

**THIS IS AN OUTLINE OF YOUR
DURABLE POWER OF ATTORNEY
AND
NOMINATION OF GUARDIAN AND CONSERVATOR**

YOUR DURABLE POWER OF ATTORNEY

We recommend that our clients consider executing ***a Durable Power of Attorney***. Although your revocable living trust protects the assets which you have placed in Trust, there may be occasions during your lifetime where it is helpful to have someone named who has authority to sign your name or act in your behalf on property or other items which are not yet in your revocable trust (e.g. an Individual Retirement Account). That is the purpose of the Durable Power of Attorney.

It is important to remember that this Power of Attorney is effective once it is signed and remains in effect until you pass away or revoke it. Although not absolutely necessary in every estate plan, we think it is a very helpful instrument and always recommend that you consider it.

Paragraph E of your Durable Power of Attorney specifically provides that it is your wish that all of your assets (except Qualified Retirement Assets) be owned by your trust.

Your Durable Power of Attorney is very important in that it authorizes someone to make decisions regarding your IRAs, 401(k)s, etc. Those decisions include investment decisions and mandatory distribution instructions.

Your Durable Power of Attorney also contains medical decision authority in case you do not sign Living Wills

The Nomination of Guardian and Conservator portion allows you to name a person you would like to serve as the Guardian of your Property (usually your Trustee) and Guardian of your Person (usually a family member), should the need arise.