

**WILL
PREPARATION
QUESTIONNAIRE**

Instructions

- [√] **Please print clearly or type.** We can rely only on the information you give us to prepare your Will.

- [√] **Complete each item fully** before returning the form to us.

PERSONAL INFORMATION

Full Legal Name _____
First Name Middle Name Last Name

Have you ever been known by any other name (including maiden name)? _____

Current Address

City State Zip Code

Are you presently in the Military Service: Yes No

Date of Birth ____/____/____ **Place of Birth** _____
City/County State

Sex I am: Male Female

Please indicate your current marital status and your marital history by checking the applicable box.

- Current married and no prior marriages
- Currently married but previously widowed or divorced
- Currently a widow / widower
- Currently divorced
- Single, no prior marriages

Full Legal Name of Current Spouse _____
First Name Middle Name Last Name

Check here if your spouse lives with you. If not, provide your spouse's address.

Street Address City State Zip Code

- I have no children.**
- I have no children yet, but children are anticipated.**
- I have _____ children.** Note: Include adopted children (and stepchildren) in the above number if they are to be treated like natural children. Also include any deceased children in the count.

List below all of your natural and adopted children, living and deceased, even if you do not wish to leave them anything. Failure to do so can result in an unmentioned child or his/her heirs claiming a portion of your estate.

Use one or more of the following “status” codes. “D” if child has died, “P” if by prior marriage, “S” if the child is a stepchild, “N” if the child needs special treatment due to a mental or physical handicap and “A” if adopted.

<u>Full Legal Name</u>	<u>Date of Birth</u>	<u>Status</u>

A child that you have legally adopted will be treated the same as your natural children, unless you give other instructions. My **adopted children** are to be expressly excluded (disinherited) or this Will is to be silent on the subject (treated equally).

Note: A stepchild is not your legal heir unless you have formally adopted the child.

If any child has died, list the names of their children (your grandchildren) who are still living.

<u>Full Legal Name</u>	<u>Date of Birth</u>

YOUR RELATIVES

Please fill in the following regarding the related listed. If the person is deceased, please write in “deceased” in Address section.

Your Parents

Full Legal Name

Address (City and State only)

Your Brothers and Sisters

Full Legal Name

Address (City and State only)

Your Spouse’s Parents

Full Legal Name

Address (City and State only)

SPECIFIC BEQUESTS

A Will describes how you want your property distributed after your death. The people and organizations you choose to receive your property are your *beneficiaries*.

If you want to leave specifically identified property to named beneficiaries, you make a **Specific Bequest**. A gift of named property can be a house, cash, a family heirloom, or a piece of jewelry. All of your other property will become the “residuary” portion of your Estate.

YOU CANNOT USE A WILL TO LEAVE:

- The proceeds of life insurance or pension plan where you have named a beneficiary. You can leave an interest in an insurance policy or pension plan under this Will only if you have named yourself or your estate as the beneficiary.
- Any asset held in Joint Tenancy. Upon your death any property held in joint tenancy goes automatically to the other Joint Tenant(s).
- Any property already disposed of by a contract or trust.

NOTE: If your beneficiary dies before you, the property will be passed in equal shares to the CHILDREN of the Beneficiary or according to the laws of intestate succession in your state.

REAL ESTATE

If you own real estate (other than property held in “joint tenancy”), check one box below to indicate how it is to be bequeathed:

- All real estate to my spouse**, if he or she survives me.
- Just my interest in my home to my spouse** (with other real estate passing as part of the residuary estate).
- To one or more beneficiaries** as indicated below:

<u>FULL LEGAL NAME OF BENEFICIARY</u>	<u>DESCRIPTION OF REAL ESTATE</u>

- All real estate is to pass as part of the residuary estate**, rather than being separately bequeathed.
- The real estate is to be sold** (and sales expenses paid as costs of administration of my estate).

PERSONAL PROPERTY (NON-REAL ESTATE)

Please complete the section below. You may list up to 5 SPECIFIC BEQUESTS of personal property if desired, i.e., sapphire ring to my sister, picture to my friend. (The remainder or balance of your estate is left to your residuary beneficiary. See Residuary Beneficiary, below).

- I wish to have all my personal effects and other personal property bequeathed to my spouse**, if he or she survives me.
- I wish to make specific bequests of personal property** to individuals or institution other than my spouse. They are listed below.
- I wish to have all of my personal effects and other personal property** bequeathed in the same way as my residuary estate.

<u>NAME</u>	<u>DESCRIPTION OF PROPERTY</u>

RESIDUARY BENEFICIARY

The RESIDUARY BENEFICIARY receives the remainder of your estate after specific property has been distributed. If you have no specific bequests your Will will contain only a residuary bequest.

If you name more than one residuary beneficiary please indicate whether you intend for them to share the residuary property equally. If you intend for them to share the property equally, you need only list their names. If you want them to take unequal shares, decide what percentage each should receive and make sure that the percentages add up to 100%. Then list the percentage after each name.

It is possible that a named beneficiary may predecease you in which event you may wish to name an alternate beneficiary. *NOTE: If you do not name an alternate residuary beneficiary, the property will be passed in equal shares to the CHILDREN of the ORIGINAL BENEFICIARY or according to the laws of interstate secession in your state.*

Your residuary estate includes property you may overlook when making your Will, and property left in specific bequests that couldn't be distributed because neither the primary beneficiary nor alternate beneficiary survived you.

Residuary Beneficiaries

- To my spouse outright**
 To my spouse and if my spouse predeceases me, to my children
 equally as indicated:

Name of Child

Share

- A minimum bequest to my spouse** (disinheriting spouse to the extent permitted by law) with the balance to:
 the children equally as indicated:

Name of Child

Share

- To one beneficiary.** _____

To more than one beneficiary, in equal proportional shares as indicated.
Beneficiary Share

If any of my children predecease me, I want that deceased child's share to go to (select one):

My surviving children equally. The deceased child's own living children equally.

Alternate Residuary Beneficiaries

You may designate alternate beneficiaries in case a beneficiary dies. If not, your gift to the beneficiary will likely go to his or her heirs, in accordance with the laws of that state. The alternate beneficiary may be an individual, entity, or group of people, and you can designate a series of successor alternate beneficiaries.

- Alternate Beneficiary _____
To replace _____
- Alternate Beneficiary _____
To replace _____
- Alternate Beneficiary _____
To replace _____

Have you intentionally decided not to leave any of your property to your children?

Yes (If the answer is yes, fill in below) No

Name of Child

Not Named as Beneficiary

Address

If you specifically disinherit a relative, that relative can never inherit any of your property, even if all of the Beneficiaries and Alternate Beneficiaries die before you. Do you wish to specifically disinherit someone?

Yes (If the answer is yes, fill in below) No

Name of Relative

Not Named as Beneficiary

Address

GUARDIAN FOR MINOR CHILDREN

In the event of a joint death of the parents or if the court finds the surviving parent is not competent to take care of the children or is otherwise unavailable, the court must appoint a guardian. Your Will is the only way to make your wishes known as to who you would like to be the guardian of your children. You may also select separate guardians to take physical care of your children (Guardian of the Person) and to take care of the finances of the children (Conservator or Property Guardian).

Minors cannot legally own property outright, free of adult supervision, beyond a minimal amount. If you have minor children, you will need to arrange for an adult to handle valuable property that your children own or inherit. This Will allows you to arrange to have your minor children's property managed by a person named as the property guardian. **Often, but not always, the property guardian is the same person as the personal guardian.**

I wish to appoint as guardian of my minor children:

One guardian: _____

A guardian and one or more successor guardians if the original guardian is unavailable to serve.

Legal Name of Guardian _____ Relationship _____

Successor Guardian _____ Relationship _____

PROPERTY GUARDIAN (CONSERVATOR)

If the amount of property you will be leaving to your children is relatively small, for example, a few thousand dollars, it will be simpler and less expensive to appoint a property guardian rather than establish a trust.

I want the personal guardian(s) named above also to serve as guardians of the property of my minor children.

I want to have a separate property guardian.

Choose a trusted person over 18 years of age to serve as your children's property guardian. Because of paperwork and court appearances, a guardian who lives far from your children is not a good choice.

If you do not want the child's other parent to be the property guardian, you may elect someone else, but you should be aware that your spouse can challenge your appointment of another property guardian.

Property Guardian and Alternate:

Property Guardian _____

Alternate Guardian _____

Should the Property Guardian (Conservator) be bonded? Yes No

(Usually, no. If you require that the guardian post a bond you will increase the expense of administering your estate).

SIMPLE TRUSTS FOR MINOR CHILDREN

Instead of appointing a property guardian, you may give the Executor the discretion to distribute a child's property, or, you may set up a trust fund. If you have substantial assets and you want the property to be managed by someone until your children reach a certain age, you will need to set up a trust. A testamentary trust is established by language contained in your Will. The trust comes into effect upon your death.

If any child is a minor, bequests to the child are to be:

- Paid, at the Executor's discretion**, to one of the following: (a) the child, (2) a guardian or a custodian under the Uniform Gifts to Minors Act, (3) the Executor, to hold the bequest in trust.
- Held in trust** until each child attains majority, with each child to be treated substantially equally.

Each beneficiary (your child) is to be treated as a "minor," with his legacy held in trust, until he or she reaches the age of:

18 19 20 21 25

For property that is to be held in trust, I wish to appoint:

One trustee:

One trustee and one or more successor trustees

Trustee _____

Successor Trustee _____

Two co-trustees

Enter the name(s) and their relationship to you. (Note: If any trustee is also a beneficiary who receives any gift under the Will, you should appoint a co-trustee):

Full Legal Names of Co-Trustees

Relationship to Me

If a co-trustee is unable to serve:

the other may act alone

the other may appoint a new co-trustee

Additional Provisions (Optional)

- My Will should create a single trust, rather than separate trusts, for minor children to reduce fees and commissions and to give the trustee discretion to make unequal payments.
- I want the Trustee to be bonded. Yes No

(Usually, no. If you require that the trustee post a bond you will increase the expense of administering the trust).

EXECUTOR (PERSONAL REPRESENTATIVE)

You must name an “Executor” for your estate, sometimes referred to as a personal representative, to probate your estate and carry out the provisions of your Will. Typically, a spouse, relative or close friend serves as the executor. You need someone who is reliable and trustworthy in carrying out your specific wishes. Your executor may also be a beneficiary under your Will.

You may appoint someone who lives in another state, provided he or she is of lawful age, but it is preferable to name an in-state executor. Someone who lives outside the state will have a great deal of difficulty in administering your estate. A minor cannot administer your estate. The executor must be at least 18 years of age.

I wish to name as my Executor:

My spouse

My spouse and a co-executor

Full Legal Name	Address
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My spouse and one or more successor executors:

Full Legal Name	Address
-----------------	---------

Full Legal Name	Address
-----------------	---------

One executor:

Full Legal Name	Address
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One executor and one or more successor executors:

Full Legal Name	Address
-----------------	---------

Full Legal Name	Address
-----------------	---------

Two co-executors

Full Legal Name	Address
-----------------	---------

Full Legal Name	Address
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