

# Arlington LAW GROUP

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## ESTATE PLANNING PACKAGES

Our firm offers several levels of planning to meet the needs and budget of each of our clients. We created these levels of planning so that we can offer fixed prices for each level, ensuring that our clients know exactly what their estate planning will cost. Each client is different, and each estate plan is different, and all of our documents and advice are customized to meet the specific needs of the client for whom they are prepared.

**Level One: Incapacity Planning** *(\$750.00 Individual)*  
*(\$950.00 Married Couple)*

If your primary goal is to avoid the legal and financial consequences that accompany incapacity, our Level 1 Incapacity Protection is the place to start. Level 1 lays the foundation for all of our higher Levels of planning, and is often the starting point for new clients because it provides the simplest, quickest, and least costly method of becoming a client of Arlington Law Group.

Your Level 1 documents will ensure that your loved ones can take care of your medical and financial needs should you become incapacitated and unable to manage your own legal, financial, and medical affairs. These documents allow you to avoid the time, inconvenience, complexities, and expenses of court proceedings and court supervision for “living probate” (i.e., Guardianship and Conservatorship).

If you become incapacitated after your Level 1 documents are in place, your duly-appointed agent(s) will be able to manage your legal and financial affairs using your comprehensive, non-limited, Durable Power of Attorney, and your health care wishes will be followed and carried out by the agent(s) that you name in your Advance Medical Directive.

*Level One Includes:*

- Our proprietary General Power of Attorney, which is durable, non-limited, and HIPAA-compliant, and contains complete Medicaid asset protection powers, including full gifting and full trust creation and termination powers;
- Our proprietary five-part Advance Medical Directive, which is HIPAA-compliant, and contains our proprietary Long-Term Care Directive and After-Death Directive;
- HIPAA Authorization;
- Special Power of Attorney for Real Estate;
- Up to one (1) hour of attorney consultation time;
- Routine drafting and signing time.

**Level Two: Last Will and Testament**

***(\$ 900.00 Individual)***

***(\$1,200.00 Married Couple)***

Our Level 2 package includes all of the Incapacity Planning documents in Level 1, and includes a Last Will and Testament. An agent of your choice will be nominated as Executor of your Will to guide your assets through the court supervised process of probate after your death. If you have minor children, then your Will includes the appointment of Guardians to raise your children in the event of your untimely death.

**Level Three: Last Will and Testament with Testamentary Trusts**

***(\$1,200.00 Individual)***

***(\$1,800.00 Married Couple)***

Our Level 3 package includes all of the Incapacity Planning documents in Level 2, and includes Testamentary Trusts.

A Testamentary Trust is created by your Will at the time of your death. This Trust allows you to control the management and use of the assets that you leave in your Will to your beneficiaries for at least one (1) more generation. Anyone with beneficiaries who are minors (children, grandchildren, nieces, nephews, etc.) or special needs beneficiaries can benefit from a Testamentary Trust. Our Last Will and Testament with Testamentary Trusts creates trusts for all minor beneficiaries and creates spend-thrift trusts for any special needs beneficiaries to ensure that they receive the maximum government benefits while obtaining supplemental support from their Trust.

While a Testamentary Trust allows you to control the disposition of your assets for some time after your death, it does not avoid the time and expense of probate. In order to avoid probate, you need a Revocable Living Trust or Asset Protection Trust included in our Level 4 or 5 Planning.

**Level Four: Revocable Living Trust**

***(\$3,000.00 Individual)***

***(\$4,500.00 Married Couple)***

If your primary goal is to avoid probate, and you want to retain absolute and unrestricted control of your assets during your lifetime, then you need our Level 4 Planning, which builds on and includes our Level 1 Planning, but adds a Revocable Living Trust so that your assets, after your death, can be transferred to your loved ones with the utmost simplicity and convenience, avoiding the time, complexities, and expenses that make up the court supervised probate process.

Though it provides no asset protection for you during your lifetime (e.g. no protection from lawsuits or nursing home expenses) our Level 4 Trust is specially designed to protect each beneficiary's inheritance from lawsuits, divorces, and nursing home expenses. Our Level 4 Trust also includes numerous other important features not found in ordinary living trusts, such as protection for possible under-age beneficiaries, special needs beneficiaries, and any pets that you may own at the time of your death. Basic Estate Tax planning is also provided, if needed, at no additional cost. Additional Estate Tax planning can be added if needed.

Except for deeds to real estate, which we typically handle, all asset transfers will be handled by you, with detailed guidance, instructions, and support from us. Preparation of one (1) Deed is included, and additional Deed preparation incurs additional fees.

**Level Five: Living Trust Plus™**

***(\$4,000.00 Individual)***

***(\$6,500.00 Married Couple)***

If your goal is to protect your assets from probate and the significant expense of needing nursing home care, then you need to consider our Level 5 Planning. The Living Trust Plus™ that we prepare for you under Level 5 will provide general asset protection immediately upon funding, and Medicaid asset protection five (5) years after funding. You are a candidate for Level 5 Planning provided you are living independently and have no significant health problems that are likely to require nursing home care within the next five (5) years.

Level 5 Planning offers you the peace of mind of knowing that the assets you place in trust:

- Will be protected immediately from lawsuits and other general creditors;
- Will be protected for Medicaid purposes (completely after five (5) years, with partial protection possible in less than that amount of time); and
- May possibly be used by your beneficiaries to enhance your dignity and quality of life, if and when you need nursing home care.

Whatever assets remain in your Level 5 Trust will, upon your death, be held for your beneficiaries, free of probate, in a sub-trust designed to protect each beneficiary's inheritance from lawsuits, divorces, and nursing home expenses of the beneficiary.

**Virginia Domestic Asset Protection Trust**

***(\$3,000.00 Individual)***

***(\$4,000.00 Married Couple)***

The Virginia Domestic Asset Protection Trust ("DAPT") is an irrevocable trust, created during your lifetime, which provides protection from general creditors. This trust is appropriate for holding financial assets (stocks, bonds, etc.) or real estate located in Virginia. The Trust requires the appointment of an independent Trustee, located in Virginia, which may not be a close relative. Transfers to the Trust are irrevocable, but the Trust can give the independent Trustee the discretion to make payments on behalf of the person(s) creating the trust, and other beneficiaries designated in the Trust document.

The Virginia DAPT is most appropriate for professionals (e.g. doctors, veterinarians, attorneys, accountants, etc.) who are concerned about malpractice liability, or any other individual with concerns about general creditors. A Virginia DAPT is ideally funded with a portion of your assets, such as investment portfolio or rental real estate that is located in Virginia, and the funding needs to occur at a time when the person creating the trust does not have any current issues with creditors.

**Life Insurance Trust**

***(\$2,500.00 Individual)***

***(\$3,000.00 Married Couple)***

An Irrevocable Life Insurance Trust ("ILIT") allows life insurance policies to be maintained without having the value of such life insurance included in your taxable estate upon your death. You may not serve as the Trustee of your ILIT, and you may not make changes to your ILIT after it has been created, but you can give the Trustee discretion on how the life insurance proceeds are spent and managed after your death.

### **Pet Trust**

***(\$1,200.00 Standalone)***

A Pet Trust allows you to set aside a specific pool of money for the care of your pets after your life. A Pet Trust can be a standalone Trust, or can be incorporated into any of our other Trusts for no additional charge.

### **Virginia Revocable Pay on Death Deed**

***(\$ 850.00)***

In Virginia, a property may be transferred by a Revocable Pay On Death Deed. This Deed allows you to specify one or more beneficiaries for your property upon your death, while maintaining ownership in your own name during your lifetime. You may revoke or amend the Revocable Pay On Death Deed during your lifetime, or sell the property. If you do not revoke, amend, or sell such property, then the Revocable Pay on Death Deed will transfer the property on your death directly to the beneficiaries, without requiring court probate. The Revocable Pay On Death Deed is useful in smaller estates and can be combined with our Level 1, Level 2 or Level 3 planning. We charge a fixed fee of \$850.00, which includes our limited title search, preparation of the new Deed, notarization of your signature on the new Deed, and recordation of the new Deed at the appropriate Virginia land records office. Recordation fees are extra, but are typically \$20 - \$25 per Deed in Virginia.

### **General Real Estate Deeds**

When a Trust is created during your lifetime, you will need a Real Estate Deed for each piece of real property that you own, making the Trust the owner of such property. In conjunction with Trust drafting, we charge a fee of \$500.00 for each Deed, which includes our limited title search, preparation of the new Deed, notarization of your signature on the new Deed, and recordation of the new Deed at the appropriate land records office. It does not include the cost of any recordation charges, which are typically minimal for a Deed transferring ownership to a Trust.

In addition to preparing Deeds as part of Trust preparation, we can prepare Deeds for other situations, including:

1. **Deeds of Gift** (e.g. between family members)

Gifts of a property to a family member, friend, or other beneficiary during your lifetime may be an appropriate part of your overall estate planning. We can prepare a Deed of Gift for a fee of \$750.00, which includes our limited title search, preparation of the new Deed, notarization of your signature on the new Deed, and recordation of the new Deed at the appropriate land records office. Recordation fees are extra, but are typically minimal for a Deed of Gift.

2. **Warranty Deeds** (e.g. for property sales)

We can handle private sales of property between family members or unrelated parties. Our fee for preparing a Warranty Deed is \$950.00 and includes a title search, preparation of a new Deed, notarization of your signature on the new Deed, and recordation of the new Deed at the appropriate land records office. Recordation fees are extra, and typically are based upon the sales price of the property.

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