investment. Rarely do people name what is truly their most valuable asset - their family and loved ones.

A lot of my law practice includes asset protection advice about how to protect tangible and intangible assets. Asset protection is why we buy insurance and form entities. This type of asset protection is important, but we cannot forget we must also protect our families and loved ones in the event of our death or disability. Most people fail to protect their most valuable asset, their families and loved ones, with a comprehensive estate plan. Unfortunately over 70% of the people in the United States do not have an estate plan (a Will, a Trust and ancillary documents).

Many people will spend $1,000, $2,000 or $3,000 or more for a home entertainment center. Most of these people, however, aren't willing to spend the same amount on an estate plan to protect their family and loved ones. I have seen far too many situations where a surviving spouse and/or children suffer dire consequences following the death or disability of a bread winner who failed to protect his or her family. Don't leave your family unprotected if something were to happen to you. Protect your family now with a comprehensive estate plan before it is too late.

How Much Does It Cost?

In order to enable our clients to balance the cost of a will-based or revocable living trust-based estate plan versus the cost of probate or conservatorship or guardianship proceedings (in the event of incompetency), we offer package prices on various estate plans. That way, you will know what the cost is before you decide to have work completed. We have the right plan at the right price for you.

Our installment payment plan, you can even spread the cost over up to twelve months.

The Family Protection Plan - $995

Our Family Protection Plan consists of the following documents and services:

1. Initial conference with estate planning attorney and certified specialist James E. Berge to answer your questions about Wills, Trusts and estate planning, go over your Estate Plan Questionnaire and design your estate plan.


3. Preparation of a simple Will to dispose of your probate assets to the heirs you name in the Will. If you have minor children, your Will is the document where you name one or more people to be the guardian(s) of your children if something happens to you.

4. Preparation of a Personal Property Memorandum to dispose of certain tangible assets without modifying your Will or seeing an attorney.

5. Preparation of a General Durable Power of Attorney that authorizes somebody to handle your financial affairs if you ever become incapacitated.

6. Preparation of an Advance Health Care Directive that authorizes somebody you designate
to make healthcare decisions for you if you ever become incapacitated. This document can also provide direction to your agent to pull the plug if you are being kept alive by a machine and whether or not you want to be an organ donor.

7. Preparation of a **Healthcare Power of Attorney for Minors**. This is an important document for parents of children under age 18 because the parent(s) can designate another family member or friend to make healthcare decisions for an injured minor child if both parents are incapacitated or deceased.

8. Preparation of a **HIPAA Authorization**, which is a document that authorizes your healthcare providers to provide information about your health and medical condition and treatment to your designated agents.

9. Registration of your **Advance Health Care Directive** and **HIPAA Authorization** documents for one year with a well-known national registry for you and your spouse which makes them available 24/7/365 to your doctors and other healthcare providers. The registry also gives you a plastic membership card to carry in your wallet. This is a $45 value for a single person and a $90 value for a married couple. The card contains your emergency contact information, allergies and medical alerts and notifies doctors and hospitals how they can obtain your healthcare documents online or via fax in a matter of minutes.

10. Delivery of a detailed 12 page fill in the blanks **Post Mortem Wishes** document that you can use to tell your family how you want to be remembered.

11. Delivery of a detailed 8 page fill in the blanks **List of Important Documents** that you can use to tell your family about the existence and location of your important documents, including life insurance information.

12. Phone calls or office conferences to answer questions about your estate planning documents and make any desired changes before signing.

13. Conference to sign your estate plan documents.

14. High quality Estate Planning Portfolio that contains all of your estate plan documents.

15. A CD that contains a digital version of all of your signed estate plan documents in Adobe .PDF format. We will make up to five CDs for you at no additional charge if you want to give them to family members, your accountant, financial planner or others.

**Living Trusts**

The heart of an estate plan is the revocable Living Trust (RLT). We believe that almost everyone with substantial assets should have an RLT. The primary reasons why you should create an RLT are:

1. To provide for the management of your property if you ever become incapacitated. Without proper planning, you could find yourself in probate court looking at costs of at least $5,000 to establish an uncontested conservatorship and annual maintenance costs of at least $2,500.

2. To avoid probate of assets after death. A typical probate could cost your heirs up to 8% of the value of your estate: for a home valued at $500,000, subject to a mortgage of $450,000,
the probate fee could be as high as $27,000, or over 50% of the equity.

3. To keep your financial affairs confidential (probate court documents are open to the public).

4. To provide for the orderly disposition of your assets after death to your designated beneficiaries either: (i) outright, (ii) over a period of time or (iii) for the life of one or more beneficiaries. The latter choice is best for maximum asset protection for the beneficiary.

5. **It can be one of the best asset protection methods for your beneficiaries if the Trust is drafted properly.** For example, if the Trust is properly drafted and assets are held in Trust and not distributed unnecessarily to a beneficiary, the beneficiary's creditors (including a judgment creditor, a bankruptcy court, or even a spouse for unpaid child support) and predators (ex-spouses and con-men) can never get the assets. If you have children or loved ones that you want to protect and if they may inherit a lot of money or property, asset protection may be the most important reason to create an RLT.

6. To save $550,000 or more in federal estate taxes - for married people with a joint estate of $2,000,000 or more where at least one spouse dies after 2010.

**Revocable Living Trust + Family Protection Plan: $1,995 - $4,495**

$1,995: **Single Foundational Revocable Living Trust Plan – LifePlan™ “A”** (one-settlor, outright or staged distribution to beneficiaries) - this price includes the Family Protection Plan and 15 items listed above. We will also prepare a deed to transfer your home to the trust at no extra charge. For additional properties, we charge $150/property, plus recording costs. This package is designed to **protect you** by avoiding the costs and delays associated with probate or conservatorship, save your beneficiaries federal estate taxes, ensure the orderly distribution of your estate to your loved ones, and protect your estate from loss due to catastrophic illness.

$2,495: **Married Foundational Revocable Living Trust Plan – LifePlan™ “A”** (two-settlor, outright or staged distribution to beneficiaries) - this price includes the Family Protection Plan and 15 items listed above. We will also prepare a deed to transfer your home to the trust at no extra charge. For additional properties, we charge $150/property, plus recording costs. This package is designed to **protect you and your spouse** by avoiding the costs and delays associated with probate or conservatorship, save your beneficiaries federal estate taxes, ensure the orderly distribution of your estate to your loved ones, and protect your spouse and loved ones from loss due to the threat of your spouse’s potential remarriage and/or divorce, unemployment, lawsuits, bankruptcy, and catastrophic illness.

$2,995: **Single Foundational Revocable Living Trust Plan – LifePlan™ “B”** (one-settlor, distribution held in separate lifetime trust(s) for one or more beneficiaries) - this price includes the Family Protection Plan and 15 items listed above. We will also prepare a deed to transfer your home to the trust at no extra charge. For additional properties, we charge $150/property, plus recording costs. This package is designed to **protect you** by achieving those goals set forth above, **plus protect your loved ones** from themselves or others due to the threat of their remarriage and/or divorce, unemployment, lawsuits, bankruptcy, and catastrophic illness.
$3,495: **Married Foundational Revocable Living Trust Plan – LifePlan™ “B”** (two-settlor, distribution held in separate lifetime trust(s) for one or more beneficiaries) - this price includes the **Family Protection Plan** and 15 items listed above. We will also prepare a deed to transfer your home to the trust at no extra charge. For additional properties, we charge $150/property, plus recording costs. This package is designed to protect you and your spouse by achieving those goals set forth above, plus protect your loved ones from themselves or others due to the threat of their remarriage and/or divorce, unemployment, lawsuits, bankruptcy, and catastrophic illness.

$3,995: **Single Multi-Generational Revocable Living Trust Plan – LifePlan™ “C”** (one-settlor, distribution held in separate lifetime trust(s) for one or more beneficiaries and their issue) - this price includes the **Family Protection Plan** and 15 items listed above. We will also prepare a deed to transfer your home to the trust at no extra charge. For additional properties, we charge $150/property, plus recording costs. This package is designed to protect you and your loved ones by achieving those goals set forth above, plus ensure that your estate passes to successive generations federal estate tax free.

$4,495: **Married Multi-Generational Revocable Living Trust Plan – LifePlan™ “C”** (two-settlor, distribution held in separate lifetime trust(s) for one or more beneficiaries and their issue) - this price includes the **Family Protection Plan** and 15 items listed above. We will also prepare a deed to transfer your home to the trust at no extra charge. For additional properties, we charge $150/property, plus recording costs. This package is designed to protect you and your spouse and your loved ones by achieving those goals set forth above, plus ensure that your estate passes to successive generations federal estate tax free.

**IRA Legacy Trust**

$1,995: **IRA Legacy Trust®** for one plus $995 for the second trust for a spouse, but you must also purchase an RLT from us to get these substantially reduced prices for an IRA Legacy Trust®. For more information about this new type of trust that can create the equivalent of a private pension plan for your family and loved ones, see my article called "How Your Family Can Become IRA Millionaires Using an IRA Legacy Trust® that Protects the Funds from Ex-Spouses, Creditors & Bankruptcy Court."

**Irrevocable Life Insurance Trust to Avoid Estate Tax on Life Insurance Proceeds**

$1,995: **Irrevocable Life Insurance Trust** for one plus $995 for a second ILIT for a spouse. The purpose of an ILIT is to remove life insurance proceeds from a person's estate and avoid federal estate taxes on the proceeds. For example, if you have taxable estate after 2010 without including your life insurance and you have a $1,000,000 term life insurance policy, the $1,000,000 is included in your estate and the estate tax on the policy will be $550,000. If the policy is owned by an ILIT, it is excluded from your estate and saves your family $550,000.

**Pet Trust to Care for Pets After You Are Gone**

$495: **Pet Trust** - Yes, it is what you think it is. California law authorizes the creation of a Trust to benefit and provide for animals. A California pet trust allows you to leave money
or property (your home for example so your pets can live out their lives in the home in which they lived with you) in trust to be used by a trustee and/or caretaker to care for your pet(s) if something happens to you. You specify who gets the assets remaining in Trust after the last pet dies. We include pet trust provisions in your RLT rather than create a separate stand alone pet trust.

Funding Your Trust

If you have an RLT, it is critically important your assets be transferred / retitled into the trust. This process of transferring assets to your trust is called "funding." Assets you own outside the trust at your death may have to go through probate, which frustrates one of the important reasons to create a trust. We offer our trust clients three funding choices:

Funding Method #1: Do It Yourself

We give you detailed funding instructions called "Funding Your Trust A to Z," which is very comprehensive. It explains generally what you have to do to transfer ownership of many types of commonly owned assets. Funding is not hard, but it does require effort and diligence. However, you should only fund your trust yourself if you are good at dotting the "i"s and crossing the "t"s. If you are not, we recommend that you use one of the other two options.

Funding Method #2: Starting Pitcher / Relief Pitcher

This funding method requires that you enter into a written funding agreement with the Law Offices of Berge & Berge LLP, after you sign your estate plan documents that provides as follows:

1. You complete our funding questionnaire in which you answer questions about your assets and describe them to us.

2. We input your information into our asset funding database and give you a funding status report that lists all of your assets and shows the assets that have been transferred to the trust and the assets that remain outside the trust.

3. During the four month period after signing your trust, it is your responsibility to transfer all of your assets to your trust. Each time you transfer an asset, you send us a copy of the document that evidences the transfer. We then update your asset funding database and send you an updated funding status report.

4. After four months, we will be responsible for transferring to your trust any assets that you fail to transfer during the four month period. We will charge you a transfer fee of $150 for each asset that you fail to transfer.

5. As we finish transferring the assets, we will send you an updated funding status report.

The goal of this method is to give you a BIG monetary incentive to do all the funding yourself. The incentive is that will save a lot of money if you transfer the assets yourself. This is the preferred method because you will learn how to transfer assets yourself so you will not have to rely on somebody else to do it for you the rest of your life.

Funding Method #3: The Whole Enchilada - We Do It All
This funding method requires that you enter into a written funding agreement with the Law Offices of Berge & Berge LLP, after you sign your estate plan documents that provides as follows:

1. You complete our funding questionnaire in which you answer questions about your assets and describe them to us.

2. We input your information into our asset funding database and give you a funding status report that lists all of your assets and shows the assets that have been transferred to the trust and the assets that remain outside the trust.

3. We will prepare the documents necessary to transfer all of your assets to the trust and contact third parties as necessary to transfer the assets. From time to time, we will send you an updated funding status report and copies of transfer documents to put in your estate planning binder behind the "Trust Assets" tab.

4. You pay us $2,000 regardless of how many assets you have up to 30.

Compare Before You Buy

Ask yourself: Are all cars the same and the only difference is price? Are they all built and maintained the same? And: When will you know what kind you’ve got?

Just like no two cars are built the same, no two living trusts are built the same. Check out these one-of-a-kind features which we build into all our Living Trusts depending on your wants and needs and choice of plan design (see above).

1. **You Deal Only with an Attorney; All Documents are Custom-Tailored.** California attorney and estate planning specialist James E. Berge takes you through the entire process. He meets with you three times: once to design your plan, a second time to review draft documents, and a third time to sign final plan documents. He also prepares all documents for you, and they are customized, like a tailored suit, to meet your particular wants and needs. Compare this three-meeting approach which usually requires over three hours of meeting time with an attorney to any other local estate planning firm that relies primarily on a two-meeting approach involving a brief introductory meeting with the attorney and the rest of your time with paralegals and the one-size-fits-all estate planning model that many local attorneys use, and you’ll quickly appreciate this difference.

2. **Ultimate Flexibility:** Depending on how your Living Trust plan is designed, your trustee and/or your power of attorney (usually your spouse or children) can be given the power to make changes in your Living Trust plan if you ever become disabled, incapacitated or incompetent, to address material changes in the lives of yourself or your family, thus avoiding the time and expense of going to court in order to do so.

3. **Public Benefits Planning:** Your trustee and/or your power of attorney can be given the power to re-arrange your financial affairs in such a way as to make you eligible for public benefits not otherwise available to you, such as Medi-Cal, SSI, VA benefits, Section 8 housing, and even food stamps, or to protect your estate from potential estate recovery claims by these very same programs whenever long-term care becomes your primary concern. VA benefits alone can amount to up to $1,949/month in financial assistance to help you or a loved one pay for in-home care or assisted living care. Medi-Cal benefits can pay for the entire cost
of a stay in a skilled nursing facility.

4. **Flexible Estate Tax Planning**: When do you plan to die? What will be the value of your estate in your year of death? How much of your estate will be subject to death taxes in that year? How will your family pay for those taxes? As specialists in estate planning, we don’t know the answers to these questions, but we have developed ways in building trusts which avoid the need to annually change your trust every time that Congress passes a new tax law, saving you a lot of time, expense and headache over the course of your lifetime.

5. **Asset Protection Planning**: Do you agree with me: There are too many dang attorneys in America! These days, you can be sued for serving hot coffee, for refusing service to overweight customers, for employees who get into auto accidents while on company business, from disgruntled customers, vendors, and employees, from tenants who claim personal injury due to black mold, radon gas, or asbestos, from the government for taxes, from spouses or the government for back child and/or spousal support, from credit card lenders for unpaid debt, and for personal injury claims due to a simple car accident. And, even if you are insured for these types of losses, it continually amazes me how many losses are denied by insurance companies because they come within a policy exclusion. How do you protect yourself against these types of losses? Of course, one way is through insurance, but have you seen what insurance companies charge for their policies lately? Another way is through the use of entities, such as corporations and partnerships. Another way is through the use of irrevocable trusts, such as a personal residence trust or a credit shelter trust or a spousal access trust. And, for your children and other loved ones, one way is through use of our trademarked “Personal Asset Trust.” Ask us about any of these, and we’ll be glad to answer your questions. Before you invest in a trust, make sure these questions are answered.

6. **HIPAA Provisions**. Without explicit reference to the Health Insurance Portability and Accountability Act (HIPAA) and authorizing named individuals (in particular, your spouse and children) to receive confidential medical information about you from your medical care providers when needed, including your spouse and children, your plan may fail entirely. We ensure that these necessary provisions are included in living trust, your wills, your advance health care directives, and your powers of attorney to prevent this procedural obstacle from impeding the overall effectiveness of your plan.

And check out these additional products and services provided to our trust clientele:

1. **Free Trust Owner’s Manual**: A one-of-a-kind manual designed for you, our trust client, which is designed to keep your financial affairs in order throughout your lifetime, to contain your original estate planning documents, to facilitate our annual review, and to inform your successor trustee of what’s important to you when the time comes that you can no longer handle your own affairs. The contents include: Trust Summary; Trust Flowchart; Trust Funding Instructions; Asset Transfer Documents; CD Containing Signed Documents; Tangible Personal Property Memorandum; Glossary of Terms; Summary of Trustee’s Duties and Responsibilities; Instructions to Successor Trustee; Ethical Will aka “A Love Letter to Your Family”; Letter of Specific Instructions to Trustee; Life Insurance Inventory; Memorial Instructions

2. **Free Successor Trustee’s Manual**: A one-of-a-kind manual designed to teach your successor trustee (upon your disability or death) what it means to be a trustee, including the duties of a trustee and the tasks that he or she will need to perform, including complete forms and
checklists. Chapters in this manual include: Overview of How a Living Trust Works; Checklist of Immediate Actions Upon Disability or Incapacity; Checklist of Immediate Actions Upon Death of First Spouse; Checklist of Immediate Actions Upon Death of an Individual (or Surviving Spouse); Trustee Duties; Trustee Powers; Recordkeeping; Income Taxes; Estate Taxes; Accounting to the Beneficiaries; Making Distributions to the Beneficiaries; Transition to Another Trustee; Termination of the Trust; Your Own Estate Plan; Important Addresses and Phone Numbers; Location List; Other Documents

3. **Free Trust Beneficiary’s Manual**: A one-of-a-kind manual designed to teach your beneficiaries what it means to be the beneficiary of a Personal Asset Trust, how it protects them, the creative ways in which it can be used, and all the forms and checklists needed to avoid losing this valuable form of asset protection. The contents include: A Brief Overview of the PAT; A Few Important Do’s and Don’ts; Tips on Successfully Working with an Attorney; Reviewing the PAT Document; Initial Setup of the PAT; Guidelines for the Operation of a PAT; The Different Roles of the Trustee, Independent Trustee, Special Co-Trustee, and Trust Protector; Use of Assets by and Distributions to the Beneficiary; Responding to the Beneficiary’s Changed Circumstances and Potential Third Party Attacks; Holding Title to Assets, Transacting Business, and Paying Expenses; Investing, Purchasing, Refinancing and Selling Trust Assets; Recordkeeping; Income Taxes; Estate Taxes; Rights of the Beneficiaries; Transition to a Successor Trustee; Termination of the Trust; Financial and Estate Planning for the Beneficiary; Important Addresses and Phone Numbers; Location Lists; Other Documents

4. **Free Successor Trustee Training**: A one-of-a-kind classroom educational program designed to teach your successor trustee what it means to be a trustee offered at various times throughout the year to our LifePlan Trust Maintenance Program members and their families.

5. **Free Consultation with Successor Trustee**: A one-of-a-kind one-on-one office meeting between an attorney in our office and your successor trustee when they actually assume the office of trustee due to your resignation, disability, or death. This meeting is designed to ensure a smooth transition between you and your successor trustee, by explaining what a trust is, how it works, the duties of the trustee, the tasks that await your successor trustee, why you built the trust the way you did, and how we can assist your successor trustee. This is another one of our valuable benefits provided to LifePlan Trust Maintenance Program members.
What if Things Change?

Some people say that the only thing that is certain about life is death and taxes. I would argue with that and say instead: The only thing that is certain about life is change!

Even if you get the best possible plan at the right price now, what if circumstances change in the future? What if the laws change? What if your personal situation changes? What if your financial situation changes? Will you have someone that you can count on to inform you of changes in the law as they occur? Will you have someone that you can count on to review your trust annually to make sure that it continues to work as designed? And: What if you decide to plan your estate one way (under one of our approaches above), but you later decide to upgrade your plan to gain additional advantages and/or protections? How much will it cost to upgrade your plan in the future?

In our ongoing efforts to better serve our trust clients, we have put together our LifePlan™ Trust Maintenance Program which was designed to help you get the most “bang for your estate planning buck” and to reaffirm our commitment to helping you own a “Plan that Works.”

First, some background. AARP and other organizations have conducted studies showing that estate plans do not work. In fact, this criticism is leveled not just at Wills and the probate system, but also at some living trust plans. However, we know that estate plans can and do work when they are drafted properly and funded correctly with your assets, and should not fail when they are regularly reviewed, maintained and updated.

Second, many of our clients have asked us to assist them by taking a more proactive role in keeping their estate plans current with law changes and their own planning objectives. For example, there have been numerous changes in the law over the last few years, several of which are beneficial to taxpayers, such as the Economic Growth and Tax Relief Reconciliation Act of 2001 which increased the federal estate tax exemption from $600,000 (pre-EGTRRA) to $1.0 million (next year), and some of which may be detrimental to the efficient operation of your trust without minor modifications to your trust, such as the Health Information Portability and Accountability Act of 1996 and the California Confidentiality of Medical Information Act (new medical privacy laws, both of which became effective in 2003), to name just a few. If the design of your trust does not take into account the impact of these new laws, it may be seriously out-of-date and may in fact be harmful to you or your family contrary to your original intent and our original design.

Third, some of our clients have asked us to keep them up-to-date on new planning strategies as we create or learn about them, such as our new IRA Legacy Trust, our new Pet Trust, our new Personal Asset Trust, and our new Medi-Cal Asset Protection Trusts, and all of our trust clients want to keep their trust funding current. Many clients have experienced dramatic changes in the nature and value of their assets since their plan was originally prepared (unfortunately, not always for the better). We understand that you want to know what options you have and also want to keep more of what you have earned rather than lose it to unnecessary taxes.

Lastly, we were surprised to hear from some of our clients that they did not have a total understanding of how their plan works for them while they are alive. Other clients and family members wanted to understand how it will work for their family after our clients are gone and what they will be expected to do.

We also know that many family situations change over time due to births, deaths, marriages,
divorces, lawsuits, bankruptcies, unemployment, and business successes and failures. For the most part, these changed assumptions about the family and relationships in general may not be fully built into the design of your trust until years after the event. With an annual trust review program, it is a simple matter to make those corrections.

The questions and concerns by our clients confirmed for us how important it is to review and maintain your estate plan on a regular basis. Therefore we spent the last few years developing a phenomenal new program called LifePlan™ to offer you these and many other benefits you have been asking for.

As a LifePlan™ member, you’ll receive a wide range of benefits, including free phone calls with an attorney, a free annual legal update letter, a free annual plan review, free quarterly workshops and classes, a free formal trustee training program, free monthly newsletters delivered by mail, free monthly email newsletters, free annual registration of your important health care documents with a national document registry, free technical updates and minor modifications to your plan documents, a free trust funding review, and discounted rates on trust upgrades and trust administration services. Most important, we will be able to determine if you require a face to face review meeting with an attorney or a paralegal staff member.

All for an affordable price of $295/year (for an unmarried person) or $395/year (for a married couple). Attached is a summary sheet that explains the many benefits of our LifePlan Trust Maintenance Program. No other law firm in the South Bay offers such an extraordinary variety of services for such a low price!

Our Process

The first one hour with any prospective client regarding estate planning or probate is free of charge. After the initial meeting, if a living trust is appropriate for your situation and if you decide that a living trust is desirable for you, the prices set forth in this memo apply. By the end of the initial one hour meeting, the attorney will verify which package would be appropriate for your situation. We do retain the right to bill outside of package prices for highly complex estate plans. If this is the case, you will be notified at the end of your meeting with the attorney, prior to making a decision whether to authorize work to be done. Attached is a copy of our New Client Protocol: Developing a Living Trust Centered Estate Plan which explains our trust creation process in greater detail.

In determining whether the benefits warrant the cost, it is important to balance the cost of estate planning with the cost of no planning. Potential costs of probate or conservatorship or guardianship proceedings should be weighed against the cost of estate planning.

Costs of estate planning will vary substantially from attorney to attorney. It is very important that the cost of a living trust includes consultations, supplementary documents and help in getting assets transferred into the trust, since a trust without assets will NOT avoid probate. Beware of mail-order trusts, or trusts marketed by non-attorneys or attorneys seeking to sell insurance and/or securities to you in addition to a living trust. Each individual estate plan is unique, and must be designed specifically for you. Paying for an estate plan without personally meeting with the attorney who drafts it is like having surgery without the doctor in the room. Results can be disastrous, and non-attorneys have no insurance which covers errors and omissions made in the practice of law! Any “salesperson” who says an attorney “reviews” the documents should be avoided. An attorney who simply reviews documents without meeting with you or who meets with you after documents are drafted is of no help. Great documents are worthless if they don’t fit your needs. Additionally,
ethical rules prohibit attorneys from working for non-attorneys who sell trusts or otherwise make money in the authorized practice of law! We have reviewed plans which create hundreds of thousands of dollars in unnecessary tax liability due to improper drafting. By the time liability arises, the “company” may be long gone or uncollectible.

**Stop Procrastinating - Take the Next Step to Protect Your Family with an Estate Plan**

If you have procrastinated up to now and do not have an estate plan and if you do not take the next step right now to make an appointment with James Berge to design your estate plan, the sad reality is that you will most likely continue to procrastinate for many years to come and probably will die without protecting your family. That's ok if you want the State of California to decide who inherits your property and if you don't care about the problems and expense your family may suffer if you die without an estate plan in place.

Isn't your family your most valuable asset? Don't you want your family to have the protection that a good estate plan can provide? If the cost is preventing you from making an appointment, compare the cost of an estate plan against money you have spent on things for yourself such as a flat screen TV, furniture, swimming pool, computer system, hi-fi system, car or SUV, boat, country club membership, jewelry, art and other "toys" or expensive items. Don't spend more on "stuff" than you do to protect your family if something happens to you.

**Make an Appointment Now to Design Your Estate Plan**

**Our EP Questionnaire**

To hire California estate planning attorney and certified specialist James E. Berge to assist you in designing your estate plan and to prepare your estate plan documents, complete the appropriate online Estate Planning Questionnaire for a single person or a married couple and email, fax or mail it to our office.

**How to Make an Appointment**

To make an appointment for an initial consultation to answer your questions and design your custom estate plan, call our office at 408-985-9918.

**How to Hire James E. Berge to Prepare Your Estate Plan**

To hire James E. Berge to assist you in designing your estate plan and to prepare your estate plan documents, do the following:

Complete one of the following online Estate Planning Questionnaires:


Fax (408-985-9945), Email ([jamesberge@bayareaelderlaw.com](mailto:jamesberge@bayareaelderlaw.com)) or Mail your Questionnaire to:

James E. Berge
You can also get copies of these online forms from our office, and we will mail them to you. Call our office at 408-985-9918 now to make your appointment with James E. Berge to answer all your questions about estate planning and to design your comprehensive estate plan.

If you have any questions about estate planning, the process, fees or anything else, call our office at 408-985-9918. There is no charge for inquiries about preparing estate planning documents.

**Pay for Your Estate Plan on the Installment Payment Plan**

Our normal payment terms are half down and half due upon delivery of draft or final documents.

If you make a down payment of one-third of the cost of your estate plan, you may also pay the balance with your Visa, MasterCard or Discover card over six or twelve months. If you select the installment payment plan, we will charge your Visa, MasterCard or Discover card every month for six or twelve months, depending on which payment period you chose. Payments under our installment payment plans are:

<table>
<thead>
<tr>
<th>Plan Type</th>
<th>Down Payment</th>
<th>6 Months</th>
<th>12 Months</th>
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<tbody>
<tr>
<td>Family Protection Plan (Will-Based Plan)</td>
<td>$332</td>
<td>$114</td>
<td>$59</td>
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<tr>
<td>Single Foundational RLT LifePlan “A”</td>
<td>$665</td>
<td>$228</td>
<td>$118</td>
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<tr>
<td>Single Foundational RLT LifePlan “B”</td>
<td>$998</td>
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<td>$176</td>
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<tr>
<td>Single Multi-Generational RLT LifePlan “C”</td>
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<td>Married Foundational RLT LifePlan “A”</td>
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<td>(2) IRA Legacy Trusts</td>
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<td>$177</td>
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**What We Need From You**

If you decide to retain us to prepare your estate plan, it would be helpful if you thought about:

1. Who should be named as the person who would handle paperwork and control your assets if you were unable to do so? (This can be an individual, such as a family member or friend, or could be an institution, such as a trust department of a bank.)

2. Who are the beneficiaries who should eventually receive assets? This information would
be the same as the plan of distribution which would ordinarily be put in a Will.

3. Who should be named as guardian of your children, if any? (This can be the same individual you have named as successor trustee or executor of your estate.)

4. What is the approximate value of your estate, including all assets such as investments, real estate, personal property, life insurance, IRAs and pensions? You're not required to disclose the total value of your assets to anyone, but, if you choose to disclose this information to us, potential probate costs, tax considerations and other costs or concerns can be analyzed. Exact values are not necessary, since valuations change over time anyway, but knowledge of approximate net worth and the types of assets will be helpful.

Satisfaction Guarantee: No Charge for Changes Within First Twelve Months

We do not charge any legal fees for any changes you want to make to your estate planning documents, including a trust, within the first twelve months after our signing conference. We give you a lot of paper, but we want you to be able to review everything you sign at your leisure so you can be sure everything is correct. If, within the first twelve months after signing your documents, you find a problem with your estate plan or want to change any document we prepare, let us know and we will revise the documents as necessary at no additional cost to you.

Give Us a Call

We hope you will let us handle your estate planning needs. Please give us a call to discuss how you would like to proceed. Once we've finished the process of putting together your estate plan, we’re sure that you'll enjoy the peace of mind that comes with it for years to come.

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Attachments:

New Client Protocol: Developing a Living Trust Centered Estate Plan
Summary of LifePlan Trust Maintenance Program Plan Benefits