

# ProDoc New York Update News

December 2009

## ProDoc Automated Form Updates on this CD

The enclosed update CD contains the following revisions to the ProDoc automated forms libraries:

**Family Law** – We updated 29 New York Office of Court Administration forms to match revisions to the OCA forms.

**Probate** – We revised the *List of Assets/Inventory* (OCA I-1), form 5-100, *Accounting Schedules A - K*, form 7-300, *Accounting (Executor or Administrator)* (OCA JA-7), form 7-305, and *Accounting (with Trust)* (OCA JA-4) form 7-310, so the data would flow better from one form to another to save you from re-entering data. We also revised the *Family Tree Chart* (OCA FT-1), form 1-140, *Petition to Search Safe Deposit Box* (OCA), form 1-155, *Attorney's Certification* (22 NYCRR 207.4(a) & (b)) (OCA), form 4-310, *Report of Estate Not Fully Distributed* (OCA), form 7-100, and *Petition for Letters of Administration* (OCA A-1), form 3-110, to match changes to these OCA forms. Finally, we revised several forms to allow the user to enter a county for the place of a notary which is not the county where the action is pending.

**Real Estate** – We revised the *Real Property Transfer Tax Return Supplemental*  
(continued on page 2)

### Other Recent Changes Sent by Web Update

The following updates were delivered via our WebUpdate process in September and/or October. When you open ProDoc the first time each day it automatically calls to our server for any new updates. When you give it the OK to download and install them, it does so in the background. This keeps your ProDoc forms current with no real effort needed by you.

**Family Law** – We updated the *Separation Agreement*, form 5-115, and *Findings of Fact and Conclusions of Law in Divorce Action*, form 6-405, pursuant to 2009 legislative changes. We updated the *Affidavit of Service* (OCA UD-3), *Affidavit of Defendant in Action for Divorce* (OCA UD-7), and  
(continued on page 2)

### Install this Update before January 1, 2010

This update contains form updates that are effective January 1, 2010. Please be sure to install it prior to this date so you don't forget to do so later.

But, since the changes are not effective until January 1, 2010 be sure not to install this update too early.

### Your ProDoc Installation KeyCode Is on the Shipping Envelope

You will need a 20-character **KeyCode** to install this update. You'll find it on the envelope in which the CD shipped. We strongly encourage to you keep the shipping envelope in a safe place so you have your KeyCode available when you install the update.

### Who to Call for Billing and/or Customer Support Issues

We have a special team dedicated to Customer Support issues for ProDoc customers. Call 800-759-5418. This is the "ProDoc only" phone number for obtaining Sales information (option 1), Customer Support (option 2), free Technical Support (option 3), and Free Training (option 4) and it is dedicated exclusively to ProDoc customers. Call this number and you work with the teams that are the most knowledgeable about ProDoc.

### Your ProDoc Account Information Is Available Online

You can now go online and review your ProDoc subscription information, to find your Installation KeyCode, and your Registration Code(s). All this and more is available through MyAccount on the Thomson West web site.

Visit **MyAccount** at <https://myaccount.west.thomson.com/myaccount>.

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(continued from page 1, current update)

*Schedules* (Form TP-584.1) to match a changed agency form.

**Business Transactions Solution** – We added additional statutory links into WestLaw® for 29 forms.

**Lipman's Wills & Trusts** – The major enhancement to this volume for this update include:

1. We revised the Husband and Wife simple wills and the individually created Husband and Wife revocable trusts so they work better when the spouses create Supplemental Needs Trusts (SNTs) for each other, rather than for some other person.
2. We added a new question for instances when you want to add a No Contest clause to the Will and Revocable Trust forms. You now have the option to state that the No Contest clause will be unenforceable if the contest is brought and maintained in good faith and if probable cause exists for bringing the contest.
3. We added an option to six Irrevocable Trust forms allowing you to initially create a single, pooled trust rather than having the trusts held in individual trusts from the outset. You still have the option to, if you want, create separate trusts from the outset, as creating a single initial trust is not required.
4. We changed the definitions of "reasonable compensation" in the Power of Attorney forms so that you can now add an hourly rate. And, we changed the definition of "reasonable" so that it now allows for compensation to be paid to the agent based upon the amounts that would be paid to an executor for similar services. Also, we enabled you to add language to the "Modifications" section stating that prior limited or specific powers of attorney will not be revoked.
5. You now have the option of adding a Supplemental Needs Trust (SNT) for the benefit

of a spouse to the pourover wills rather than to the client's Revocable Trust. If you choose to add this trust, the Will forms will provide that the decedent's entire probate estate (other than specific bequests) will pass to the SNT for the spouse.

6. We renamed all of the Domestic Partner forms to Same-Sex Spouse / Domestic Partner forms. These forms will work when they are drafted for a set of clients who are not a married couple or who are not registered domestic partners. Your clients will be able to refer to each other as my spouse, my husband, my wife, my partner, etc.

(continued from page 1, recent WebUpdates)

*Findings of Fact/Conclusions of Law* (OCA UD-10). We also updated the *Request for Copy of Tax Return* (IRS Form 4506) and *Request for Copy of Tax Return* (IRS Form 4506) to match updated IRS forms. Finally, we added the new *Notice - Loss of Health Insurance* form pursuant to 2009 legislative changes.

**Real Estate** - We revised the *Power of Attorney*, form 12-160, and *Power of Attorney for Sale of Real Estate*, form 12-165, and added the new *Power of Attorney - Statutory Short Form*, form 12-161. We revised the *Real Property Transfer Tax Return* (form NYC-RPT), form 131-105, to match the changed local form. We revised the *Mortgage Recording Tax Return and Instructions* (Form MT-15), form 11-100, and the *Power of Attorney (New York State and City Departments of Finance Form POA-1)*, 12-170, to match changed agency forms and added the new *Power of Attorney (New York State and City Departments of Finance Form POA-1-IND)*.

**Small Estate Wills** – We revised the *Power of Attorney (Husband)*, *Power of Attorney (Wife)*, and *Power of Attorney (Individual)*, and added new *Power of Attorney - Statutory Short Form (Husband)*, *Power of Attorney - Statutory Short Form (Wife)*, *Power of Attorney - Statutory Short Form (Individual)* forms.

### ProDoc Enhancement

We added a feature that enables you to prevent ProDoc from populating your firm information into the documents you draft. To activate this feature, open ProDoc and click on **Customize► Firm Information**. Then click the checkbox next to **Do not use firm information default answers during document assembly**.

Click **OK** to save your change and to close the **Options and Settings** window.

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