



January 20, 2012

ESTATE PROTECTION REVIEW & REFINEMENT™

PROGRAM DESCRIPTION & AGREEMENT © Timothy B. Borchers 2007-2012

An effective estate plan is a lifetime process, not simply an after-death distribution system. Over time as laws, family circumstances, and the make-up of your wealth change, it is critical to know whether your estate plan has adapted or whether it needs to be updated. Performing a systematic and yearly review ensures the integrity of your estate plan and confirms that your planning goals are being addressed. Broadly speaking, those goals are Caring for loved ones, Harmony in your estate, Incapacity planning, Protecting assets (for you and heirs), Picturing the Possibilities in the plan, Stewardship of your assets, and Settling your estate efficiently (“CHIPPSS”).

Reviewing and refining our clients’ plans have long been a part of our services at Borchers Law, P.C., but only in 2007 did this practice become a formal program. The diagram below illustrates this process as an ongoing activity to achieve success in all of the CHIPPSS areas of concern.



The unique services described here are available to clients participating in our Estate Protection Review & Refinement™ Program (“R&R” Program or “R&R”). While all clients of the Firm can request a review of their estate plan documents in light of their situation at any time, R&R Program participants can expect to receive information and advice annually through R&R, enabling them to respond to the changing legal environment and circumstances, provided they fully participate in the review process. With full participation, R&R Program participants will enjoy superior results from their plans, not to mention special privileges and discounts.

Review & Refinement Program Description:

Our Estate Protection Review & Refinement™ Program is an on-going service designed to maintain a comprehensive and effective estate plan for each of our clients.

Three Year Cycle: the Optimal Review & Refinement schedule. We believe that, in the long term, *face to face* meetings are the only effective environment to thoroughly review and refine each client's estate plan. In the case of routine maintenance of the estate plan, however, annual telephone conferences are sufficient to update each other, with face to face meetings normally being held every three (3) years. Accordingly, the R&R Program is arranged in 3-year cycles.

In years 1 and 2 of each 3-year cycle, scheduled **"Check-In" Telephone Conferences** of 15 to 30 minutes in length are held to review your circumstances and relevant updates in laws and procedures that may affect your estate plan. **There is no fee for the 30 minute Check-In phone call.**

Every 3rd year (sooner if needed), a *face to face* meeting of 45 minutes in length between attorney and client will be scheduled in order to complete a **Comprehensive Review** of your plan, at which time attention will be given to particular nuances in your circumstances and in the law affecting your plan, and any recurring or deferred topics will be discussed. If needed, additional meetings will be held to discuss specific refinements or to execute documents. **There is no charge for a 45 minute comprehensive review meeting.**

Any additional conference time, meetings, or refinements that come out of the calls or meetings will be billed for separately from the annual R&R fee, at our 10% reduced billing rate.

The Review & Refinement Program includes:

1. **Check-In Telephone Conferences and Comprehensive Review Meetings which will address some or all of the following:**

- a. **Revisiting your planning concerns** that you raised during our planning meetings and that remain open from year to year;
- b. Determining whether all assets are properly **"funded,"** i.e. that they are **properly owned** (title) and/or have appropriate **beneficiaries named** (designations);
- c. Discussion of **changes in family, health, investment, insurance and real estate assets, business assets, personal and family plans, and employment** and their impact on your estate plan, especially as it relates to persons receiving **distributions** from the estate, **gifts** from current assets, youth coming of age, the aging and health issues of other loved ones, and the effect of the **"4 Ds" (Debt, Disability, Divorce and Dissipation)** on any beneficiary or family member.
- d. Information on important **changes in law** that affect your estate plan;
- e. Updating your **Asset – Trust Organizer every three years;** and
- f. The recommendation of **appropriate estate planning Refinements** to meet your needs and goals.

2. **"Funding" Advice.** Advice on funding of new assets between annual conferences will be free of charge. Assistance with funding new or changed assets will be provided at a discounted rate (described below).

3. **Phone Call and Email Policy.** You and your advisors and immediate family may contact Borchers Law support staff as needed to ask questions related to your plan. We refer to this as the "10 minute rule," as more lengthy discussions usually give rise to separate billing.

4. **Special Events.** We will invite you to attend a special R&R Participant-only events that will include a presentation on topics of interest.

5. **Update of Essential Legal Documents.** Some legal documents can be considered “stale” due to the length of time since they were signed. Those legal documents that we consider essential (Your Durable Power of Attorney, Agreement to Defer, Deeds and other transfer documents) will be updated periodically at no charge to you.

Changes of trustees and other fiduciary appointments and certain other basic updates will be made at the cost of \$100 for the first document affected by the change, and \$35 for each subsequent document, unless there are other services required in order to make such changes and provided that you complete our questionnaire for the subject matter.

6. **Discounted Fees.** Clients whose accounts are in good standing with Borchers Law will be eligible to receive a **10% reduction** in fees for the following services:

- **Funding Services.** This service involves the completion of the paperwork required for the re-titling of assets and making correct beneficiary designations.
- **Refinements and Other Services.** You will receive a 10% discount off our standard fees for estate planning advice or services beyond annual conferences, new documents or updates to existing documents or other planning services.
- **One-Time Reduced Meeting Fees.** You may hold one annual meeting per three year period (including the three year review) with an attorney at a reduced hourly rate rather than our standard rate.

7. **Long Term relationship benefits:** 10% off Tim’s Trust and Probate Administration legal services following an R&R client’s death for clients maintaining their R&R membership continually with Borchers Law, P.C. 10% off Tim’s services as Trustee, including as Trustee of the “administrative trust” after death for clients maintaining their R&R membership continually.

8. **Use of our office as resource in matters other than estate planning.** Our attorneys and staff wish to be available to you for reference in areas outside of the area of estate planning. We welcome your “miscellaneous” legal questions and the ability to direct you to our many referral sources of attorneys, CPA’s, and business and financial advisors at no fee. This contact falls under our firm’s “Ten Minute Rule”, which means you will not be billed for brief consultations lasting 10 minutes or less. If your question involves more extensive research or advice which we provide, we will bill you for the separate matter at a reduced rate.

Fee and Renewal Agreement:

The cost to participate in the R&R Program is a flat fee for each year of a 3-year cycle, with a discount for credit card payment when the credit card information is kept on file with our office (“**Credit Card Payment**”). The Program will renew automatically at the end of the three-year cycle.

The Fee for each year of the 3-year cycle commencing in 2012 is \$235.00 when paid by check (payable each January) or \$215.00 by Credit Card on file with us for renewals. The fee for subsequent 3- year cycles is subject to change. Fees paid are non-refundable. Fees quoted for earlier cycles will be honored during those cycles. Reinstatement for a lapsed membership will include making up previous years’ payments up to \$645.00.

You understand that the Estate Protection Review and Refinement™ phase of your estate plan is a disciplined process and requires your attention and commitment. To assist the process, you will provide us with copies of all relevant information and copies of any documents required. We will notify you of the yearly conference in advance and will provide a written reminder of the information generally required for you to be prepared to make the most of the conference.

Borchers Law, P.C.

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This agreement represents the complete agreement and supersedes any prior understanding or agreements, oral or written. This agreement may be amended during a 3-year cycle only by a written document signed by all of the parties. No party, without the express written consent of the other parties, may assign this agreement. The terms of this agreement are subject to change by Borchers Law, P.C. in subsequent 3-year cycles, with a website posting of this agreement or a written copy upon request.

Thank you for your continued relationship with our office.

-Tim Borchers

I have read the foregoing terms and agree to them.

X _____ date: _____

The credit card to put on file for you and to charge \$215.00 in years 2013 and 2014 is:

Card type _____

card number _____ **and [present] expiration date** ____/____.

X _____
Card holder's signature