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ALTCS Benefits

Education, Evaluation, Options
Authorized Representative
Planning & Spend Down
Special Needs Trusts
Training & Education



Income-Only Trust

Education, Evaluation, Options
Basic / Ultimate Do-It-Yourself Kit
Standard / Do-It-Yourself Kit
Premium / Hands-on Assistance Kit



Consulting

ALTCS, AHCCCS, AZ Medicaid
Veterans Benefits
Legal Documents
Estate Planning
Medicare Insurance
Low-Income Subsidy
Medicare Savings Plans



Legal Documents

Education, Evaluation, Options
Power of Attorney:
financial, medical, & mental health
Property Deeds & Beneficiary Deeds
Advanced Directives
Special Needs Trusts
Wills & Trusts



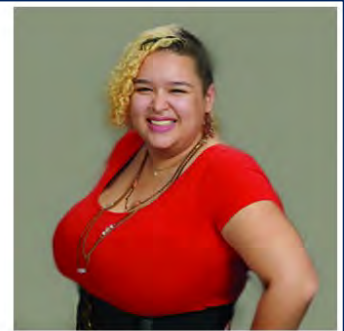
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**Providing planning services
in Arizona since 2001.**



Legal Document Preparation by Carol Aragon-Montgomery

AZCLDP #80427

	Fee	Document	What is this?	Y2017
Life Care Planning				
1.	100.00	Durable Financial Power of Attorney	A document that tells folks who is to handle your financial matters when you become incapacitated or unable to manage your own affairs; includes witness fee, notary, & postage	
2.	100.00	Durable Health Care Power of Attorney	A document that tells folks who is to handle your medical decisions when you are no longer able to make those decisions; includes notary, & postage	
3.	100.00	Durable Mental Health Care Power of Attorney	A document that tells folks who is to handle your mental health care decisions when you are no longer mentally competent to; includes notary, & postage	
4.	100.00	Living Will	A document that tells folks whether or not you want to have life-saving or heroic measures when you are comatose, in a vegetative state, or in a terminal condition; includes notary, & postage	
5.	0.00	Do Not Resuscitate	A document that tells paramedics & medical personnel NOT to revive you	
6.	300.00	Life Care Planning (single person)	Documents 1-4 above for a single person; includes witness fee, notary, & postage	
7.	600.00	Life Care Planning (couple)	Documents 1-4 above for a couple & the signing is done at the same location; includes witness, notary, & postage	
8.	700.00	Life Care Planning (couple)	Documents 1-4 above for a couple & the signing is at different locations for each person; includes witness, notary, & postage	
Estate Planning				
9.	200.00	Deed (Quit-claim, beneficiary, disclaimer)	A document recorded with the county recorder indicating a change in ownership now or at death; includes notary, recording fee, & postage	
10.	65.00	Deed (revoke beneficiary deed)	A document recorded with the county recorder to revoke a previously recorded beneficiary deed; includes notary, recording fee, & postage	
11.	350.00	Last Will & Testament	A document which tells folks who will manage your estate & to whom your estate should be distributed; includes 2 witnesses, notary, & postage	
12.	500.00	Last Will & Testament with testamentary trust	A document which tells folks who will manage your estate & to whom your estate should be distributed – includes testamentary trust language & instructions; includes 2 witnesses, notary, & postage	
13.	200.00	Codicil to Will	A document which allows you to modify an already existing Last Will & Testament; includes 2 witnesses, notary, & postage	
13.	1299.00	Estate Planning Portfolio (single)	Revocable Living Trust, Financial & Medical Powers of Attorney, Living Wills, Pour-Over Will*, Trust instructions & one item placed into trust (usually people choose their home property); includes 2 witnesses & the notary & postage	
14.	2199.00	Estate Planning Portfolio (couple)	Revocable Living Trust, Financial & Medical Powers of Attorney for both, Living Wills for both, Pour-Over Wills* for both, Trust instructions & one item placed into trust (usually people choose their home property); includes 2 witnesses & notary & postage	
15.	200.00	Trust Amendment	A document which allows you to modify an already existing revocable living trust; includes notary & postage	
ALTCS and Veterans Benefits Planning				
16.	+600.00	Special Needs Trust	A document which allows you to set up a trust fund for a special needs individual; disbursements are made at the trustee's sole discretion; includes notary & postage	
17.	250.00	Miller Trust Package BASIC	Special Needs Trust –used to create income eligibility for ALTCS	
18.	500.00	Miller Trust Package STANDARD	Special Needs Trust –used to create income eligibility for ALTCS	
19.	999.00	Miller Trust Package PREMIUM	Special Needs Trust –used to create income eligibility for ALTCS	
	0.20	Per mile	Round-trip home visit fee	

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Which legal documents should I have in place?

A very important part of your long term care planning is having your paperwork in order.

Did you know by not putting your wishes in writing the court system may have to become involved in every aspect of your financial decisions and medical care?

Wouldn't you rather be the person who makes those decisions?

You can!

There are documents that you can sign which name someone you trust to be YOU when you are no longer capable of acting on your own behalf.

We hear this all the time, "I'm not elderly yet, I don't need these documents." Or "I can take care of that later." Putting your wishes in writing is applicable to all adults age 18 or older. No one is guaranteed a tomorrow. No one is guaranteed a perfect life free from illness, accident, or terminal disease.

The time for telling someone your wishes and putting those wishes in writing is NOW!

For example: One of our clients was a 23-year old recent college graduate who was in a severe car accident. We met with her parents shortly thereafter. She was in a coma and unable to express her wishes. Because she had not put her wishes in writing, her parents spent over \$10,000.00 to have the court appoint them as her conservator and guardian to manage her finances and to make decisions regarding her health care. This could have been avoided had she taken the time to put her documents in place. She was young and probably believed that nothing like that would ever happen to her.

Don't wait until it's too late. You can make the decisions for yourself.

****IMPORTANT NOTICE****

Our CLDP, Carol Aragon-Montgomery, prepares legal documents. OUR CLDP IS NOT AN ATTORNEY AT LAW AND IS NOT EMPLOYED BY ATTORNEYS AT LAW AND CANNOT GIVE LEGAL ADVICE. Your communications with our CLDP are kept CONFIDENTIAL by our CLDP, but since our CLDP is not an attorney at law, such communications are NOT PRIVILEGED (i.e., immune from Subpoena).

Our CLDP can give you general factual information pertaining to legal rights, procedures, or options available to you in a legal matter when you are not represented by an attorney. Our CLDP cannot give you specific legal advice, opinions, or recommendations about your legal rights, remedies, defenses, options, or strategies.

Information presented in this article should not be considered legal advice.

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Here is some information about the types of documents you may want to sign as soon as possible. The documents may include: Financial Power of Attorney, Medical Power of Attorney, Mental Health Care Power of Attorney, Living Will, Pre-Hospital Medical Care Directive, Living Trusts, Last Will & Testaments, and Beneficiary Deeds.

FINANCIAL POWER OF ATTORNEY

This is a document that allows you to appoint someone to handle financial affairs on your behalf.

- You will want to choose someone you trust to make your financial decisions.
- A durable financial POA means that the document continues to be legally valid even if you become incapable or unable to handle your finances.
- You can make this document effective immediately or only upon your incapacitation.
- You may want to name one or two alternate agents in case first person is unavailable or unable to act as your agent.
- It must be witnessed by someone not related to you and notarized to be valid.

MEDICAL OR HEALTH CARE POWER OF ATTORNEY

This is a document that allows you to appoint someone to handle medical care and health care decisions on your behalf IF you become incompetent or incapacitated.

- You will want to choose someone you trust to honor your personal wishes with regard to your health care and health care treatments.
- It is only valid when you are incompetent or incapacitated and unable to express your own health care wishes.
- You may want to name one or two alternate agents in case the first person designated is unavailable or unable to act as your agent.
- This document must be either witnessed by one person not related to you OR notarized to be valid.

MENTAL HEALTH CARE POWER OF ATTORNEY

This is a document that allows you to appoint someone to handle your mental health care decisions on your behalf and allows that person to admit you into a psychiatric treatment facility IF you become incompetent or incapacitated.

- You will want to choose someone you trust to honor your personal wishes with regard to your mental health care and mental health care treatments.
- It is only valid when you are incompetent or incapacitated and unable to express your own mental health care wishes.
- You may want to name one or two back-up agents in case the first person designated is unavailable or unable to act as your agent.
- This document must be either witnessed by one person not related to you OR notarized to be valid.

LIVING WILL

This is a document that allows you to express, in writing, which medical treatments you want or don't want at the end of your life.

- A living will informs your family and loved ones what YOU want and how you wish to be treated at the end of your life.
- This document must be either witnessed by one person not related to you OR notarized to be valid.

Pre-hospital Medical Care Directive (DO NOT RESUSCITATE)

This is a document that informs emergency medical personnel and hospital emergency personnel regarding your wish to NOT be resuscitated.

- With this document you are asking emergency personnel to NOT use equipment, drugs, or devices to restart your heart or breathing.
- It must be on letter-sized orange colored paper or wallet-sized orange colored paper to be valid.
- You must attach a picture or complete personal information with your physical description.
- It must be signed by you in front of a witness.
- It must be signed by your witness and health care provider acknowledging that you understand the consequences of using this form.

LIVING TRUST

A living trust is a written agreement that sets forth who will manage the assets placed in it during your lifetime, in the event of your incapacity, and upon your death.

- A living trust avoids the cost and delays of probate. Upon your death (and your spouse, if married), your Successor Trustee can distribute the assets almost immediately and with little or no additional expense (other than typical costs such as real estate commissions, etc.) Court supervision is not required.
- A living trust avoids conservatorship if you become incapacitated.
- A living trust keeps your estate affairs private. A Will that goes through probate makes all aspects of your estate a matter of public record.
- This document must be signed by all Trustors and Trustees and notarized to be valid.
- This document must be funded to allow Successor Trustees to manage asset on your behalf.

LAST WILL & TESTAMENT

A last will & testament is a written document that sets forth who (a personal representative / executor) will manage your estate upon your death. It also allows you to express in writing how you want your estate divided (who are your heirs and the amount of your estate he / she / they will inherit).

- A last will & testament must be probated and becomes public record.
- A last will & testament can name guardians for your minor children.

BENEFICIARY DEED

A beneficiary deed allows a person in Arizona who owns real property to name a beneficiary ahead of time to allow real property to pass to an heir without probate.

- To be valid, a beneficiary deed must be notarized and recorded before the death(s) of the real property owner(s).

The Living Trust: Who Should Have One?

The living trust has become one of the most useful tools in estate planning. I am frequently asked by clients, ***“Is a trust right for me?”***

Below are the guidelines developed to help individuals determine if they should create a trust.

1. If I want to avoid probate for my heirs, is a living trust the best tool?

When your goal is to make your affairs simple and convenient for your heirs, a living trust is the best tool to use.

CAVEAT: a person who is untrained or unskilled in estate planning sometimes recommends joint tenancy as a way to avoid probate. However, the pitfalls of joint tenancy are numerous and serious. A living trust does not have any of those pitfalls.

2. If my goal is to keep my affairs private, is a living trust appropriate?

When your goal is to keep your wishes private and not subject to challenge, a living trust is an effective tool to use.

3. If we want our children to inherit without death taxes, should we have a living trust?

If you're married and your goal is to minimize taxes for your heirs, a living trust (AB type) is the best tool to use, but only if your net estate is greater in value than the available tax exemption or is likely to exceed that value when you are both deceased.

NOTE: An estate with a net value of less than \$5.45 million per individual in 2016 is not subject to estate taxes, even without a trust. Even though estate tax planning can be accomplished by a Will, that Will must be probated in order to save the taxes. It is the combination of avoiding taxes and probate which makes the living trust so attractive.

CAVEAT: A living trust can only shelter a certain amount; it cannot avoid estate taxes above that amount.

4. If one of our goals is to protect the greatest amount of wealth for the surviving spouse, can a living trust help us?

For a couple who wants the greatest level of protection for the surviving spouse so that assets can be used exclusively for that spouse, a living trust is an appropriate tool.

CAVEAT: Not all living trusts have creditor protection for the surviving spouse; the level of protection varies from state to state. There is no creditor protection in the living trust for the couple while both spouses are living.

5. Is it true that a living trust can also save income taxes for the surviving spouse?

For a couple with appreciated assets who wants to obtain the income tax advantages of community property, a living trust is the best tool to use.

Creating a living trust is one of the most important things you will do in your life. It is a gift that you give yourself and your heirs: the gift of knowledge & your wishes in writing!

CALL 480/464.4968 TO CREATE YOUR LIVING TRUST.

Source: <http://www.g4bcenter.com/Trust-Who.pdf>