

# WILL PREPARATION QUESTIONNAIRE

## 1. TESTATOR CONTACT INFORMATION

FULL LEGAL NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
(Street) (City) (State) (Zip)

PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

MARRIED: YES  NO  SPOUSE'S NAME: \_\_\_\_\_

DO YOU HAVE A PAST WILL OR CODICIL: YES  NO  YEAR CREATED: \_\_\_\_\_

DO YOU HAVE OR NEED A LIVING WILL: YES  NO

DO YOU HAVE OR NEED A POWER OF ATTORNEY: YES  NO

DO YOU HAVE OR NEED A TRUST: YES  NO

DO YOU HAVE PETS: YES  NO  DO YOU NEED A PET TRUST: YES  NO

## 2. EXECUTORS (Must Live In State)

1. NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

2. NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

## 3. BENEFICIARIES

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

Additional Beneficiaries and/or Specific Instructions (See Attached) YES  NO

## 4. REAL PROPERTY (Homes Ownership)

ADDRESS: \_\_\_\_\_

Specific Instructions (See Attached) YES  NO

## 5. VEHICLES (Owned)

YEAR: \_\_\_\_\_ MANUFACTURER: \_\_\_\_\_ MODEL: \_\_\_\_\_

YEAR: \_\_\_\_\_ MANUFACTURER: \_\_\_\_\_ MODEL: \_\_\_\_\_

Specific Instructions (See Attached) YES  NO

## 6. STOCKS, BONDS, INSURANCE POLICIES, RETIREMENT PROGRAMS

Detailed Information (See Attached) YES  NO

## 7. COLLECTIBLES AND PERSONAL PROPERTY

Specific Instructions and/or Detailed Information (See Attached) YES  NO

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## 8. DEFINITIONS

- A. **Will:** A legal document that expresses a person's wishes as to how their property will be distributed to living individuals or entities after their death.
- B. **Testator:** A person who creates and executes a Last Will and Testament, their written instructions distributing property to the living, so that it has effect at the time of their death.
- C. **Descendant:** A blood relative (or adopted Individual) in the direct line of a parent, grandparent or great grandparent, originating from a specific family line.
- D. **Executor:** A person or institution, appointed by the creator of a Will (Testator), responsible for managing the deceased person's estate and following through on assigned tasks and duties such as, distributing property, as set out by the creator of the Will (Testator) in writing.
- E. **Beneficiary:** A natural-born person or legal entity who receives money, property or interest in group property from the creator of the Will (Testator).
- F. **Fiduciary:** A person who holds a legal relationship of trust with the Will and beneficiaries to prudently take care of money or other assets such as, property, following proper distribution in accuracy of the written Will.
- G. **Trust:** An instrument in which a relationship is created between the owner of the property and the designated entity or person (trustee) with control and power to make managed distributions of the property to a beneficiary.
- H. **Guardian:** An individual court-appointed by a judge to have legal authority to make decisions for minor children of the deceased person or for an adult deemed incompetent, called a ward, for their person and property interests.
- I. **Conservator:** A protector court-appointed by a judge to manage the personal or financial affairs of another person who is incapable of fully managing their own affairs due to age or physical or mental limitations.
- J. **Singular Expression:** The words "executor," "descendant," "beneficiary," or "person," and any other singular words, shall include the plural, and plural expressions shall include the singular, and the context of this instrument shall be read accordingly when the facts require it.
- K. **Neuter Pronoun:** The terms "feminine" or "masculine" shall extend to and include all genders and shall be taken to refer to the person or persons intended regardless of gender.
- L. **All Adopted Persons:** Persons who were adopted at a time when they were less than eighteen (18) years of age shall have the same status and rights as natural-born persons under this Will and all provisions thereof.
- M. **IRS References:** References herein to provisions of the Internal Revenue Code shall include substantially similar provisions of any subsequent enactment, provided the overall dispositive arrangement is not substantially changed as a result thereof.
- N. **Titles:** Titles given to the paragraphs of this Will are inserted for reference purposes only and are not to be considered as forming a part of this Will in interpreting its' provisions.
- O. **Distributions:** Under this Will, no person or organization shall be deemed to have survived me unless such person or entity is also surviving on the thirtieth (30<sup>th</sup>) day after the date of my death.
- P. **Time of Death:** If a significant other or spouse and testator die under circumstances such that there is no clear or convincing evidence as to the order of our deaths, or if it is difficult or impractical to determine which person survived the death of the other person, it shall be conclusively presumed that I survived my significant other or spouse for the purpose of distribution of my life insurance, property passing under this Will, and any Trust or other contracts.
- Q. **Fiduciary Liability:** No fiduciary who is a natural-born person shall, in the absence of fraudulent conduct or bad faith, be liable individually to any beneficiary of my estate, and my estate shall indemnify such natural-born person from any and all claims or expenses in connection with or arising out of that fiduciary's good faith actions or nonactions as the fiduciary, except for such actions or nonactions which constitute fraudulent conduct or bad faith.
- R. **Distribution Between Beneficiaries:** If any bequest requires that the bequest be distributed between or among two or more beneficiaries, the specific items of property comprising the respective shares shall be determined by such beneficiaries if they can agree, and if not by my executor.